Statement for Legislative/Lobbying Day

After suffering significant population loss in the late 80s and 90s while facing issues such as vacant and abandoned properties, foreclosures, aging infrastructure, and a depleted cultural landscape — issues endemic to urban communities throughout the state of New Jersey — East Orange is finally experiencing a period of unprecedented growth and redevelopment, largely in part because of CDBG (Community Development Block Grant) and UEZ (Urban Enterprise Zone) funding.

These two critical programs have been paramount in our efforts to revitalize our community, making an extremely meaningful impact on the quality of life for all of our residents, businesses and stakeholders.

CDBG
For the past 40 years, the City of East Orange has utilized CDBG funding for a variety of successful infrastructure and beautification projects, the promotion of first-time homeownership, and support for community-oriented partnerships that implement innovative and sustainable initiatives such as our Community Learning Garden and our youth, union apprentice, and senior workforce development programs operating under the leadership of the Mayor's Office of Employment and Training.

Between 1977 and the present, CDBG allocations have funded dozens of local non-profit organizations annually and supported over $100M of vital community development initiatives. From mental health services and transitional housing assistance to recreational enrichment programs and preventative health services, there is no doubt that the elimination of its funding would have a negative and severe impact on the people and programs of the City of East Orange.

UEZ
Since 1996, East Orange has used UEZ funds to attract new investment to our community, including a substantial amount of modernized, residential properties that have re-invigorated our older housing stock.

Today, developers throughout the Tri-State area are investing in our city in record numbers. Under my administration, private capital investment has increased by 500%, going from $100M in 2014 to over $600M in 2017.

In fact, we were recently ranked No. 16 on the list of the Top 20 NJ cities with new construction.

Historically, UEZ and CDBG funding was created to afford struggling municipalities an opportunity to be competitive and fuel economic growth. Today, continued funding of both programs is not only important to the continued success and survival of East Orange — which has one of the largest African-American and Caribbean-American populations in the nation — but to every urban community in the state of New Jersey.
As East Orange stands at a critical turning point in its transformation, it is imperative that our legislators continue to fight on our behalf to avoid crippling the tremendous progress we have made thus far. True commitment to our urban communities means commitment to legislation that levels the playing field and promotes equitable opportunities for stability and growth.
Testimony of Kevin Brown  
Vice President and New Jersey State Director, 32BJ SEIU  
Legislative Black Caucus Legislative and Lobby Day  
June 13, 2017

Good afternoon Chairman Rice and members of the Legislative Black Caucus. Thank you for the opportunity to present testimony today. My name is Kevin Brown, and I am Vice President and State Director for 32BJ SEIU. I am here to talk about the conditions faced by the largely black workforce at Newark Liberty International Airport (Newark Airport) and to strongly advocate for passage of S3226/A-4870, the New Jersey Safe Transportation Jobs & Fair Employment Rules Act (STAFER Act).

With more than 163,000 members, 32BJ SEIU is the largest union of property service workers in the U.S. In New Jersey, we represent 11,500 property service workers including: office cleaners, school maintenance and food service workers, residential workers and security officers while also organizing airport workers.

Newark Airport is one of the biggest worksites in the State of New Jersey and it is located in a city that has a majority black population. Newark is also a city in which poverty is concentrated and income is lower than the State of New Jersey as a whole. The median household income in the City of Newark for 2011-2015 was $33,139 – significantly lower than the New Jersey statewide median of $72,093. Moreover, according to the 2010 Census, 28.9% of all black families in Newark had income below the federal poverty level.

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1 52.4% of the population of the City of Newark was identified as black in the 2010 Census, See, U.S. Census Bureau Quick Facts, Newark City, New Jersey, available at: //www.census.gov/quickfacts/table/PST045215/3451000,3402080,34.
2 U.S. Census Bureau, American Fact Finder, INCOME IN THE PAST 12 MONTHS (IN 2015 INFLATION-ADJUSTED DOLLARS) Newark City, NJ.
3 U.S. Census Bureau, American Fact Finder, INCOME IN THE PAST 12 MONTHS (IN 2015 INFLATION-ADJUSTED DOLLARS) New Jersey.
4 U.S. Census Bureau, American Fact Finder, POVERTY STATUS IN THE PAST 12 MONTHS OF FAMILIES, 2011-2015 American Community Survey 5-Year Estimates, Newark City, NJ.
The significant majority of the subcontracted service workforce at the airport is black. The millions of passengers who travel through the airport each year depend on them to provide vital services such as cleaning, baggage handling, wheelchair assistance, and security. Yet the workers struggle to support their families. They make $10.20 an hour, which adds up to just over $21,000 a year assuming full-time work. This is considerably under the federal poverty guideline of $24,600 for a family of four. A significant number are forced to rely on food stamps; some are homeless and live in shelters. This is simply not right.

While contractors with public entities - such as New Jersey Transit or the Port Authority - are bound by prevailing wage and benefits standards, contractors with private entities - such as the airlines, private bus and ferry companies, and Amtrak - are held to a much lower standard. The ones the airport are held to a minimum wage of $10.20 an hour, which was established by the Port Authority of New York and New Jersey in 2014. The others are bound only by the minimum wage.

The STAFER Act would right this injustice. It establishes clear, transparent and uniform wage and benefits minimums for privately contracted service workers at major transportation sites - Newark Airport, Newark Penn Station, the Hoboken Terminal - that are sufficiently robust to attract and retain a trained and experienced workforce. In the interest of looking to an existing standard that is regularly adjusted as appropriate, the legislation adopts the rates established under both New Jersey and Federal Law for publicly contracted unarmed security services. This is an appropriate standard given the important security functions performed by subcontracted passenger service workers. At the moment, this would translate to $17.98 an hour in wages with an additional $4.27 an hour in benefits, plus paid leave.

The difference this additional compensation would mean to the covered workers is enormous - it means being able to work one job and support a family. It means not having to worry about how to afford healthcare, or prioritize which bills to pay. And, based on the experience of San Francisco International Airport, which adopted a quality standards program, including higher wage and benefits nearly two decades ago, it would also mean lowering worker turnover and raising quality standards for a better passenger experience.

For these reasons, I wholeheartedly urge you to vote yes on S3226/A-4870. Thank you.

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6 https://aspe.hhs.gov/poverty-guidelines
7 the New Jersey Building Services Prevailing Wage Law and the Policy for Wages and Benefits for certain Port Authority non-trade labor service contracts,
As a pastor of a church from an urban area, I see firsthand the devastating impact poverty has on individuals, families and our communities. From hunger and poor nutrition to crime and lack of health care, poverty disproportionately puts communities of color at a disadvantage. One solution to this problem is a good job.

Newark Airport is one of the largest employers in the state. The problem is the airlines have outsourced many of these jobs to contractors who pay airport workers low wages and little to no benefits. Many of these workers—the majority of whom are immigrants and people of color—make just $10.20 per hour. That's about $22,000 per year which is below the federal poverty level for a family of four. $22,000 is also well below the nearly $57,000 a worker needs to be paid in order to reasonably afford a two-bedroom apartment in New Jersey according to a recent report by the National Low Income Housing Coalition.

Making matters worse, these sky caps, baggage handlers, wheelchair attendants, cabin cleaners and other privately subcontracted workers at Newark Airport make less than workers at LaGuardia and JFK airports even though they do the same work. This is outrageous—especially when you consider that airlines have made record profits in recent years. And air
carriers receive huge tax subsidies. Meanwhile, the airport workers who helped generate their profits are living in poverty. That's not right.

And many of these workers live in Newark, so when they don't earn enough to afford the basics like food and rent, they can't support area businesses. In fact, many Newark Airport workers earn so little they're forced to rely on food stamps and other government taxpayer funded programs just to put food on the table.

Legislation can help right this wrong. The STAFER Act will ensure that privately subcontracted workers at Newark Airport, Newark Penn Station and Hoboken station receive the same wages and benefits as publicly contracted unarmed security officers. These hardworking men and women are an important link in the chain that keeps us safe and secure. In fact, recently a pressure cooker was found at Newark Airport by a privately subcontracted worker. These men and women are clearly on the front lines and they should be compensated appropriately for their service to us and millions of other passengers.

So I urge you to support the STAFER Act because good wages reduce turnover which can improve safety. And a living wage and benefits will help put thousands of airports, rail and ferry workers and their families on a path out of poverty.

Thank you.
Testimony of Demetrius Lucky
Newark Airport Worker
Legislative Black Caucus Legislative and Lobby Day
June 13, 2017

Newark Airport Worker Testimony; Demetrius Lucky

Hi, my name is Demetrius Lucky. Thank you for the opportunity to testify today.

I made the long trip to Trenton today so you can hear my story and put a face on the issue of poverty. I am a singled dad. I work hard for a living because I must provide for my teenage daughter. But I can’t make a living, despite the fact I work a full-time job. I work as a baggage handler at Newark Airport. This is physically demanding work which I have been doing faithfully for 10 years. Despite my hard work and loyalty, I make just $10.20 per hour. That adds up to about $22,000 per year which is less than the federal poverty level for a family of four. You can’t feed your family on poverty wages. Making matters worse, airport workers at LaGuardia and JFK who do the same job as me, make more money. That’s insulting and plain wrong. Meanwhile, the airlines are making billions.

Poverty wages don’t just hurt us, the workers, they also impact families and neighborhoods—especially communities of color because the majority of airport workers are immigrants and minorities. And like me, many of the workers at Newark Airport live in the city and surrounding communities. So we need these jobs to be good paying jobs that allow us to sustain ourselves and our families.
You can help uplift me and thousands of other subcontracted airport, rail and ferry workers by supporting the STAFER Act. This bill will ensure these privately subcontracted workers earn the same wages and benefits as publicly contracted unarmed security officers. We deserve it. That's because workers at Newark Airport, Newark Penn Station and Hoboken Station play a vital role in keeping these transit facilities safe and well maintained.

So I urge each and every one of you—support the STAFER Act—so that workers like me can get on a path out of poverty and give our children a bright future.

Thank you.
June 13, 2017

Good Morning/Afternoon Everyone

Thank you for the opportunity to speak to you today, my Name is Noel Christmas and I am President of the Utility Workers Union of America Local 601 representing 1300 members in customer service for Public Service Electric and Gas, Bus claims department for New Jersey Transit and Atlantic City Contact Center located in the old Claridge Casino. I am also the Chairman of the State Council of the Utility Workers Union of America representing 3500 members in the Electric, Gas and Water Industry in the state of New Jersey such as America Water, United Water, Elizabeth Town Gas, Bergen County Sewerage Authority, Atlantic City Contact Center, Kelly Construction and JD Covely.

The general make up of my members are meter readers, field and office collections, billing and payment centers, customer Service call centers and walk-In centers, new construction, gas and water contractors and gas and water utility street workers. I will not take up much of your time but my testimony today is to talk to you about the important role our field, office and customer service members play.

There are 3 specific issues I would like to touch on such as Economic opportunity, diversity in the Utility Industry and the positive presence Utility Workers provide in the communities we serve.

**Economic Opportunity**

Utility companies provide entry level positions such as meter reading, call center workers and other clerical jobs. With utility companies trying to eliminate these jobs through technologies such as automated metering and smart metering those opportunities for many minorities and women will disappear. Especially for those who do not have the means to further their education for whatever their circumstances has afforded them.

**Diversity**

For whatever diversity exists currently in Utility Companies are a direct result of the entry level jobs I described above. Without those jobs Diversity will be almost Extinct.

**Safety Presence in the Community**

Those Jobs above perform important Emergency Duty Work. This could not have been more prevalent than when Severe Storms such as Hurricane Sandy and Irene reared their ugly heads. Our members sat on down live power lines, reported cracked and downed utility poles and blocked off the dangers to the public. This was done by meter readers, and other non-emergency positions which are now trained for
this until the emergency repair crews arrive and to supplement police and fire units that are limited in those times. In addition because of our field presence we can detect dangerous conditions such as gas leaks, tampered gas and electric meters and lines. We also report illegal apartments to the county sheriff departments etc. Without these services residents can tamper with Electric and Gas lines and meters and put themselves and the public in serious danger!

We also train on invaluable programs that serve the community that has nothing to do with our Jobs such as child watch offering safety to the most vulnerable in our society-our children. In the normal course of our job duties we have come across countless emergencies ranging from customers having heart attacks, elderly that have fallen, babies walking out in the street unattended, pregnant women and countless others that if I mentioned them all we would run out of time here today!

Thank you for listening to me and hopefully getting a better picture and understanding of the role a Utility Worker plays in our communities and in your lives!

If you have any questions you can contact me at the above phone number or e-mail address.

Sincerely,
Noel J. Christmas
President, UWUA Local 601
Chairman NJ State Council of UWUA
Testimony
Before
New Jersey Legislative Black Caucus
On
Tuesday, June 13, 2017

Thank you on behalf of AFSCME NJ and Randy Sharpe, Executive Director for this opportunity to speak to you this morning to ask for your support and have you hear AFSCME’s concerns. I’m Rex Reid the Political and Legislative Representative of AFSCME New Jersey. AFSCME NJ represents approximately 40,000 employed members and more than 20,000 retirees in the State of New Jersey. AFSCME members consist of direct care staff in all of the State operated Developmentally Disabled Centers, Psychiatric Hospitals, Veteran Homes including nurses, food service workers and instructor trade instructors within the State’s correctional institutions. We work in Juvenile Justice Institutions, County Welfare offices, Water Departments, Public Works Departments, Libraries, Colleges & Universities but not limited to any number of other state, county, municipal jobs. There are also some 700 in home Child Care Providers part of a joint Local Union, CCWU, with CWA for a combined 1400 members providing in Home Child Care. Those are independent contractors registered with the State and collectively bargained for by AFSCME & CWA. AFSCME also represents a number of private sector Hospital and Nursing Home workers throughout the State.

All of those members are your constituents. They live in the communities you represent. They work in State, County, and Municipal sites in your districts and throughout the State. They pay taxes from their Public Employee salaries in your respective districts. I say that because the conversation had in and about this building, the State Capital, sounds as if public employees are the enemy, or at least the cause of all the State’s financial problems. We all know that is not true and that those that perpetuate that untruth have a hidden agenda. So, First, I’m asking you, members of The New Jersey Legislative Black Caucus to stand up and defend not just public employees, but your constituents who are public employees when they are given a bad rap in your committees, hearings and when speaking to the press. For if I’m to defend you and the Democrats in these chambers before my members and the public; it’s only fair that I ask no less of you.

The members of AFSCME only want to work, get paid a living wage, and retire from their labors as they have grown accustomed to living, like every other working person in New Jersey. To that end we ask you to support our jobs and the wages we earn by keeping us employed and not support any more layoffs. Public employees do the best job that can be done and at the most cost effective manner for the public we serve. I would also ask you to keep the word of the State you all represent. That if we worked 25 years until retirement you would support a Pension with Health Benefits as part of the retirement package.
That contractual promise has not been kept as it was made and the idea of a pension going forward is in jeopardy. We are asking you to fight with us to hell and back if necessary, to see that the promise of a pension as it was made is kept. If the State funds the pension at 100% it will work and therefore the promise can be kept.

Retirees in the State were promised a Pension with a Cost of Living increase and Health Benefits, initially it was to be free, now with a 1.5% cost to them. That is a fight we are asking you to take on with us. For you and your governing bodies made the contractual promise and you should fight to keep it. The COLA should be returned sooner rather than later. The Lottery as a funding stream sounds suspect because of its constitutional requirements and again the “Debt Limitations Clause” in the NJ Constitution. If the Pension is fully funded with quarterly payments, that would be the best thing that could happen to the Pension funds.

Child Care! Child Care Providers are some of the lowest paid workers in the country. In the State of New Jersey they earn about $3.00 to $4.00 an hour of which they are only paid for the first six (6) hours, when their average day is 11 hours or more. In the coming legislative session, we would ask you to sign on to support a bill that would correct that system error and increase the number of children a provider can care for with an assistant in the home. To increase their earning potential, five (5) children are too few to earn a living.

We ask that you support a new contract for State Workers under a new Governor. State workers have not seen a pay increase since 2011; when the old contract started, with Health care co pays increasing with salaries decreased. That contract ended in 2015 and we have been without a successor.

The coming budget must raise revenue in order to meet these and the State’s other economic challenges. Reversing the half a cent tax decrease and the death tax would be a good start to raising revenue.

These are a short list of tasks AFSCME New Jersey would like your support in accomplishing. Together we can make them a reality in this State and improve working people’s lives within your respective districts.

Thank you for your considerations.

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Scott NovaKowski Delivers Testimony on Institute's Priority Issues

Institute Associate Counsel and Debevoise Fellow Scott Novakowski delivered testimony at the New Jersey Black Issues Convention and Legislative Black Caucus 2017 Annual Conference:

I. INTRODUCTION

My name is Scott Novakowski. I am Associate Counsel and Debevoise Legal Fellow at the New Jersey Institute for Social Justice ("Institute"). I would like to thank the members of the Legislative Black Caucus and Senator Rice for the opportunity to speak with you today.

The Institute’s mission is to empower urban residents to realize and achieve their full potential. Our work is aimed at toppling load-bearing walls of structural inequality to create just, vibrant, and healthy urban communities. We employ a broad range of advocacy tools to advance our ambitious agenda, including research, analysis and writing, public education, grassroots organizing, the development of pilot programs, legislative strategies, and litigation.

Using a holistic approach to address the unique and critical issues facing New Jersey’s urban communities, the institute advocates for systemic reform that is at once transformative, achievable in the state, and replicable in communities across the nation.

II. THE THREE PILLARS OF OUR WORK

Our work at the Institute focuses on the three pillars of social justice – Economic Mobility, Civic Engagement, and Criminal Justice. Under the Economic Mobility pillar, we fight for the opportunity for every person to have the equal opportunity for a meaningful, full-time job, safe and affordable housing in healthy, vibrant communities, equitable access to transportation, and fair access to credit. In our Civic Engagement Pillar, the Institute facilitates and encourages full, equal, and active participation in the democratic process. Finally, our Criminal Justice reform work focuses on enhancing public safety, while ensuring sensible and fair criminal justice outcomes from policing through reentry. Today, I am going to highlight our priorities in each of these pillars. There are additional policy proposals detailed in our platform document, “A Social Justice Vision for New Jersey,” which I have attached to each copy of my testimony.
those in urban communities, has the ability to realize their full potential and achieve the American dream.

Fifty years ago, Dr. Martin Luther King, Jr. spoke about the existence of "two Americas" sharply divided by race. In one "America," children grow up in the "sunlight of opportunity." But in the "other America," people of color confront staggering rates of unemployment, poverty, and a lack of opportunity. Half a century after Dr. King made this famous speech, far too many people of color in New Jersey live in the "other America."

In New Jersey, people of color are more than one-and-a-half times likelier to be unemployed than white people. Due to both higher rates of unemployment and wage disparities, people of color in New Jersey have a poverty rate nearly triple that of white residents. Approximately 21 percent of Latino and 19 percent of Black residents live below the federal poverty line, in comparison to 7 percent of white residents. Further, 39 percent of households of color in New Jersey—in comparison to 24 percent of all households—live in asset poverty, meaning that they do not have enough assets to live at the poverty level for three months if they lost their income.

In our recent report, "Bridging the Two Americas: Employment & Economic Opportunity in Newark & Beyond," the Institute found that these striking disparities are the result of systemic failures—not individual ones—and that they require systemic solutions. These statistics reflect the accumulation of decades of law and policy decisions at the federal, state, and city level, structural changes in the economy, and racial discrimination that limited economic opportunity.

The policies and practices that created and sustained the Two Americas can—and must—be addressed. To bridge the Two Americas, the Institute recommends that the New Jersey State Legislature focus on the most immediate cause of poverty and inequality—unemployment and a lack of access to jobs that pay a living wage.

*Raise the Minimum Wage*

As one of the wealthiest states in the nation, with one of the highest costs of living, New Jersey should ultimately raise its minimum wage to a living wage. Currently, a living wage in the State of New Jersey for a single adult is $12.99 per hour, although it is even higher for a single adult in Essex County, where Newark is located ($13.49 per hour). Given the substantial economic research supporting raising the national minimum wage to $12 per hour, and the many competitive economic advantages that the State of New Jersey enjoys over other states, the State Legislature should immediately raise the minimum wage to $12 per hour. The Legislature should also adopt an expeditious phase-in of an increase of the minimum wage to $15 per hour, similar to California and New York's adoption of a $15 per hour minimum wage. This increase will enable New Jersey
and reducing the gender and race pay gaps in the state.

**Tax Credits and Additional Funding for Apprenticeship Programs**

The New Jersey Legislature should allocate additional funding for apprenticeship programs in the state, which help directly bridge the middle skills gap between unemployed or under-employed people and employers. The U.S. Department of Labor estimates that every federal dollar of investment in apprenticeship programs yields more than $50 in federal revenue.\(^1\) Realizing a similar return on investment in New Jersey would mean that these programs will more than pay for themselves over time, as well as enable thousands of residents to enter career paths that pay a living wage and provide the opportunity for career advancement.

**Amend the Opportunity to Compete Act**

The Opportunity to Compete Act\(^2\) (also known as the "Ban the Box" law) was an important first step in improving access to employment for people with criminal convictions in New Jersey, but it needs to be strengthened. The law should be amended to only permit employers to inquire about an applicant’s criminal history and complete a background check after a conditional offer of employment is extended. Then, in order for the employer to rescind the conditional offer of employment, it should be required to provide a written explanation to the applicant of why the criminal history makes them ineligible for the position, and provide the applicant an opportunity to respond, before the employer extends the offer to another applicant.\(^3\) New Jersey should also examine and publicly report on the denial of employment based on criminal convictions across different racial and ethnic groups in the state. In addition to government enforcement of this law, there should be a private right of action to facilitate enforcement.

1. **CIVIC ENGAGEMENT**

The Institute’s Civic Engagement pillar seeks to make the promise of democracy real for people of color across New Jersey by advocating for full, equal, and active access to the ballot. Unfortunately, significant barriers to voting remain and many have a disproportionate impact on people of color.

As I recently wrote in an op-ed for NJ Spotlight,\(^4\) one of the most pernicious and indefensible barriers to civic participation are laws that disfranchise people with criminal convictions. In New Jersey, a person convicted of a felony\(^5\) is denied the right to vote until they have completed their full sentence, including parole and probation.\(^6\)

New Jersey currently bans almost 95,000 residents from voting because of a criminal conviction—over three-quarters of whom (more than 70,000 people) are on parole or probation.\(^7\) These residents are living in the community, raising families, and contributing to our economy. As the Institute’s recent report with the Brennan Center for
People of color are disproportionately impacted by criminal disfranchisement laws due to well-documented racial discrimination in the criminal justice system. That disparate impact is acutely felt here in New Jersey, where a recent Sentencing Project report found that Black residents are incarcerated at a rate twelve times higher than their white counterparts.\[17]\ New Jersey, shamefully, has the worst Black/white racial disparity rate in the country.

Disfranchisement laws directly import these disparities into our electorate, resulting in a loss of Black voting power. Half of those who have lost the right to vote because of a criminal conviction in New Jersey are Black, and over 5 percent of Black New Jersey residents of voting age are currently disfranchised.\[18]\ As demonstrated in a recent article by the ACLU of New Jersey, almost a quarter of voters removed from the voting rolls because of a criminal conviction between 2010 and 2016 come from Essex and Camden Counties.\[19]\

Voting power is further diluted as a result of prison-based gerrymandering—the practice by which people in prison are counted at the facility for the purposes of drawing district lines, rather than at their home communities. This prison-based gerrymandering artificially inflates the political power of districts containing prisons at the expense of the communities from which people in prison come and ultimately return.\[20]\

Criminal disfranchisement laws also have a negative impact on public safety. An expanding body of social science literature links disfranchisement with a greater likelihood of recidivism.\[21]\ This finding makes intuitive sense, as the message being sent is one of stigma, isolation, and exclusion. Instead of pushing people out of our community, we must do everything we can to welcome returning citizens back and to support their successful re-entry.

We need to recognize the distorting effect that disfranchisement has on our public dialogue and, ultimately, our policy choices. For example, a recent paper linked criminal disfranchisement laws to harsher sentencing and over-incarceration, even when taking into account that people with criminal convictions may be less likely to vote.\[22]\ When people with criminal convictions are unable to vote, politicians have no incentive to protect their interests. As we as a society debate issues such as criminal justice reform, removing economic barriers, and reforming policing, systematically removing the voices of those most directly impacted does a disservice to democracy.

Despite the disparate impact on people of color, state and federal courts have refused to invalidate most criminal disfranchisement laws. That is why it is incumbent upon the Legislature to restore voting rights and to ensure that all voices are heard.

The Institute supports legislation that would, at a minimum, automatically restore the right to vote to all people with criminal convictions upon release from prison. Such a bill should also require that probation, parole, and corrections agencies provide voter
themselves—do not know the rules around voting with a criminal conviction in their states.[23]

While enfranchisement of people on parole and probation is an immediate priority, we should not be satisfied until voting rights are fully restored to all people with a criminal conviction, including those serving a prison sentence. We ultimately need a full decoupling of the criminal justice system and the fundamental right to vote. It is a pairing, born in a historical period very different from our own, which damages our communities and has long outlived any purpose it may have once served.

1. CRIMINAL JUSTICE

Finally, the Institute’s third pillar is Criminal Justice reform. Today, I will talk to you about our campaign to transform our youth justice system, specifically by closing two of the three youth prisons in our state and building a community-based system of care.

During the formative years of childhood and adolescence, young people need community support and room to grow in order to successfully transition into adulthood. Unfortunately, the right to learn from one’s mistakes is not evenly distributed. Indeed, despite little difference between Black and white youth in terms of delinquent behavior, Black children in New Jersey are 24.3 times more likely to be committed to a secure juvenile facility than their white counterparts.[24] In fact, New Jersey has the third-highest Black-white commitment disparity rate in the nation.[25] Of the 222 young people incarcerated in a New Jersey youth prison as of January 1, 2017, two-thirds (148) are Black. Incredibly, just 13 are white.[26]

As we explained in our report on New Jersey’s juvenile justice system, “Bring Our Children Home: Ain’t I A Child,” these stark racial disparities reflect racially discriminatory policy decisions and practices that determine which kids get sentenced to youth prisons and who gets treated as a child.

In short, the juvenile justice system is failing young people of color. Not only are they incarcerated at a higher rate, but once convicted, they are subject to a system that is ineffective and harmful. Research on adolescent brain development shows that most children grow out of delinquent behavior. However, incarcerating youth does not account for this fundamental difference between children and adults, and in fact, inflicts a punishment that will likely carry into a child’s adult years. Children who are incarcerated are more likely to be imprisoned and live in poverty as adults.[27]

Further, youth prisons do not make our communities safer. For instance, in New Jersey, of the approximately 500 juveniles released from juvenile correctional facilities in 2012, 80 percent had a new court filing/arrest, 68 percent had a new adjudication/conviction, and 32.8 percent were recommitted within three years of release.[28]
research by the John Jay College of Criminal Justice Research and Evaluation Center, of 3,523 high-risk youth participating in an intensive community-based program, 86 percent remained arrest-free during the program and 93 percent remained at home at the end of services.[29]

Community-based programs are also more cost effective than incarceration. The 2018 proposed state budget estimates that New Jersey will spend $248,186 annually to incarcerate a single child.[30] In contrast, community-based programs have a daily average cost of $75, according to Youth Advocates Program, Inc., a national non-profit that operates community-based programming for justice-involved youth in New Jersey and throughout the country.[31]

Exorbitant spending on youth incarceration persists even though the State youth prisons are largely underutilized. As of January 2017, the New Jersey Training School for Boys (aka "Jamesburg"), which has a maximum capacity of 330 youth, housed only 152 young people.[32] As of that same date, the Female Secure Care and Intake Facility (aka "Hayes"), the girls' youth prison, housed only nine young women, approximately 19 percent of its maximum capacity of forty-eight.[33]

What this research makes abundantly clear is that youth incarceration is a failure. It fails our children, our communities, and our budgets. And so on June 28, 2017, 150 years after Jamesburg opened its doors, we say: 150 years is enough. On that day, the Institute and our partners will hold a rally outside Jamesburg to call for the closure of Jamesburg and Hayes, and to create, in its place, a community-based system of care.

We invite you to stand with us on June 28, and lend your collective voices to this urgent civil rights issue. The future of our state's youth of color depends on it.

Thank you for your time and leadership on all of these critical social justice issues. I am happy to answer any questions you have.
June 8, 2017

Ms. Fredrica Bey
94 Beech Street, East Orange, New Jersey 07018
(973) 985-1632

Mr. Todd Beyersdorf, Customer Relations Specialist
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Mr. Kevin Goldade, Corporate Trust Services
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Honorable Judge Thomas Moore
Chancery Court, Essex County
General Equity Part
212 Washington Street, 8th Floor
Newark, New Jersey 07102

Sent Via Certified Mail #: 7015 0640 0004 0030 8686

Re: U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation
Mortgage Pass-Through Certificates, Series 2007-GELI v Fredrica Bey
Order Granting Summary Judgment, on March 31, 2017:
And Modification Acceptance by Nationstar on February 10, 2017
Re: Notice of Withholding of Fredrica Bey’s Forbearance modifications Payments, for Cause:

Dear Mr. Beyersdorf and Mr. Goldade:

As per our letter of April 23, 2017, our question remains, who is the owner of the note? What is the name of the “Trust?” Enclosed please find the letter from Nationstar Mortgage received today, stating that “Our records indicate that US Bank National Association as Trustee SASCO 2007-GELI ALS, IS The Current Owner of the Loan.”
Also enclosed please find the letter from U.S. Bank, stating that "We researched the above referenced address and determined that we are merely the trustee for the Trust that owns the Mortgage and Note on this property." From the very first question on The Admissions: "Admit or deny that U.S. Bank Trust, N.A. is the direct beneficiary of the monthly mortgage payment?" U.S. Bank Response: "Objection; this statement is vague, ambiguous, and otherwise improper." U.S. Bank answered each and every Admission Question the same way. There is nothing "Vague, ambiguous, and otherwise improper" about that or any of the Admission Questions.

This is the 2017 version of the "Dred Scott Decision" of 1857 which stated that "A Black Man Has No Rights, That a White Man Is Bound To Uphold." The decision went on to state that, Dred Scott had no right or standing, to sue for his freedom, because he was considered to be, 3/5th of a man. He himself, was considered property, like a horse or a cow. The decision stated and implied, that Dred Scott had no rights, or standing to sue, as he was not a citizen of these United States of America, because he did not have the constitutional rights, to "Due Process of Law," as he was not fully human.

Because of the valiant and successful struggle and fight of our Ancestor Dred Scott, we, I Fredrica Bey am a citizen of the United States, and in 2017, we do have the protection of the Article 14 in the United States Constitution, which says that we, "have a right to Life, Liberty and Property, and due Process of Law." I signed a Forbearance Modification February 10, 2017, under duress. I paid as agreed my March and April, 2017 mortgage, and I still received a Notice of Summary Judgment to Foreclose on my home on April 4, 2017.

Many thanks to the Honorable Senator Ronald L. Rice for his Senate Bill # 1593 which states; "Forbearance means a period of six months during which the creditor shall suspend all efforts to advance any judicial foreclosure proceedings filed by the creditor, against the borrower, pursuant to section 3 of this act." It goes on to say that "The Creditor shall, notify the court that forbearance has been granted with the dates that the forbearance period will begin and end." The attorneys KML Law Group, the Trust, U.S. Bank, the Servicer, Nationstar Mortgage, and the Chancery Court of Essex County appear to be in "Non Compliance of State and Federal Law." We are demanding a Moratorium in 2917 on Foreclosures in the State of New Jersey, until the Banks, the attorney’s, the Servicers, and the Trust are in full and complete compliance with the law. We implore our legislators, to use the powers invested in them, to protect our constitutional rights, and our "Due Process of Law, so help us God.

Again, this is formal notice that I Fredrica Bey, will continue to withhold any future payments, of my forbearance, Modification agreement, until, U.S. Bank, Nationstar and its attorney’s, KML Law Group, the Chancery Division of the Superior Court of New Jersey, adheres to the Law, including Senate Bill No. 1593 and Rule 4:64-1(b)(11). I will withhold any future payments, until this ruling is formally and justly adjudicated. I have been denied my "Due Process of Law" by Nationstar Mortgage, US Bank National Association, KML Law Group LLC, and the Chancery Court of New Jersey, and we will not revisit, the Dred Scott Decision, of 1857, So help us God.
Again, it is against the law of God and Civilized man to take our Home, and our money too.

Thanking you in advance for your prompt response to our Admission Questions and Interrogatories. Thank you for having this ruling formally and justly adjudicated, at our next court date scheduled for June 23, 2017, wherein KML Law Group is scheduled to file a motion on the papers, “Vacating the Summary Judgement for Foreclosure on our home that was granted and sent to Trenton on March 31, 2017. I do intend to be present in court on June 23rd, and looking forward to my “Due Process of Law” as a citizen of these United States of America, by having the above papers submitted prior to June 23, 2017.

Sincerely,

[Signature]

Fredrica Bey
Enclosures

C: Senator Ronald L. Rice, 28th District, Essex County
Rev. Dr. David Jefferson, Sr., Esq., Pastor Metropolitan Baptist Church, and
President, of National Action Network, of New Jersey
Senate President Steve Sweeney,
Speaker of the House Vincent Prieto,
Assemblyman Jerry Green, 22nd District, Union County, Chair, Housing and Human Services
Speaker Emeritus, Sheila Y. Oliver, 34th District, Essex and Passaic Counties
Assemblyman Thomas P. Giblin, 34th District, Essex and Passaic Counties
Assemblywoman Cleopatra Tucker 29th District
Assemblyman Ralph Caputo
Assemblywoman Mira Jacey
Senator Richard Cody
Senator Teresa Ruiz
Assemblywoman Eliana Pintor Marin
Senator Nia Gill
Senator Bonnie Watson Coleman
Assemblyman John McKeon
United States Senator Cory A. Booker
United States Congressman Donald Payne Jr.
United States Senator Robert Menendez
Portia Allen-Kyle, American Civil Liberties Union
Hearing of Citizens Coalition, Of the State of New Jersey
At the heart of the Dred Scott decision, was the most important question of the 1850s: Should slavery be allowed in the West? As part of the Compromise of 1850, residents of newly created territories could decide the issue of slavery by vote, a process known as popular sovereignty. When popular sovereignty was applied in Kansas in 1854, however, violence erupted. Americans hoped that the Supreme Court could settle the issue that had eluded a congressional solution.

Dred Scott was an enslaved African, whose owner, an army doctor, had spent time in Illinois, a Free State, and Wisconsin, a free territory at the time of Scott's residence. The Supreme Court was stacked in favor of the slave states. Five of the nine justices were from the South while another, Robert Grier of Pennsylvania, was staunchly pro-slavery. Chief Justice Roger B. Taney wrote the majority decision, which was issued on March 6, 1857. The court held that Scott was not free based on his residence in either Illinois or Wisconsin because he was not considered a person, under the United States Constitution. In the opinion of the justices, black people were classified as 3/5th of a man, and Black People were not considered citizens when the Constitution was drafted in 1787. According to Taney, Dred Scott was the property of his owner, and property could not be taken from a person without due process of law.

This brings us to the 2017 Dred Scott Decision: US Bank v Fredrica Bey. We have provided a brief package for you which detail all of the 8 points of Dr. David Jefferson's letter:

1. On behalf of the Hearing of Citizens Coalition of New Jersey, we have been the subjects of Fraud, and pure Greed starting with the Government bailing out the too big to fail Banks, with our tax payer dollars. Since the predatory lending practices, nearly brought the government it's knees because of Fraud and Greed of the Banks, their attorney's and the courts "We The People" have borne the brunt of having our properties taken without "Due Process of Law," as was stated in the Dred Scott Decision. In 1857 according to the Court, Dred Scott was the property, according to United States law. In the 2017 Dred Scott decision, We the People continue to be denied, Due process of existing New Jersey and federal laws. We continue to request documents from the Bank supported by Rule # 4:64-(B) (11). The courts continue to uphold the banks in fraudulent foreclosing on our homes, and the only difference in the 1857 Dred Scott decision and the 2017 Dred Scott Decision, is that the Banks are taking the properties of Blacks, Whites, & Latinos, Taking the properties of Victims of acts of God, like the Sandy home owners which is a travesty. However, Black Folks homes are demonstrably disproportionately Foreclosed on. by the too Big to fail Banks, see the Hardest Hit December 1, 2016
June 13, 2017

Testimony to the Black Elected Officials:

"The school is the last expenditure upon which America should be willing to economize."
Franklin D. Roosevelt

"Every intelligent nation sees its children as its most valuable assets." Van Dyke

The story of Newark, NJ is a tale of two cities, driven by unbridled charter school expansion creating separate and unequal educational equity.

The common argument is that all the children are black and brown so they can be no such issue in the largest city in the state.

Yet under the Governor's former and current commissioner, the following is the case: The Traditional Public Schools are filled with students who have all types of special needs but little to no resources to properly address their classifications.

The Traditional Public Schools have a budget with little to no provisions for the maintenance of the buildings, staff to address the social and emotional needs of children through social workers, attendance counselors, substance abuse coordinators, etc.

There was a $75.9 million deficit as of July 1, 2015 left by former Superintendent Anderson. This deficit was created by her blatant misuse of funds without oversight by the state commissioner. In fact, her actions were condoned former Commissioner Cerf who is now the superintendent of Newark Public Schools.

Charter schools operated by Educational Management Organizations (EMO). have become free private schools with different rules and polices that give them sovereignty with minimal oversight. The laws are waived, statutes and policies overridden. Allowed to access public dollars, self-report, self-govern, and selectively recruit without oversight, legislators allow little to no accountability of the use of public funds, and also allow "public" charter schools to simultaneously solicit private dollars without disclosure.

This controversial movement has been allowed to operate as if it is a private entity but with public dollars. That is discrimination.
As parents are given the “choice to think only of their individual child’s education” and not the community of children, the following has occurred:

Charter schools admit very few special needs students. A child can be removed from the school based on their self-regulatory policies, with little accountability even though they use public dollars.

Charter organizations have been allowed to use state dollars for facilities usage that the Superintendent of Newark Public Schools could not or would not to pursue. When one of the buildings, 18th Ave. Elementary School was sold for $4 million, the money went back into the state coffers and not to the district. Meanwhile, the charter organization lobbied for and received private and public state dollars to restore and renovate the 100-year-old building to state of the art status. Meanwhile on the public side, some of the 100-year-old public school buildings are deteriorating, roofs collapsing, contaminated water fountains roped off and no assistance from SDA coupled with very little facilities dollars inside the NPS budget. That is discrimination.

The hold harmless policy has enabled charter organizations to amass surplus based on “projected” enrollment.

Just recently the current superintendent and mayor were able to secure $26 million from the Christie Administration but once the EMO’s were paid their hold harmless, only three million was actually allocated for the needs of the traditional public schools district.

Yes, their numbers are increasing but the dramatic increase can be attributed to the artificial manufacturing of “choice” produced by the skewed One Newark Enrollment algorithm. We have gathered video testimonies of parents who have been steered to charter schools despite their choice of a public school.

Before former Commissioner Hespe left his position, he approved an additional 8500 seats for charter schools but it is not labeled as “expansion”. Let’s not play with words. Indeed it is unbridled expansion with little oversight or analysis as to how those additional seats which are actually dollars will impact the operating budget of the Newark Public Schools District.

The NAACP calls for full funding and support of high quality free public education for all children. We call for a moratorium on charter expansion until there has been an independent, official assessment and analysis of the expansion and its impact on public schools. The Newark Branch NAACP calls for legislation that mandates accountability via strengthening of oversight in governance and practice and public access to funding sources information. We will continue to oppose state laws that divert public funding, allows tax breaks or establishes preferential advantages. We want the resources that all our schools deserve.

We need the state budget to reflect our educational needs. As the Education Law Center noted, “the Governor’s paltry increase not only fails to make a dent in what districts should be receiving as adequate under the School Formula Funding Reform Act. The $36 million increase in formula aid doesn’t even begin to make up for the Governor’s six years of not funding the SFRA, especially in high needs districts such as Newark.” We need more funding for the education of New Jersey’s most valuable assets—our children.

Submitted by:
Deborah Smith Gregory, President Newark NAACP
Almost one-quarter of the total $94 million statewide increase, or $22 million, will go to hold Newark charter schools harmless from aid reductions due to declining revenue in the State-operated Newark Public Schools’ (NPS) budget. For the last two years, the State has forced NPS to give extra “hold harmless” funds to charter schools out of the district’s budget. This year, the State is providing extra “hold harmless” aid that the district must pass through to the charters. The $22 million to hold Newark charters harmless represents 82%, or the lion’s share, of the $26 million increase to the FY17 NPS budget. NPS must also fund an estimated $2 million for enrollment growth in the charters. Because the $22 million increase is driven by charter school budgets, and not based on the state aid owed to NPS under the SFRA, it is insufficient to close the district’s estimated $70 million budget deficit or address the resource needs in NPS-run schools.

Over half of the $20 million in charter hold harmless aid will likely go to the two large national charter chains operating in Newark. Last year, the KIPP charter group received $5.4 million, and Uncommon charters took in an extra $6 million in hold harmless funds. In addition, these and other Newark charters may be carrying large amounts of unused cash in “unrestricted” surplus accounts. A recent Education Law Center analysis showed Newark charters had almost $35 million in excess surplus at the end of 2013-14.

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The Governor’s budget is more bad news for students in NPS-run schools. Successive years of flat state aid, coupled with the State’s decision to rapidly expand charters, has left the NPS budget in chronic deficit, forcing deep cuts in the number of classroom teachers, counselors, social workers and nurses, and in special education and bilingual education services and other essential resources.
Newark’s children have become the causalties of a war over educational dollars; with the highest toll of destruction on the most vulnerable—our special needs children.

Newark Public Schools are rapidly becoming a refuge for special needs children routinely dumped by charter schools. However the required resources are not available as the District contends with million of dollars in deficits brought on by the former superintendent’s mismanagement, along with the high costs of sustaining growth and expansion of the charter schools.

Under the direction of former NJ Education Commissioner Chris Cerf, now Newark Superintendent, the former superintendent had carte blanche authority to launch a grand experiment on our children with school co-locations, closures, reform models proven to be failures and the infamous Employees Without Placement Pool created in 2012.

As a result of this massive waste of public resources, millions of dollars were spent to place teachers and administrators in a holding pattern until they signed punitive agreements, resigned or retired. It was only after a consistent public outcry that they were finally assigned to schools, although many were still not allowed to teach in their certificated areas.

Beginning in 2016, charter schools were able send their special needs students out of district to special schools at the expense of the Newark Public Schools, while ironically the district is bringing out of district students back into the district to save money.

Simultaneously, NPS District’s special needs children are the front line casualties of this educational dollars war assigned to schools with insufficient programs or personnel. While the current superintendent has dismissed parent outcry as “anecdotal,” the chart below highlights the separate and unequal school system that has been established in Newark. The inequity is alarming. All of our children deserve equal educational opportunities.

Source: NJ Department of Education Office of Special Education Programs Children Receiving Free and Appropriate Education (Ages 16-21) Student Count by Disability as of Oct. 2014

<table>
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<tr>
<th>School</th>
<th>Autism</th>
<th>Emotional Disorder</th>
<th>Hearing Impaired</th>
<th>Multiple Disorders</th>
<th>Specific Learning</th>
<th>Speech Impaired</th>
<th>Brain Injury</th>
<th>Visual Impaired</th>
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<tr>
<td>Newark Public S.</td>
<td>418</td>
<td>268</td>
<td>37</td>
<td>582</td>
<td>1,976</td>
<td>760</td>
<td>25</td>
<td>4</td>
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<td>North Star Charter 6 schools</td>
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<td>5</td>
<td>2</td>
<td>7</td>
<td>138</td>
<td>94</td>
<td>0</td>
<td>1</td>
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<tr>
<td>Newark Educators</td>
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<td>0</td>
<td>0</td>
<td>1</td>
<td>15</td>
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<tr>
<td>Newark Legacy</td>
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<td>3</td>
<td>0</td>
<td>0</td>
<td>19</td>
<td>18</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Team Charter 5 Schools</td>
<td>7</td>
<td>12</td>
<td>0</td>
<td>9</td>
<td>173</td>
<td>46</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>M. P. Thomas</td>
<td>1</td>
<td>4</td>
<td>0</td>
<td>14</td>
<td>84</td>
<td>15</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
Amy Lewis, Medical Health Director/Recording Secretary Teamsters Local 97 Union  
President, Teamsters National Black Caucus-Northern New Jersey Chapter  
East Orange, 1st Ward Councilwoman


On June 28, 2017 the Supreme Court denied the rehearing of the Friedrichs v. California Teachers Association with a split decision. That particular lawsuit was designed to eliminate agency fees. Considering the proliferation of fair share litigation, it is more than likely that one of the cases pending will be considered in October when the Supreme Court begins its term. This will not be healthy for the work force in the State of NJ.
Questions for Candidates for Elective Offices: EDUCATION

Inbox

- James E. Harris <jharrisnaacp@yahoo.com>

To: Sen. D.O. Rice, Reva Foster, Pres NJSC NAACP Richard T. Smith, Lawrence Hamm

Cc: jharrisnaacp@yahoo.com

Jun 13 at 1:57 AM

Dear Civil Rights Activist,

There will be many elections in New Jersey in 2017. The Governor, the entire New Jersey Legislature, Freeholders, Mayors, Municipal Councils and Boards of Education will provide opportunities for citizens to vote for individuals who affect their lives.

The New Jersey Association of Black Educators will present a list of demands and concerns that every candidate for public office should be asked to indicate what his/her positions are and what his/her plans and behavior will be if they are elected. The demands will be presented in writing to every candidate and their answers will be shared with the communities before election days.

1. Will you advocate and support School Funding Reform Act of 2012?

2. Will you support and advocate for full implementation and enforcement of the New Jersey Amistad Law?

3. Will you support and advocate for the establishment and maintenance of high quality modern school facilities in all schools?

4. Will you oppose the expansion of charter schools?

5. Will you oppose school vouchers programs that divert money from public schools?

6. Will you support and advocate for the reduction of the special education classification of students of African ancestry in schools?

7. Will you support and advocate for increasing the recruitment, employment, retention and promotion of teacher of African ancestry, especially Males?

8. Will you advocate for making sure that students are provided safety to and from schools as well as in school facilities?
9. Will you support and advocate to make college education accessible?

10. Will you support and advocate to insure that college and post secondary education and training are affordable for students who are interested and eligible to attend?

11. Will you advocate for African American companies and contractors are employed in all construction in communities where they live?

12. Will you support and advocate for graduates of vocational and technical schools to become members of unions that that perform the skills for which students have been trained?

13. Will you support and advocate for full implementation of Affirmative Action and Equal Opportunities laws and policies at the New Jersey Department of Education and in local schools as well colleges and universities in New Jersey?

14. Will you support and advocate that appointment in education agencies are reflective of the demographics of the local population?

Please review, revise and send me your comments and suggestions regarding this AGENDA FOR POLITICAL CANDIDATES 2017.

Please contact me if you have questions or concerns.

Respectfully drafted and submitted for comment, revision and improvement by,

James E. Harris
President
New Jersey Association of Black Educators
973-518-2990
Testimony for the NJ Legislative Black Caucus Hearing  
June 13, 2017  
Mrs. Kathleen Witcher

Thank you for the opportunity to present this testimony as the Vice President of the Irvington Unit NAACP and member of the NJ State Conference of NAACP Branches Education Committee. It is essential that the hearings of this body be maintained in the wake of the tremendous hurdles that must be made to ensure the productive and progressive operations that address our state’s people, particularly those who are in poverty, those who are African American and Latino, and those who are the people who are subject to poor health, poor nutrition, poor housing and underemployment and unemployment.

My concerns will address education of our schoolchildren in New Jersey. However, at some point, there must be discussion covering the many aspects of quality of life that affect us all.

Attention must be placed on alleviating conditions of segregated schools with a focus on how affordable housing is promoted with an end to redlining that causes the entire state to be more grossly segregated than other states including Mississippi. As rates of poverty increase in pockets of New Jersey, issues of educational opportunities are a concern. School districts including Newark, Jersey City, Paterson and Camden as well as East Orange and other areas that are populated mainly by African American and Latino families face underfunding and privatization as traditional schools have experienced devastating layoffs of staff and programs have been cut to the bones in many cases losing afterschool and social and academic supports. No longer since the charter school expansion in these cities do traditional schools operate with tutorials, literacy and mathematics coaches, prekindergarten supports, social workers, school librarians, and even school nurses to the degree their populations dictate resulting in low academic performance as well as social growth and family support needs. The National NAACP and the National PTA are two of several organizations that have adopted positions requiring a moratorium on charter school expansion that includes more than the loss of financial resources to traditional schools.

The School Funding Reform Act of 2008 replaced the Abbott designations but now has caused a decisive gap in delivery of services that support children particularly those in need of limited English, Special Education and learning disabilities resources. The adequacy aid formula offers surpluses of money to more than five hundred school districts in New Jersey; and a reported gap of $547 million is lacking to provide for the needs of those districts in poverty. It is a good decision for the state’s legislators to continue support for SFRA while a new way to fund the public schools is not available. The SFRA does not give resources for school districts at high risk and those with low performance to the degree that it should. Those supports were previously included in the Abbott decision mandated by the NJ State Supreme Court. There certainly may be need for millionaire’s tax to help address the need to fully fund the schools.

The result of underfunding or flat funding schools in New Jersey may point to the disparities in delivery of thorough and efficient education as mandated by state constitution for all of the state’s schoolchildren. In Lakewood, 1,254 schoolchildren are housed in separate schools outside of the public schools there with a phenomenal cost for busing at $24,5 million that increases as enrollments increase. Close to $34 million was spent in the current 2016-2017 school year for that number of children alone. In the meantime this year the NY Times reports 500 children in a one-room school in Freehold Boro. And while incidents of bullying and harassment are increasing in districts across the state, it is noted that many districts hire "anti bullying coordinators" while many urban schools fail to hire a licensed social worker or support children of classifications with certified and licensed Child Study Team workers who are mandated by federal code. Newark is one place where private agencies are now serving in part time positions with MSWs instead of professionally trained staff, a result of unacceptable layoffs and refusal to reinstitute programs addressing children in need of these special education services.

When asked of NJ Education Commissioner, the retired David Hespe, why he allowed unlicensed and uncertified personnel to test and place students in Special Education classifications meanwhile allowing children in the “private schools” of Lakewood to carry a designation of special needs, I cannot recall his giving an answer. This is clearly an undermining and disservice to children who are in need of professional supports. The NJ Legislative Black Caucus must give this issue special attention as it is a failure of the system to meet mandated federal and state codes. It is a very serious matter affecting students all around New Jersey where federal oversight was placed for five years to monitor testing and placement.
Old and crumbling school buildings in the state are reduced to places of health and safety hazards in some cases. At Malcolm X Shabazz HS areas of the school building are off limits and closed because of mold and water damage while the Auto Tech Lab is also closed due to environmental hazard concerns. At another Newark school building a window fell from its casings recently injuring a staff member. Most of the designated 40 school buildings for repair and/or replacement by the state continue to fall apart.

There must be funding for the newly mandated Every Student Succeeds Act (ESSA) that replaces No Child Left Behind. ESSA promises to address children in poverty, those with limited English, the disabled as well as school districts with high incidences of absenteeism and tardiness, with an added support for professional development of teachers of pre-kindergarten children. ESSA works to have the whole child developed and includes full family engagement. At this time, US Congress has not provided the $1.4 billion to fund the states’ programs with New Jersey having submitted its application that includes afterschool programs and academic and social growth supports. Only a few states have submitted their applications as it appears that vouchers and charter schools are taking the attention of US Secretary DeVos and others.

Some of the NJ Legislators were requested at the 2016 school budget hearing to investigate the expenditures reported in 2015 for Google Chrome books for Newark’s public schools. It was stated that $9 million was spent in preparation for the initial testing under FARCCs. Unfortunately we must spell out that the individual schools are still purchasing them, for example at Louise A. Spencer School because the technology reportedly purchased never showed up for students’ use in the school buildings. We might investigate how and where the funds have gone. We might ask: What would Louise A. Spencer, a parent, PTA leader and standard bearer for that school, and many parents like her who fought for our schoolchildren’s right to quality education long after their own children had graduated from the city’s high schools, what would (they) say.

I appeal to the Black Caucus to spend time and pay close attention to what may occur as the schools districts in Newark and Jersey City return to local control. The promise and entitlement to our schoolchildren cannot be delayed further nor corrupted by those placed in leadership whose intentions are simply to help privatize and collapse a system of education where all of the children benefit and prepare for careers and for opportunities for productive lives in the future.

Respectfully submitted,