

IMMIGRATION: PART II

CHALLENGES POSED BY IMMIGRATION TO THE FAIRFAX AREA

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March 1999

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Before embarking on the task of writing this study, the Immigration Committee interviewed ten private organizations and numerous public agencies serving immigrants. These interviews helped us to better comprehend the total situation regarding immigration and gave us an understanding of the complex network of services available. In addition to the interviews, other sources of information include a University of Virginia study on demographics, a state subcommittee report on needs of the foreign-born, various school sources, and recent Washington Post articles.

This study is an overview of the challenges posed by immigration to local education, human services, and the justice system. Overall, Northern Virginia has responded to these challenges with energy and creativity. However, the committee discovered a few areas of concern where we are not meeting the needs of the immigrant population adequately.

PROFILE OF IMMIGRANTS IN VIRGINIA

Both legal and illegal immigrants are rapidly changing the demographics of the major receiving states--California, Texas, New York, Florida, and New Jersey--and certain major cities, including the Washington, D.C. metropolitan area. In 1998, immigrants represented 9.8% of the population compared to 4.8% in 1970 and 14.7% in 1910. Most come for the promise of a better life; many come from impoverished, resource-depleted and overpopulated countries. Efforts to quantify and categorize the foreign-born is an inexact

science because of conflicting and inadequate data. However, the following information is presented to give a general idea.

Immigrant: General term for all foreign-born persons, as opposed to "natives," who are persons born in the United States, Puerto Rico, or an outlying area of the United States, such as the U.S. Virgin Islands and Guam, and persons who were born in a foreign country, but who had at least one parent who was a U.S. citizen.

Refugee: A non-citizen (often in a refugee camp) who seeks protection prior to entering the U.S. because of persecution or a well-founded fear of persecution based on race, religion, political opinion, or membership in a particular social group.

According to statistics available in 1995, Virginia ranked 8th as a destination for immigrants. Unlike other areas of the country where only one or two ethnic groups predominate, Virginia attracts a diverse mix. Foreign-born Virginia residents typically cluster in cities where a support group already exists and in areas that offer graduate or professional schooling, such as Charlottesville, Blacksburg, and Fairfax. The 1990 Census shows that Asian-born residents accounted for half of Virginia's foreign-born residents with most coming from Korea, followed by the Philippines and Vietnam. This represents a dramatic change from the 1970 census when Europeans accounted for half of Virginia's immigrant population.

In 1990, the foreign-born living in Virginia represented five percent of the state population, but 14.1 percent of the population in Northern Virginia in the same year. Northern Virginia also receives about two-thirds of the refugees who come to Virginia. The Federal Office of Refugee Resettlement reports that the number of refugees settling in Fairfax County from 1992 to 1996 totaled 1,801. The Vietnamese (938) were the largest group, followed by Somalis (416) and Afghans (107). The total

number of refugees for FY97 was 175; of these, 71 were Kurds.

It is difficult to quantify undocumented immigrants with any degree of certainty. However, of those persons served at the Fairfax County Affordable Health Clinics, eight percent had no social security number or personal identification card; it can be assumed that they are probably here illegally. Other estimates put the number of undocumented immigrants as high as 15 percent.

Northern Virginia has the largest foreign-born population in the State and is becoming increasingly multi-cultural. In the past, immigrants from Central and South America have been small in numbers, but there is strong evidence that this is changing. Civil war in El Salvador forced many Salvadorans northward. Of those who came to Virginia, 90 percent lived in Arlington, Alexandria and Fairfax in 1990. The first wave was 60 percent young males, and the number of Salvadorans will likely increase as these males are joined by spouses, children and other family members. The recent hurricane that devastated four Central American countries is expected to spur additional migration northward.

Contrary to the national norm, Virginia's foreign-born tend to be better educated than natives. However, education levels vary dramatically, depending on the country of origin. European, African and Asian immigrants are generally highly educated; whereas, natives of Mexico and Central America have much less education. These latter immigrants tend to be young males who find jobs in landscaping, construction, food processing, the retail trade, and personal services. Household size of the foreign-born is larger than that of native households. However, this is not necessarily due to more children but from the addition of adult family members and non-relatives.

EDUCATION

The rapid demographic changes that have transformed Northern Virginia over the past decade are especially evident in the public school population. The Fairfax County Public School System (FCPS) has been praised as a successful role model for integrating children from all over the world.

The school system, like other County departments, does not keep statistics by country of birth or citizenship status but rather by racial and ethnic background. The groupings are American Indian/Alaskan, Asian/Pacific Islander, Black (non-Hispanic), Hispanic, White (non-Hispanic), Multiracial, and Undesignated. These groupings are misleading and make it difficult to determine who is foreign-born. For instance, the category of "White (non-Hispanic)" includes all those students from the Middle East and from places such as Pakistan, Eastern Europe, and the countries of the former Soviet Union, so it does not give a clear picture of our true ethnic diversity. While there has been an increase in the number of students in all categories since the mid-1980s, the percentage of White students has fallen from 67.9% in 1993-94 to 64.6% in 1996-97 while the percentage of Asian-, African- and Hispanic-Americans increased steadily. These last three groups comprised 35 percent of FCPS student enrollment in 1996-97.

The English as a Second Language (ESL) program is probably the most obvious measure of the impact of immigration on FCPS, and it has increased dramatically in the last few years. Between FY91 and FY99, General Education membership increased 14.5%, Special Education numbers increased 15.7% and ESL enrollment increased 100.4%! These ESL students speak over 120 different languages. The greatest number (55%) speak Spanish. In FY99 over 11,000 students are enrolled in ESL in grades K-12. About half of all elementary students entering the ESL program in 1998-99 were born in the U.S. They are the children of immigrants who came to

this country in years past; many of these adults still do not speak English at home, and their children have had no opportunity to learn English elsewhere.

ESL Budget

The basic ESL K-12 program for FY98-99 is budgeted to cost \$24,000,000 which includes salaries for 497.7 teachers, their direct support and all textbooks and supplies. This is about two percent of the total \$1.18 billion school budget. This year the total ESL cost per pupil is \$2343 more than his/her \$6933 General Education cost in grades K-12. In comparison, a Special Education student will cost from \$3,689 to \$8,608 more than the General Education cost.

The ESL budget is about 90 percent locally funded. The state supplies approximately nine percent and the Federal Emergency Immigration Aid Act provides one percent, which is funneled through the state. The only money our local ESL program will get directly from the federal government in FY99 is \$250,000 which is the second installment of a two-year grant to fund our FCPS-designed FASTMath program integrating math and English instruction for ESL students entering the system at an older age.

Transitional High Schools

Because of ever-increasing need, ESL now runs "transitional high school" programs in three locations--South Lakes, Falls Church, and Jeb Stuart. They run from 3 to 10 p.m. year round, and are for students 18 and older who are just beginning their high school careers and want a regular high school diploma rather than a Graduate Equivalency Diploma (GED). Those satisfied with a GED attend Adult Education classes, which are not funded by FCPS. The transitional high schools are totally funded from the ESL portion of the FCPS budget and provide English/ESL training for about half of the school time with the rest of the time devoted to learning science,

math, and social studies. The goal of these students is to learn English and then move into one of the regular Adult Alternative High Schools, which are part of the FCPS system and designed to help older ESL students gain English skills and complete high school.

Instruction in transitional high school programs will cost an additional \$1.6 million which supports an additional 30.5 teachers. Currently, there are about 250 students in the program, but the figure fluctuates constantly as students come into it and work their way out at their own pace.

New Programs

Bearing in mind that "minority" is not synonymous with "immigrant", there is probably enough similarity to consider the following information. An in-depth look at the innovative programs which have been tried, monitored and evaluated in the last several years shows the efforts of the school board to meet the current needs of minority students. The School Board has implemented and is now fine-tuning a course in Diversity Training for all staff, from the top down. Interpreters and translation services are available to all schools, and the School Board prints documents in Spanish, Korean, Vietnamese, Farsi, Urdu, and Chinese when requested.

Innumerable programs--magnet schools, focus schools, the International Baccalaureate curriculum to name a few (see LWVFA study on School Choice, May, 1997)--were each originally designed and/or implemented to solve a particular problem arising from the new cultural, ethnic, or socioeconomic diversity suddenly existing in Fairfax County. Surprisingly, they have spawned unexpectedly exciting results for all students across the board and new choices and chances for academic excellence all across the County. More such programs are being offered each year--six new ones will start in 1998-99, and there will be significant program expansions in five others. The International Baccalaureate

program, in particular, has been successful in attracting minority students to at least one course out of its total program in proportion to their enrollment in participating high schools--all of which have significant minority populations.

Problems

Problems still arise and grow, however. Minority Student Achievement has not reached the level FCPS desires, although achievement by Asian-Americans outstrips that of all other groups. Progress is slow in getting minority representation in elementary Gifted and Talented programs. In such 'gateway' courses as Middle School Algebra I, the total number of minority students increased between 1994 to 1997, but the percentages of Blacks and Hispanics relative to their representation in the total school enrollment did not.

The number of suspensions has skyrocketed in our school system in the last 20 years, despite a conscientious effort in many schools, especially those with greatest diversity, to help students by training them in mediation, conflict resolution, and stress and anger management. Much of the increased suspension/expulsion rate results from the changing and tightening of regulations. However, Black and Hispanic students are suspended from high schools more often than projected.

Parental involvement is still an unsolved problem. It is vital to academic success, but reaching parents of some of the school system's most at-risk students is particularly difficult. Immigrant parents who have had little or no education in their own countries, whose native cultures do not value education, especially for girls, or who have had nothing but traumatic experiences with government agencies before, have little trust in the schools. Although research shows that the earlier a child receives language and learning stimulation, the better the results, FCPS has had to cut back on its Head Start/Family and Early Childhood Education Program because

of cuts in federal funding. Unfortunately, many immigrant families are unable to participate in this program because of the parent's inability to fulfill the required parental involvement mandated by the federal government. Immigrant families struggling to survive in a new culture, like single mothers working themselves off welfare, do not have the time to participate.

Also, there is a concern in the ESL community about the effects of the new state Standards of Learning (SOL) tests on ESL students and therefore on their schools and communities. FCPS had preferred that children with Limited English Proficiency would be allowed to take these tests when their own teachers deemed them language-ready rather than at a state-appointed time. However, all students participated in the first round of testing as required last spring. Not surprisingly, schools with large immigrant and low-income populations had lower average test scores than schools located in more affluent or homogeneous areas. However, the system's response has been an upbeat approach to helping those "needier" schools close the gap rather than waiting for a political move from Richmond. Graduation requirements and school accreditation will not be affected by SOL test scores until 2004 and 2007 respectively.

Students from all racial and ethnic backgrounds contribute to FCPS's increased costs, but they also contribute to its success. FCPS average SAT scores actually rose from 1993 through 1996, far outstripping the rest of the state and the nation despite the fact that 89% of our students take these tests, a much larger percentage than is common elsewhere. Students regularly win prestigious scholarships in all fields including minority excellence.

ADULT

ENGLISH AS A SECOND LANGUAGE

According to the 1996 Needs Assessment (State of Human Services in Fairfax

County), the greatest unmet need for immigrants is for proficiency in English. And, indeed, the study committee's research backs up this conclusion. The committee personally interviewed ten private organizations that serve immigrants. When queried as to the most prevalent problems facing immigrants, answers included housing, employment, transportation, tension between generations, health care, child care, legal assistance, but above all, English language skills.

Unlike previous waves of immigrants that found employment in manufacturing where they could succeed with minimal knowledge of English, today's immigrant must have some proficiency in English to find jobs in the service industry. There is a direct correlation between knowledge of English and the ability for the foreign-born to achieve self-sufficiency.

Recent Fairfax County data show that approximately 25 percent of the population speaks a language other than English at home; only a third of these were proficient in English. In 1996, over 46,000 persons needed help with English. This represented nine percent of all households or 17 percent of lower income households. This presents a challenge to school personnel, human service providers, and police and court personnel who need to have a variety of language skills as well as an understanding of varied cultural norms in order to serve these people effectively. Households where no one speaks English are more apt to: 1) have members without health insurance, 2) have employment problems, 3) go without health care, 4) have problems finding childcare.

English as a Second Language (ESL) is one section of the County Adult and Community Education program. In 1980 the program served 300 students with 26 classes. As of October 1998, there were 3,058 students with 600 on the waiting list. Over the past two years, there has been an average of 400 persons per session on the waiting list. (Addi-

tional funding of \$155,184 per year or \$345 per student is needed to serve 450 more students. Also, 19 additional classrooms --10 per cent of these in the Falls Church area -- are needed to meet the needs of 450 more students.) Eleven centers offer 123 classes with morning, afternoon and evening sessions with two or three hour sessions meeting daily or several times a week. People from 100 different countries, speaking 75 different languages are being served. In the past, one had to be literate in one's native language in order to participate. This requirement has been removed so that many of those now served may have had little or no education in their native lands. In fact, ESL is offered free for all beginning literacy students taking the basic minimum course of two hours for two days a week.

There is a charge for these classes because Adult Education is mandated to be self-sufficient. Any permanent legal alien residing in Fairfax County who has a green card or who is a refugee is eligible for reduced tuition, which ranges from \$20 to \$35 per class per quarter, depending on the number of class sessions per quarter. Full tuition costs participants \$119.

Some federal and state money is available but the formula used works against Fairfax County because so many residents are highly educated. Funds are based on the percent of the population over 25 who did not complete high school; many immigrants are educated but have no knowledge of English.

Although the County ESL program has had good results, it had to be somewhat curtailed in FY96-97 when the State privatized (by federal regulation) its refugee resettlement program. Funds previously awarded to Fairfax County were awarded instead to a coalition of the Indochinese Community Center and Lutheran Social Services. Because these organizations see their mandate as moving people into employment as soon as possible and because they think the County fees are too high (they have to pay full tuition), they limited the num-

ber of students enrolled in Fairfax County ESL programs to those who would move into jobs more quickly.

Besides the seven levels of English being taught, ESL offers other programs. One is Vocational ESL in which English for specific vocations is taught at the same time the person is learning vocational skills. Among these are accounting assistants, retail sales/customer service, property management technician and nursing (NOVA). Another program is English in the Workplace. Here ESL is taught on the job and tailored to the job. The program is offered to hotels, banks, landscaping companies, etc. In Fairfax County, the employer must pay for this service, whereas in nearby counties the service is free. This is due to the way the federal formula works against the County and the fact that adult education must be self-supporting.

A new program, which is supported by a \$15,000 Head Start grant, provides English training for families and provides childcare when needed. Five Family Literacy Centers located in local schools serve 300 parents and children. English is taught to the entire family and parents are encouraged to be involved in their children's education while enhancing their own English skills. The pilot program has been well received by parents and school principals.

The County also provides opportunities to learn English language skills through a television series, Crossroads Cafe, on FCPS Cable Channel 25. Each 30-minute episode is broadcast at various times during the week to accommodate as many people as possible.

The Literacy Council of Northern Virginia provides qualified tutors for basic literacy and adult ESL programs, but there is so much demand that some private agencies and churches endeavor to fill the gap by offering English classes taught by volunteers.

In order to help the situation, since 1993 the adult education staff has been offering a two-hour class once a month to train vol-

unteers to teach ESL. About 200 volunteers per year attend these classes and, in turn, work with about 2,000 immigrants. They teach under the auspices of private agencies and churches. Besides the teacher training program offered by the county, the Baptist and Methodist churches have their own training programs.

Despite the breadth of the County program and the programs provided by private groups, professionals who work with immigrants stress that there is a great need for more opportunities to learn English.

HUMAN SERVICES

Low-income immigrants/refugees face many of the same problems that other low-income residents of the County face. Among them are: lack of affordable housing; lack of an adequate public transportation system which could be used to get low paying jobs, often at non-conventional hours; lack of child care facilities, especially off-hour care; lack of health insurance; and lack of affordable and adequate health care. Problems unique to the foreign-born are language and culturally oriented.

The Role of Private Organizations

There are a number of private non-profit organizations and church groups throughout the County that provide services to immigrants. For instance, the Center for Multicultural Human Services in Falls Church provides a broad range of mental health, social, housing, educational and health services in 27 languages. The Hispanic Committee offers job development, tax services, social services, and the Vietnamese Community of Washington encourages citizenship by providing citizenship classes. Many of these organizations work primarily with one ethnic group but often open their doors to other immigrants as well. There is a huge demand for adult ESL and many of these organizations provide this service as well as child care while parents attend

classes. Some charge clients according to their ability to pay.

Many of these organizations rely entirely on grants, United Way funding and donations. Others receive some funding from Fairfax County's Community Funding Pool and the Community Development Block Grant (CDBG) program. Instead of providing services specifically aimed at the foreign-born, the County has opted to award grants to existing agencies for specific programs directed toward the needs of the immigrant population.

Changes in Welfare Programs

Prior to the passage of the Personal Responsibility and Work Opportunity Act of 1996 (federal welfare reform law), Fairfax County's approach with its immigrant/refugee residents was to treat them the same as any other resident: no questions as to citizenship were asked. Following the enactment of the welfare reform law, Fairfax County, like all other jurisdictions, has had to determine citizen and immigrant status in order to meet the requirement of the law, which cut off to legal aliens some federally means tested programs. Generally speaking, refugees are treated more generously than immigrants and remain eligible for these programs with a few restrictions. Now, in the County, immigrants who are not eligible for the federally funded programs are directed, if eligible, to other local programs or are referred to private agencies serving the foreign-born.

The 1996 law barred most legal aliens from receiving Supplemental Security Income (SSI) and food stamps and left it to the states to determine whether or not to provide Medicaid and Temporary Assistance to Needy Families (TANF). Virginia opted to provide Medicaid using state funds to children under 19 and the elderly SSI recipients. It chose not to provide TANF. Consequently, new immigrants are barred from this resource. Refugees, however, are eligible for five years.

There was so much controversy over the withdrawal of SSI and related Medicaid benefits from legal aliens already in institutions and receiving these benefits. Therefore, an amendment to the Balanced Budget Act of 1997 restored eligibility for SSI and related Medicaid benefits to those over 65 and to the disabled non-citizens in this country before August 1996 and to those of that group who later became disabled.

In 1998, the Agricultural Research, Extension and Education Reform Act of 1998 restored food stamp benefits to approximately 250,000 immigrants nation wide. This group includes non-citizen children under 19 who entered the country before August 1996, legal immigrants here before the same date who were 65 or over or disabled or who later become disabled. Refugees' eligibility period was extended from 5 to 7 years after arrival in this country. Nationwide, this leaves a group of more than 750,000 legal aliens ineligible for food stamps. Eligibility for the various federally means tested programs has become a very complex issue and is being interpreted differently by INS and within the court system.

For many years, persons seeking an immigrant visa based on family relationship had to have a sponsor who would agree to be financially responsible for the immigrant. This was not enforced, however, and some of these immigrants received various welfare benefits. As of December 19, 1997 new restrictions apply. The sponsor now must earn at least 125% of the federal poverty level for the total number of persons in the household, including the persons being sponsored. Sufficient assets may make up the difference between the income required and the household income. With a few exceptions, the legal responsibility of the sponsor lasts for five years and the contract the sponsor signs is legally binding. This effectively cuts off immigrants from receiving SSI, TANF, Medicaid, and food stamps for at least five years.

Housing

Availability of affordable housing continues to be a problem for many. Because of low paying jobs, and because doubling up is culturally acceptable, many immigrants live in grossly overcrowded housing which is illegal.

Before the passage of the 1996 welfare reform act, the U.S. Department of Housing and Urban Development discouraged or forbade keeping statistics on citizen/non-citizen status. With the passage of the 1996 act, Congress took a harder stand on immigrants. The Fairfax County Redevelopment and Housing Authority (RHA) now asks whether applicants are citizens or not. If not, the applicant must show documentation of legal status. This must be available to INS for verification. Subsidized housing is not denied to legal immigrants.

After 30 days, a visit is made to all new residents of subsidized housing. Regular annual visits follow. At these times, especially on the first visit, problems are likely be recognized and frequently are culture or language oriented. When possible, appropriate referrals are made to either county programs or to private organizations serving immigrants.

Housing programs are an important part of the work of many of the private agencies that serve immigrants. The refugee resettlement agencies find immediate housing for new refugees and help them work toward self-sufficiency. Despite the resources that are available, the County's Advisory Social Service Board in 1997 found an increase in homeless refugees and immigrants.

Health

Health is one of the greatest problems facing low-income immigrants who frequently arrive in this country in poor health or develop health problems as a result of their previous environment. Although the amendment to the Balanced Budget Act of 1997 restored Medicaid and SSI benefits to older and disabled legal immigrants who were in this country before August 1996, some non-citizens entering the

country after August 1996 may technically be eligible for benefits but other provisions of the law effectively bar them from benefits for 5 years. This law also extended eligibility for Medicaid to refugees from 5 to 7 years after their arrival and made emergency Medicaid services available with federal funds.

The Fairfax County Health Department offers immigrants the same services available to other low-income residents, including those involving other agencies such as NOVA (Mobile Health Care), INOVA (prenatal care) and Medical Care for Children Partnership (MCCP). Fees are usually on a sliding scale. Although there is no payment source for undocumented aliens, the Health Department does not turn them away. The staff tries to help them find other resources and means of paying for these services. This may involve referral to private agencies or private doctors who provide the necessary services at a reduced fee.

Besides the problems of low income and lack of health insurance which many native-born experience, the immigrants may face other obstacles: they are unfamiliar with resources and how to find them, language is a barrier and some women are culturally or religiously opposed to male doctors and/or to family planning and gynecological services.

A large percentage of the Health Department's direct care services goes to the foreign-born. Forty-two different languages are spoken, of which five--Arabic, Farsi, Korean, Spanish, and Vietnamese--are most common. Because the language barriers are prohibitive, eight part-time outreach workers are employed to help the nursing staff better serve this varied group. These are lay persons who are bilingual and/or bicultural and who serve as translators, interpreters, and aides to nurses in the clinics and in the field. These workers are federally funded through the immunization program and the maternal block grant.

To further ease language barriers, the Department offers Spanish classes to its staff.

Nurses then try to work on their own, but can fall back on an outreach worker in more complicated cases.

Providing services to those with tuberculosis is of paramount importance because of the resurgence of the disease and the development of drug resistant strains. Many of the patients of the TB service are foreign-born. There are five full-time outreach workers and a nurse. Each outreach worker handles six or seven cases under the supervision of a nurse. This involves interpreting, explaining and often seeing that medication is taken as prescribed by the nurse. The Department has the authority to detain anyone refusing to take medication but, to date, has not needed to invoke this option. This service, which is state funded, received \$207,966 in FY99.

The one service the Department operates strictly for the benefit of refugees is a federally funded refugee health assessment program. Refugees, after arrival in this country, are referred by their refugee resettlement agency for a health assessment and appropriate referrals. Some of the areas covered are parasitic, anemia, and TB checks, dental and vision exams, and immunizations. The goal is to take care of medical needs and get the refugees into the work/school situation as soon as possible.

An example of the type of health services offered by the ethnic community is the weekly clinic operated by the Ethiopian Community Development Council. It serves mostly refugees from African nations who live in Northern Virginia and have no health insurance. It offers various tests, including pregnancy testing, and primary care for minor problems. Referrals are made for more serious concerns. In cooperation with George Washington University, mammograms are offered one day a month.

Mental Health and Addiction Services

While immigrants and refugees have the same health needs as other residents, their mental health needs differ in significant ways

from those of the general population. Standard mental health methods may not work because of language barriers, cultural traditions or lack of acceptance of the need for mental health treatment. According to a 1996 study done by a committee of the General Assembly "major contributors to refugee mental health problems include. . .: Changes in socioeconomic status; loss of a sense of individuality; torture, persecutions, imprisonment, and traumatic departure from the country of origin; unemployment (and underemployment relative to one's level of education); unrealistic expectations regarding life in the United States; separation from family and social support systems; and shortage of mental health professionals willing or able to work with culturally different populations."

Fairfax/Falls Church Community Services Board (CSB) staff have seen an increase in the number of multicultural clients and have started special programs to meet their unique needs. Mental Health Services has a contract with translator services. In August 1997, when the data were released, Spanish was the second language for 50 of the 54 bilingual CSB staff. CSB, like many other County agencies, does not ask about resident legal status and serves people of many nationalities. It has been estimated, however, that about a third of their clients are immigrants.

There are six Spanish speaking addiction treatment groups: four for adults, one for youth and one for parents. Other addiction groups are located in Family Resource Centers (see Justice, p. 11) In the Culmore neighborhood United Neighborhoods (*Barrios Unidos*) has received a Criminal Justice grant for an anti-gang anti-drug program, which is expected to serve 250 Hispanic youth. Besides the CSB, the program will also involve interns from George Mason University and Northern Virginia Community College.

As a result of a request by the Hispanic community, an interagency and community organization task force is developing a pro-

gram of domestic violence services to meet the specific needs of minority populations in Bailey's Crossroads. They are developing a model that will include: 1) prevention (educating the target population about American legal and social norms and what constitutes criminal behavior); 2) education and training of service providers in cultural issues; and 3) cross agency communication and coordination among both public and private agencies. The Victim Assistance Network Hotline has translators and some bilingual counselors. There is also a special child abuse group for Hispanics, who, according to the 1997 annual report of the Fairfax County Advisory Social Services Board, had, along with Blacks, a disproportionate number of child abuse and neglect cases.

These special services have been added without increase in staff due to the budget constraints in recent years. CSB has redirected staff to areas with high multicultural populations from other programs, increasing waiting lists for mainstream clients. Immigrant populations, especially Southeast Asians, do not seek help until they are in crisis. Then, their care takes substantially more time, especially in case management--finding additional services, and making referrals. According to CSB staff, their care puts additional demands on a system which is already strained. Additionally, as with other government agencies, finding bilingual professional staff in the desired languages is difficult. Some positions are left unfilled or are downgraded to require less skill.

Several private agencies in the County also offer mental health services to immigrants. The Center for Multicultural Human Services has a \$27,000 grant from the UN Fund for Victims of Torture. They will provide intensive therapy in different formats. Candidate populations are Vietnamese, Kurds, Somalis, Iraqis, Iranians, Bosnians, Eritreans, Ethiopians, Central Americans. The Center also has County funds to treat Vietnamese boat people who were tortured. George Washington

Medical School will provide psychiatric services for both of these programs. The Kurdish Human Rights Watch has a mental health counselor, whose clients have all suffered trauma.

JUSTICE SYSTEM

The vast majority of immigrants in Fairfax County, like most residents, lead productive lives and do not become involved with the police or the criminal or civil court system. Nonetheless, those that do, whether as defendant, witness or victim, may face language and culturally related problems. They may not understand the legal system or how to obtain help, and language is frequently a barrier.

One of the cultural problems facing police is that immigrants often regard them with suspicion and fear, based on the role of police in their native lands. In fact, there is often a feeling of mistrust of all authority figures. About five years ago, in order to help develop more positive community relations, the Fairfax County police department created satellite offices, called Family Resource Centers, in areas which have heavy concentrations of immigrants. Space for these centers is donated, usually by an apartment complex. Furniture, utilities and other equipment are also donated. So this outreach program, except for salaries of County personnel, is not paid for by taxpayers. The centers offer various services such as tutoring, health services, and parenting groups based on the needs of the neighborhood. Through the auspices of the CSB, four centers offer joint mental health/substance abuse treatment outreach. Most services are offered with the help of a bilingual staff. The program has been very successful, according to police. Not only has it created better community relationships with police, but there has been a drop in the crime rate and good use of the services offered.

Another initiative to promote better relationships and understanding is the County's effort to make the ethnic make-up of the police

force reflect that of the County. It has been successful in percentages of African-Americans hired, but it has been less successful in hiring Hispanics and Asians. Both the Asian and Hispanic populations are over eight percent, while the percentage of Asian officers is under two percent and the Hispanic officers number under three percent.

The immigrant's first encounter with the justice system probably is with the police where language may be a barrier. If the police cannot communicate with the person, they use AT&T's Language Bank service with whom they have a contract. At this point, the police's interest is in solving the problem, not in ascertaining citizenship status. It is only at the time the person is processed into the system that he/she is asked about citizenship and whether, if necessary, the person is a legal or illegal non-citizen. If the latter, the Immigration and Naturalization Service (INS) is notified. INS determines whether to seek deportation based on law and INS regulations. Different laws and regulations apply to people of different countries. Some cannot be deported back to their native country. For example, INS has agreed not to deport to Honduras for 18 months because of the hurricane damage.

Within the court system, non-English speaking persons frequently are at a disadvantage and fearful because they cannot understand what is happening to them, nor how the justice system works. Therefore, in order to insure a fair trial, Virginia provides and pays for interpreters. Each type of court operates slightly differently, but all aim to help the non-English speaking person.

In criminal court, by state law, an interpreter is provided in any case involving a non-English speaking person, whether he/she is defendant, witness or victim, and the interpreter must be approved by the court. Because Spanish interpreters are the most frequently requested, Virginia maintains a list of certified Spanish interpreters and one must be chosen from this list. In other languages, of which

there are many, the interpreter must be qualified; that is, prove to the court that he/she is educated and has sufficient knowledge of the language and an understanding of legal terminology to serve the person well.

Until 1996 no provision was made to provide interpreters in civil cases. In that year, a law was enacted mandating interpreters in some cases, but no provision for funding statewide was made. A pilot project, however, was established in Fairfax County. Now, an interpreter may be provided if the non-English speaking person on either side of the case meets certain criteria indicating he/she is indigent. In some cases the cost of the interpreter may be assessed against either party as a part of the cost of the case. Otherwise, this, as in the other courts, is a state-provided service. In FY96, six interpreters were provided, in FY97 five and in FY98 ten.

In lower courts, including traffic court and Juvenile and Domestic Relations Court, interpreters are also provided. Because the demand for Spanish-speaking interpreters is so great, two have become permanent employees of the court and move from case to case as needed. Usually, 600-700 cases a month, not including those needed in Juvenile Court, require interpreters.

By law, paid interpreters act only during court appearances and for some bonafide court related services. Juvenile Court, however, has set up a program using volunteer interpreters for out-of-court work in the various Juvenile Court services. Currently, of the 30 volunteers involved, 26 are Spanish speaking, three Korean and one Hindu who speaks several Asian languages. Much of their work is directed toward explaining to parents rules and regulations and the meaning of such things as curfews, parole and probation.

The Spanish-speaking clientele are, for the most part, effectively served by the volunteers and by bilingual staff and case managers. It is people who speak the less frequently used languages—various Asian languages, Farsi,

Arabic—who are not well served. If necessary, the staff may use the AT&T language bank.

There is a need, not only for interpreters to help the non-English speaking parents, but for translating various documents and letters to parents. It is recognized that all documents must be in English, but that it would be a courtesy to translate them into some of the foreign languages. Already there are brochures in English, Spanish and Vietnamese explaining how Juvenile Court works and the rules of probation, but it would be helpful to have them available in more languages.

It is thought these services could be arranged with little or no added cost. Several County departments, including FCPS, have their own translating services. Also, organizations such as the Fairfax County Medical Society have good translating services and may be willing to help. Perhaps these agencies could pool their translating resources to meet needs in the justice system. This would seem to be an area for public/private cooperation, which the County has used successfully in other areas to deal with the foreign-born. Some progress is being made but more is needed.

The court system has a great need for counselors who speak the lesser-used languages. One hope is that professionals who speak these languages would come forth and either volunteer themselves or speak within their own communities, explaining the problems within the system and the resources needed.

Problems Related to Immigrant Youths

In the age group 10 to 24, there are more than 150,000 Fairfax residents. While "problematic kids are the exception," according to Joseph Fedeli, Director of Residential Services for the Juvenile and Domestic Relations District Court, there are estimated to be some three hundred youth who are members of 37 identified racial/ethnic gangs. Over 80 percent of these youth are male, although there

are females attached to some of the gangs. The youths themselves say that they are gang members because of peer pressure, lack of work or other activities, and because the gang serves as a surrogate family, supporting them and protecting, but gang membership may also provide income through breaking and entering, drugs, or other criminal activities. Some of these youths are familiar with violence because they have come to this country to escape war or civil strife in their native country. Violence against people here tends to be directed at members of other gangs rather than at the community at large. Gang members may identify themselves and their neighborhoods through clothing, graffiti markings, and tattoos. The county police working with the schools and community groups have identified these gangs and many of the youth involved. One innovative program designed to help extract youth from the gangs is the tattoo removal program. Local doctors have volunteered their services to provide costly laser treatment to remove gang markings from hands and arms of those striving to make a new start.

Although county school officials do not see gangs as a problem within the schools, they recognize that there is gang activity in which some school age children are involved, and steps have been taken to monitor the situation. A county police officer is assigned to work with each middle and high school. The school system finds that gang membership is more related to socioeconomic background than to ethnicity and is not necessarily more prevalent in schools with large immigrant populations than in others.

Juvenile court officials estimate that some 2000 youth of school age, i.e., younger than 18, are not attending school because of fears about legal status, transiency, lack of awareness of available school programs, placement outside of their age group due to limited English skills and/or little schooling in their native country, or simply lack of interest in

schooling. Several private agencies receive money from the County's Community Funding Pool to set up programs directed specifically toward at-risk immigrant youth.

CONCLUSION

The recent dramatic demographic changes that have transformed the Fairfax area from a predominantly white, middle-class community to one of great diversity is a trend that is spreading across the nation. It is predicted that by 2050, the "melting pot" phenomenon will have blurred ethnic and racial divisions so that the term "minority" will be obsolete. Our success in making this a force for positive change in Northern Virginia is in our hands, and lessons learned here may well prove helpful to the nation in the century to come.

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Peter A. Davilla, Police Officer First Class, Fairfax County Police Department

Joseph Fedeli, Director of Residential Services/Juvenile and Domestic Relations Court

Mary Lib Glovier, Asst. Principal, J.E.B. Stuart High School

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Gerald W. Jackson, Senior Probation Counselor and Assistant Director of Center County Services/Juvenile and Domestic Relations

Francisco Millet, Coordinator, English as a Second Language and FASTMath, FCPS Department of Instructional Services

Tricia D. Muller, Planning Analyst in the Judicial Planning Department of the Supreme Court of Virginia/Office of the Executive Secretary

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Community Services of Northern Virginia - Matthew McCoy

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Inc. - Dr. Tsehay Teferra Hogar Hispano/
Catholic Charities - Clare Cherkasky

Hispanic Committee - Irma Ortiz
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March, 1999