



Essential and Excluded:

A Survey of Immigrants in New Jersey under COVID-19

April 23, 2020



About

Make the Road New Jersey builds the power of immigrant and working-class communities to achieve dignity and respect through community organizing, high quality legal and support services, policy innovation and transformative education.

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Introduction

New Jersey has quickly become the new epicenter of the COVID-19 pandemic. As of the time of writing there were 88,806 individual cases of COVID-19 in New Jersey and 4,377 deaths,¹ the second highest number of cases of any state in the country. Beginning March 9, 2020, Governor Murphy shut down most of the state's economy and activity, except for essential businesses, in a series of Executive Orders. As of April 4th, one in ten New Jersey residents had lost their job, according to federal data.² By all accounts, our state is entering into an unprecedented public health and economic crisis.

Missing from most reports, including numbers of the unemployed, is the experience of New Jersey's robust immigrant community, especially the experience of undocumented immigrants. New Jersey has the third largest share of immigrants nationwide.³ More than two million people living in New Jersey – or 1 in every 5 Garden State residents -- are foreign born.⁴ Of that

¹ See New Jersey State COVID-19 Dashboard available at <https://covid19.nj.gov/>

² Colleen O'Dea, "Last Week's 140,000 Unemployment Claims 'Mercifully' Low, But Total Exceeds 700,000 Since Mid-March," *NJ Spotlight*, April 17, 2020, <https://www.njspotlight.com/2020/04/last-weeks-140000-unemployment-claims-mercifully-low-but-total-exceeds-700000-since-mid-march/>

³ Erika J. Nava, "New Jersey's Immigrants are a Huge Economic Driver," *New Jersey Policy Perspective*, February 27, 2017, <https://www.njpp.org/blog/new-jerseys-immigrants-are-a-huge-economic-driver>

⁴ Pew Research Center, "U.S. Unauthorized Immigrant Total Dips to Lowest Level in a Decade," November 27, 2018, https://www.pewresearch.org/hispanic/wp-content/uploads/sites/5/2019/03/Pew-Research-Center_2018-11-27_U-S-Unauthorized-Immigrants-Total-Dips_Updated-2019-06-25.pdf

Profile of the Unauthorized Population: New Jersey, Migration Policy Institute, accessed on April 19, 2020, <https://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/NJ>

population, nearly half a million are undocumented immigrants.⁵ About 128,000 U.S. citizen children in New Jersey have an undocumented parent.⁶ Immigrants make up a significant share of the workforce in New Jersey, the largest share of any state in the country.⁷ Undocumented immigrants from New Jersey contribute approximately \$604 million in state and local taxes in New Jersey each year and \$1.1 billion in federal taxes.⁸ In 2015, 225,311 people lived in households where undocumented immigrants filed taxes through an Individual Taxpayer Identification Number (ITIN).⁹ Undocumented immigrants' purchasing power is approximately \$10.5 billion in New Jersey, according to the New American Economy Project.¹⁰

Under COVID-19 immigrant communities have experienced extreme harm.¹¹ Undocumented immigrants are disproportionately likely to own small businesses¹² and to work in the sectors that have been hardest hit by coronavirus-related closures, such as food service and construction *and* those where workers continue frontline work such as warehouses, janitorial and agriculture.¹³ State COVID-19 statistics do not track for immigration status; however, state testing data reveals Blacks and Latinos are more likely to test positive for COVID-19 in New Jersey. In New Jersey, Latinos made up 29.5% of the overall positive tests, while comprising just 20% of the overall population in New Jersey. Blacks, while representing 12.8% of the overall population, comprise 22% of positive tests.¹⁴ The racial disparity has grown since the beginning of the COVID-19 outbreak in New Jersey.

Immigrants who are detained are one of the most vulnerable populations in the country, and New Jersey is quickly becoming ground zero for COVID-19 cases among immigrant detainees. New

⁵ Immigrants and the economy in New Jersey, New American Economy, accessed on April 19, 2020, <https://www.newamericaneconomy.org/locations/new-jersey/>

⁶ MPI January 2016, <https://www.migrationpolicy.org/sites/default/files/publications/ChildrenofUnauthorized-FactSheet-FINAL.pdf>

⁷ Jai-Leen James, "NJ economy: Immigrant impact on Garden State economy ranks No. 3 in the country," *Asbury Park Press*, February 1, 2020, <https://www.app.com/story/money/2020/02/01/nj-economy-immigrants-have-third-biggest-impact-state-economy/4619339002/>

⁸ Immigrants and the economy in New Jersey, New American Economy, accessed on April 19, 2020, <https://www.newamericaneconomy.org/locations/new-jersey/>

⁹ ITIN filer data on file with Institute on Taxation and Economic Policy, March 2020.

¹⁰ Immigrants and the economy in New Jersey, New American Economy, accessed on April 19, 2020, <https://www.newamericaneconomy.org/locations/new-jersey/>

¹¹ Monsy Alvarado, "No work and no relief in federal stimulus package increases anxiety for immigrant laborers," *NorthJersey.com*, April 6, 2020, <https://www.northjersey.com/story/news/new-jersey/2020/04/06/coronavirus-nj-immigrant-workers-shut-out-federal-stimulus-package/2921439001/>
Press Release, "Undocumented Immigrants Make Plea for Coronavirus Aid," *Cape May County Herald*, April 15, 2020, https://www.capemaycountyherald.com/news/article_896c6a8e-7f50-11ea-b3b9-bb16a883f1da.html

¹² Erika Nava, "Immigrant Small Business Ownership is a Cornerstone of New Jersey's Economy," New Jersey Policy Perspective, March 2019, <http://www.njpp.org/wp-content/uploads/2019/03/Immigrant-Small-Business-Ownership-is-a-Cornerstone-of-New-Jersey.pdf>

¹³ Report, "The Contributions of New Americans in New Jersey," New American Economy, August 2016, <http://research.newamericaneconomy.org/wp-content/uploads/2017/02/nae-nj-report.pdf>

¹⁴ New Jersey Department of Health COVID-19 Confirmed Case Summary, NJ.gov, accessed April 20, 2020, https://www.nj.gov/health/cd/documents/topics/NCOV/COVID_Confirmed_Case_Summary.pdf

Jersey is home to four immigration detention centers, including three that are housed at county jails and one private detention center in Elizabeth. According to recent reports, New Jersey ICE detainees account for a third of the ICE detainee COVID-19 cases nationwide, with thirty-five ICE detainees across NJ's facilities testing positive for the disease.¹⁵ That number outpaces the number of criminal detainees at the same facilities, according to a report by WNYC.¹⁶

Despite these vulnerabilities, immigrants without lawful federal immigration status are largely excluded from public health insurance and safety net programs, as well as government aid for workers who lose their jobs or have their work hours cut. This includes the federal stimulus payments, state unemployment benefits and federal Disaster Unemployment Assistance (DUA) and some temporary leave and disability payments.

This report analyzes the experiences of low-wage immigrant workers and families in New Jersey during the first month of the COVID-19 crisis, from March to April 2020. It is based on in-depth phone interviews with over 200 immigrants residing in New Jersey.¹⁷ After analysis of the survey responses, we provide a series of policy recommendations for how our state and federal government can better serve immigrant communities during the pandemic.

“We are not only living with the threat of contracting coronavirus, we are also living with the fear that if we lose our jobs we will lose our health insurance and because we are immigrants, we can't get public insurance. I am worried for my safety and my family's safety”

-Anonymous survey respondent

¹⁵ Matt Katz, “ICE Quietly Releases Hundreds Of Local Immigrants As COVID-19 Tears Through Jails,” *Gothamist*, April 14, 2020, <https://gothamist.com/news/ice-quietly-releases-hundreds-local-immigrants-covid-19>

¹⁶ *Id.*

¹⁷ *See pg. 21 for survey methodology*

Executive Summary

Key findings from this survey – the first of its kind in New Jersey - include the following (see pg. 11 for in-depth analysis):

Deep Inequities in Access to Health Care: Despite nearly half of respondents reporting sickness in the last month, very low rates of health insurance coverage--and the chilling effects of immigration enforcement--mean one in two people who were sick haven't seen a doctor

- A staggering 75% of all survey respondents--and 85% of undocumented individuals--report having no health insurance.

Chilling Effect of Immigration Enforcement Prevents Immigrants from Seeking Care: among undocumented survey respondents, 64% report not having gone to a doctor or using local services in the past because they were worried about immigration enforcement or the impact on their status

No Access to State and Federal Wage Cash Aid for Undocumented Immigrants: of respondents who lost their jobs and are undocumented, none qualify for federal stimulus payments or state unemployment benefits.

Income Insecurity Means Few Immigrants Will be Able to Pay Rent in May: the vast majority of survey respondents are worried about making rent in May.

- Among renters surveyed, 86% are worried about being able to pay rent next month.

Immigrants Are Unable to Pay for Basic Necessities, Like Food, Medicine and Utilities: Financial hardship is intense and widely felt within New Jersey's immigrant communities. Most people surveyed are worried about being able to pay bills, buy medicine or access enough food in the coming month.

- While financial hardship and worries are widely felt, when asked about the coming month undocumented respondents had especially high levels of worry:
 - 91% were worried about being able to pay utilities or other bills
 - 83% were worried about accessing enough food for their families
 - 70% were worried about buying medicine for themselves or for their families

Pervasive Labor Rights Violations for Low Wage, Immigrant Workers: Despite being available to all workers regardless of immigration status, a majority of undocumented survey respondents reported that they were not provided with paid sick days by their employer. Undocumented respondents were less likely to report that their employers were doing everything they could to keep workers safe (including safety trainings, providing masks, etc.).

“My daughter works at a doctor’s office and I’m a warehouse worker. I’ve lived here for more than twenty years and I have always paid taxes. I have a heart condition and recently had surgery. Soon after the COVID-19 outbreak started, my daughter got sick, probably because she worked at a clinic, and she tested positive for COVID-19. I was still working, and I had to bring my own protective equipment - masks, gloves, soap. My boss didn’t provide them. I was so worried for my daughter and also for my own health. But I couldn’t stop working because I don’t qualify for relief and I won’t get a stimulus payment because of my status. Then the company shut down, I lost my job. I have no income and I haven’t been able to pay my rent. It’s been difficult for me to pay for my medication for my heart condition.”

- A. Tapia, Passaic, NJ

Background on Immigrant Eligibility for Disaster Relief Programs

This section provides an overview of immigrant eligibility for federal and state relief programs.

Federal Relief through the CARES Act

At the date of publication, Congress has passed three packages of relief in response to the COVID-19 pandemic. The U.S. House of Representatives passed the primary relief package, the Coronavirus Aid, Relief, and Economic Security (CARES) Act on March 27, 2020.¹⁸ The federal response to COVID-19 leaves out millions of immigrants from critical health and economic provisions. Federal expansions to health insurance that cover testing and treatment for COVID-19 exclude many immigrants, including undocumented immigrants, DACA recipients, and many green card holders. Stimulus payments, under the CARES Act are only available to individual filers and those filing jointly with valid social security numbers (SSN) (there is an exception for spouses filing jointly where at least one spouse was in the armed forces last tax year and at least one spouse has a valid SSN.) Children claimed as dependents for the \$500 rebate must have valid SSNs. Children and spouses with SSNs included in the tax filing of a taxpayer who files with an ITIN are not eligible for the cash payment. The CARES Act also dramatically expands unemployment insurance, including to self-employed, “gig workers” and part-time workers. However, to be eligible for any type of unemployment insurance, individuals must have work authorization. This means immigrants with green cards and unexpired work authorizations--including through DACA and TPS--are eligible. But undocumented immigrants who do not have work authorization do not qualify. Finally, emergency paid sick leave expansion under the CARES Act, which requires employers with less than 500 employees to provide 80 hours of paid sick leave (with a hardship exemption for small employers) is available to all workers. However, because businesses are provided tax relief based on workers on payroll, undocumented workers may face challenges obtaining this benefit since many are paid off the books.

State Level Relief Programs

Employment Based Relief

In New Jersey, workers must have work authorization to be eligible for unemployment insurance. This means that undocumented workers who lack federal work authorization are ineligible to apply for unemployment insurance, even though many pay unemployment insurance

¹⁸ U.S. Congress, House, *Coronavirus Aid, Relief, and Economic Security Act (CARES Act)*, HR 748, 116th Cong., introduced in House January 24, 2019, <https://www.congress.gov/bill/116th-congress/house-bill/748>

payroll taxes. DACA and TPS recipients and lawful permanent residents with valid employment authorization do qualify for unemployment insurance. Nearly all workers, regardless of federal immigration status, are eligible for five days of paid sick leave under New Jersey's paid sick leave law. Undocumented workers pay into the Family Leave Insurance and Temporary Disability Insurance programs and are not statutorily barred from accessing them; however, the on-line applications require a Social Security Number to apply, creating a barrier for undocumented workers.¹⁹

Safety Net Programs and Health Care

Access to public benefits is extremely limited for immigrants in New Jersey. The Supplemental Nutrition Assistance Program (SNAP), formerly known as food stamps, is only available to citizens and lawfully-present non-citizens.²⁰ Lawful permanent residents are only eligible once they have had lawful status for at least five years.²¹ Several other categories of immigrants, such as refugees and victims of trafficking are eligible without a waiting period.²² DACA recipients, individuals with pending applications, or individuals who are undocumented are not eligible.²³ Similarly, immigrant adults in New Jersey are eligible for Medicaid if they have held a qualified immigration status for at least five years.²⁴ Qualified status includes lawful permanent residents, refugees, asylees, and applicants under the Violence Against Women Act, among a few others,²⁵ although several categories of immigrants in humanitarian statuses are exempt from the five-year waiting period.²⁶ Children age 18 or younger and pregnant women who are lawfully admitted are eligible for NJ FamilyCare and are exempt from the five-year waiting period.²⁷ Undocumented immigrants and individuals with DACA are only eligible for Emergency Medicaid.

Testing for COVID-19 is available to all regardless of federal immigration status, and the state has barred hospitals and Federally Qualified Health Centers from charging copay or patient fees

¹⁹ See New Jersey Family Leave and Temporary Disability Benefits, New Jersey Department of Labor and Workforce Development: <https://myleavebenefits.nj.gov/labor/myleavebenefits/worker/application/index.shtml>

²⁰ "SNAP Policy on Non-Citizen Eligibility," USDA, accessed April 19, 2020, <https://www.fns.usda.gov/snap/eligibility/citizen/non-citizen-policy>

²¹ *Id.*

²² *Id.*

²³ Daniel Enos and Leslye E. Orloff, "Access to State-Funded Public Benefits in New Jersey for Survivors, Based on Immigration Status" NIWAP and American University Washington College of Law, (May 16, 2019).

²⁴ "Immigrant Information," NJFamilyCare, accessed on April 19, 2020, http://www.njfamilycare.org/imm_info.aspx

²⁵ *Id.*

²⁶ Daniel Enos and Leslye E. Orloff, "Access to State-Funded Public Benefits in New Jersey for Survivors, Based on Immigration Status" NIWAP and American University Washington College of Law, (May 16, 2019).

²⁷ "Immigrant Information," NJFamilyCare, accessed on April 19, 2020, http://www.njfamilycare.org/imm_info.aspx

for the uninsured.²⁸ However, some barriers persist for low-income and undocumented immigrants, including testing sites available only via car and testing that requires a prescription from a doctor.

Public Charge

A recent change in the federal Public Charge rule has created another barrier for immigrants attempting to access health care and safety net services. After a U.S. Supreme Court decision lifted an injunction, in February 2020, the Trump Administration moved forward with changes to Public Charge, a test in certain immigration applications to determine if a person is likely to rely on government support in the future. The changes force some immigrant families to choose between accessing vital health, food, economic and housing benefits or jeopardizing their chances of becoming a lawful permanent resident. While most immigrants will not be subject to the public charge rule, the confusion surrounding the rule has created a chilling effect that can lead to families unenrolling from health care or choosing not to use critical services for their families at a moment when our state is undergoing a public health crisis. New Jersey Policy Perspective estimates that 690,000 people — including 250,000 children — may be harmed by the chilling effect in New Jersey.²⁹ Between 2017 and 2019, ACA Marketplace enrollment for our lowest income individuals declined 19% and there has also been a drop off in Medicaid enrollment.³⁰ The U.S. Citizenship and Immigration Services (USCIS) posted an alert clarifying that it will not consider testing, treatment, or preventive care related to COVID-19 in a public charge inadmissibility determination, even if the health care services are covered by Medicaid; however, longstanding fears around using public benefits may still create barriers for immigrants to access testing and treatment.³¹

²⁸ “Murphy Administration Announces Waiver of Fees for COVID-19 Testing Services For Uninsured,” NJ.gov, March 20, 2020, <https://nj.gov/governor/news/news/562020/approved/20200320a.shtml>

²⁹ Erika Nava, “FAQs: The Public Charge Rule Change,” New Jersey Policy Perspective, Dec. 20, 2019, <https://www.njpp.org/blog/faqs-the-public-charge-rule-change>

³⁰ Data on file with New Jersey Policy Perspective

³¹ “Public Charge,” USCIS.gov, updated March 27, 2020, <https://www.uscis.gov/greencard/public-charge>

State and Local Initiatives to Support Immigrants During COVID

After the CARES Act left behind most undocumented immigrants from federal stimulus payments and other relief programs, at least twelve states or municipalities have announced programs to provide cash assistance to undocumented immigrants. This includes California's disaster relief fund for immigrants, a \$125 million fund, including \$75 million in public funds and \$50 million in private funds, will go to 150,000 of the approximately 2 million undocumented people in California.³² In New York City, philanthropist George Soros funded a \$37 million program to provide relief to undocumented immigrants and low wage workers in partnership with the New York City Mayor's Office of Immigrant Affairs.³³ Programs funded through public dollars for individuals excluded from federal relief, including undocumented immigrants, include the Austin, Texas RISE fund³⁴ (\$15 million), Boston rental relief fund³⁵ (\$3 million) and the Montgomery County, Maryland³⁶ emergency disaster assistance fund (\$6 million).

"We are going to work, we pay taxes, we try to do the things the right away. For [the government] to put us to the side and not include us in the stimulus makes us feel like they only see our value to work and not our humanity, and our children were also left out even if they are US Citizens."

- Anonymous survey respondent

³² "Governor Newsom Announces New Initiatives to Support California Workers Impacted by COVID-19," Gov.ca.gov, April 15, 2020, <https://www.gov.ca.gov/2020/04/15/governor-newsom-announces-new-initiatives-to-support-california-workers-impacted-by-covid-19/>

³³ Shane Goldmacher, "George Soros's Foundation Pledges \$130 Million in Coronavirus Relief," *The New York Times*, April 16, 2020, <https://www.nytimes.com/2020/04/16/nyregion/george-soros-foundation-coronavirus.html>

³⁴ "City Council approves Relief in a State of Emergency Fund to provide immediate and direct relief for vulnerable Austinites," Austintexas.gov, April 10, 2020, <https://www.austintexas.gov/news/city-council-approves-relief-state-emergency-fund-provide-immediate-and-direct-relief-vulnerable-austinites>

³⁵ "\$3 Million Fund to Help Bostonians Pay Their Rent During COVID-19 Pandemic," Boston.gov, April 5, 2020, <https://www.boston.gov/news/3-million-fund-help-bostonians-pay-their-rent-during-covid-19-pandemic>

³⁶ "Council approves emergency relief package for local employers and vulnerable residents," Montgomerycountymd.gov, March 31, 2020, https://www2.montgomerycountymd.gov/mcgportalapps/Press_Detail.aspx?Item_ID=25094&Dept=1

Analysis

Make the Road New Jersey's survey of over 200 New Jersey community members reveals an alarming number of confirmed and suspected COVID-19 cases among the survey respondents (many who are essential workers on the frontlines), widespread coronavirus-driven unemployment and financial hardship, and large numbers of people unable to secure federal relief and healthcare. Undocumented community members are especially hard hit, given they are excluded from major stimulus efforts like federal cash assistance and the unemployment insurance expansion.

Despite nearly half of people reporting sickness in the last month, very low rates of health insurance coverage--and the chilling effects of immigration enforcement--mean one in two sick people haven't seen a doctor

- A staggering 75% of all survey respondents--and 85% undocumented individuals--report having no health insurance.
 - When asked why people did not have health insurance, the top reason provided was immigration status. Other frequent responses included the prohibitively high cost of insurance, job loss due to the coronavirus pandemic, and a lack of information on whether they qualify and how to sign up.
- Nearly half (48%) of all survey respondents report that they or a loved one was sick in the past month--over 60% of those individuals suspect or were told by a doctor that it was COVID-19.
- Unfortunately, nearly one out of every two people report not having seen a doctor about this illness.
 - Fear of immigration enforcement appears to be having a chilling effect. Among undocumented survey respondents, 64% report not having gone to a doctor or using local services in the past because they were worried about immigration enforcement or the impact on their status. Survey respondents reported the fear of being deported and fear they would not be treated fairly because of their status.

The vast majority of those surveyed, have lost their jobs or seen a reduction in work hours. Those still working are on the frontlines of the pandemic.

- Only one in four people surveyed is currently working. However, since March 1st even among those working, nearly half of people report their employer asking them to work fewer hours (among undocumented people 57% have faced a reduction in hours).
- Survey respondents most commonly worked in industries that put them at elevated risk during the coronavirus pandemic including: factories, warehouses, retail stores, and restaurants. Smaller numbers worked in construction and janitorial services.
- Despite being available to all workers regardless of immigration status, a majority of undocumented survey respondents reported that they were not provided with paid sick

days by their employer. Undocumented respondents were less likely to report that their employers were doing everything they could to keep workers safe (including safety trainings, providing masks, etc.).

- Some respondents said their employers were providing temperature checks, masks, and gloves, but others reported needing to purchase their own protective equipment. Workers report some instances of employers hiding confirmed COVID-19 cases or giving incomplete information, while others reported they had many sick coworkers. One survey respondent indicated their employer only improved health and safety practices after workers organized and threatened to walk out.

Enormous numbers of people report losing their job due to the coronavirus pandemic. Almost none have received unemployment insurance in the past month:

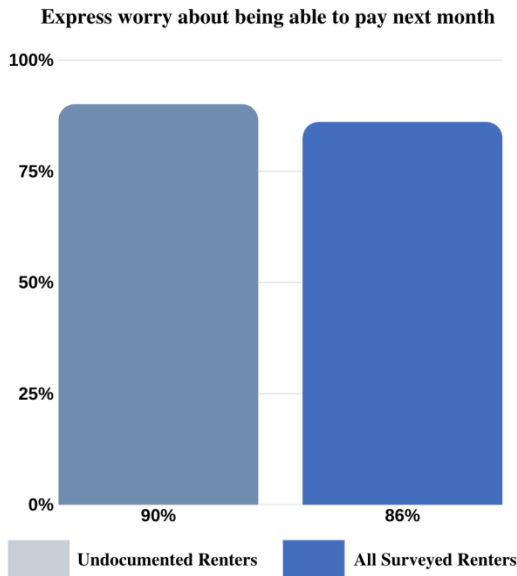
- Among the survey respondents who are not working, 70% reported they lost their job because of the coronavirus pandemic.³⁷ 92% have NOT received unemployment insurance in the past month.
- Those totals are even higher among undocumented respondents: 76% lost their job due to the coronavirus pandemic and 100% have NOT received unemployment insurance in the past month, because undocumented immigrants are ineligible for unemployment benefits.
- When asked why they were not working, the vast majority of survey respondents indicated their workplaces had closed due to the coronavirus (in some cases due to confirmed cases at their job or a death of a co-worker). Others indicated they were currently sick or in quarantine, caring for a sick loved one, or they had high risk health conditions that made going to work too dangerous.

The federal government's coronavirus cash assistance is excluding the vast majority of immigrant families

- The federal government recently announced cash assistance to people in response to the coronavirus. Only 26% of those surveyed think they will qualify.
- To be eligible, people need a valid social security number which excludes undocumented communities. Among undocumented survey respondents that vast majority (92%) indicated they would not qualify, with the remaining undocumented individuals reporting uncertainty of the requirements and wondering whether an ITIN number would count (which, unfortunately, it does not).
 - One survey respondent indicated his US citizen wife would not receive the cash assistance because they had jointly filed their taxes so their family is excluded.

³⁷ An additional 6% of respondents weren't sure if their job loss was due to the coronavirus pandemic.

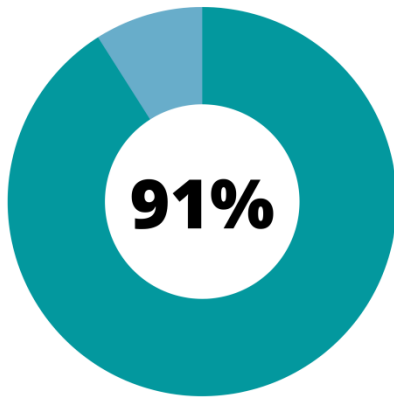
While many were able to pay rent this month, the majority of survey respondents are worried about making rent in May.



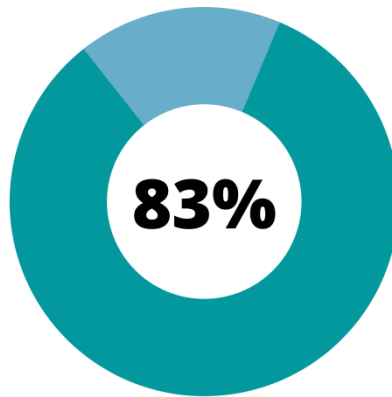
- 100% of the undocumented survey respondents--and 95% of all survey respondents--currently rent the place where they live.
 - Among renters, 71% were able to pay rent this month but 86% are worried about being able to pay rent next month.
 - While 69% of undocumented renters were able to pay rent this month, 90% are worried about being able to pay rent next month
- Despite New Jersey’s moratorium on evictions, troublingly, 6% of people surveyed had experienced threats or harassment from landlords about the rent.

Financial hardship is intense and widely felt within New Jersey’s immigrant communities. Most people surveyed are worried about being able to pay bills, buy medicine or access enough food in the coming month.

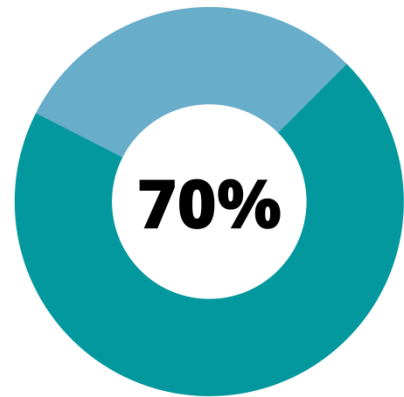
- While financial hardship and worries are widely felt, when asked about the coming month undocumented respondents had especially high levels of worry:



91% were worried about being able to pay utilities or other bills.



83% were worried about accessing enough food for their families



70% were worried about buying medicine for themselves or for their families

- When asked why they were worried about finances, top reasons included people being out of work, only having one source of income for couples with one spouse out of work,

a general lack of savings from before the pandemic, people not getting enough hours from employers, and people unable to work because of illness and COVID-19 symptoms and/or caregiving responsibilities.

The coronavirus is taking a toll on the wellbeing and mental health of our communities



Two out of three people surveyed said they were stressed out all or most of the time in the past month.



Nearly half of people reported being sad in the past month and nothing could cheer them up.

- Many people who took the survey reported worries for themselves (or loved ones), many of whom are essential workers getting exposed to COVID-19; the intense stress of unemployment or reduced hours among working adults in a household; widespread worries around making rent, paying bills and having enough to eat; the difficulty of balancing caregiving responsibilities and supporting children’s wellbeing; and the challenges of being isolated and separated from family members.

“In mid-March started to feel sick and developed a cough. I left work to try to go to get a test for Coronavirus. But I don’t have a car so I couldn’t get to the testing site. I became very sick and stayed at home. I lost my job. I don’t have health insurance and I have been paying for my medicine out of pocket. But I can’t even afford that anymore. I am very worried about being able to get food for my kids and to stay healthy.”

- Carmen T.

Survey Sample at a Glance

Reported immigration status

- 52% Estimated undocumented³⁸
- 16% Work authorization or asylum recipients
- 12% US citizens
- 10% Lawful permanent resident or green card holder
- 8% DACA or TPS recipients
- 2% Declined to answer

Race/Ethnicity

- 96.4% Latinx

³⁸ For details on how the estimated undocumented population was calculated, see: survey sample and methodology note.

- 2.2% White
- 1.3% Black
- 2.7% Other
- 0.9% Native American
- 0.4% Asian or Pacific Islander³⁹

Gender

- 64% Female
- 36% Male

Age:

- Ranged in ages from 17 to 59. The median age of survey respondents was 40.

New Jersey cities represented:

- 24 cities across the state including: Brick town, Camden, Cliffwood, Clifton, Edison, Elizabeth, Fairview, Garfield, Haledon, Hillside, Jersey City, Kenilworth, New Brunswick, Newark, Parsippany, Passaic, Paterson, Perth Amboy, Ramsey, Roselle Park, Summit, Union, West New York, Woodbridge.

³⁹ Note: respondents were able to “check all that apply,” so race and ethnicity figures do not total 100%.

Recommendations

Based on the results of this survey, focus groups with immigrant members of Make the Road New Jersey and an analysis of local and state policies, Make the Road New Jersey provides the following recommendations for federal and state policy:

Federal Policy Recommendations

1. \$2,000/month cash payments to all taxpayers, including those who file with ITINs and in mixed-status families

CARES Act stimulus payments of \$1,200 per adult and \$500 per child are insufficient to keep families afloat. In addition, they leave behind thousands of taxpayers who file their taxes using an ITIN because the CARES Act stimulus payments excluded these taxpayers from receiving cash payments. Additionally, U.S. citizen children and spouses included in the tax filing of a taxpayer who files with an ITIN are also ineligible for the cash payment. To ensure all taxpayers and their families are treated equally, and to keep families afloat, stave off hunger and pump consumer dollars back into the economy, Congress should issue \$2,000 monthly cash payments to *all* eligible taxpayers and their families, regardless of whether any filer utilized an ITIN or a social security number.

2. Coverage of COVID-19 testing and treatment through Medicaid for everyone, regardless of immigration status

To be effective in addressing this public health emergency, COVID-19 testing and treatment must be available to all people, regardless of immigration status. The CARES Act leaves many immigrants without access to COVID-19 testing and treatment under Medicaid, including many lawful permanent residents (LPRs), DACA recipients, TPS holders, and undocumented immigrants. These exclusions leave everyone at greater risk given the highly contagious nature of COVID-19. To address this shortfall and ensure coverage for everyone, Congress must adopt the H.R.6379's approach: expand COVID-19 testing and treatment under Medicaid to all people, regardless of whether they are a "qualified" immigrant for the purposes of 8 U.S.C. § 1611.

3. Automatic extension of work authorizations, including for DACA and TPS holders

All workers must have the opportunity to continue to work through the COVID-19 pandemic. Governor Murphy, Senator Menendez and Senator Booker recently called on DHS to automatically extend work authorizations for DACA and TPS holders whose permits are set to expire within a year or within 90 days of the end of the emergency proclamation. H.R.6379

would automatically extend work authorization for all current work authorized immigrants for the same duration as their current period of work authorization. While U.S. Citizenship and Immigration Services (USCIS) announced it would re-use existing biometrics, obviating the need for in-person attendance at now-closed Application Support Centers, USCIS will undoubtedly face additional backlogs and delays due to office closures and adjudication inefficiencies associated with the telework. Additionally, over 254 million people in 32 states and the District of Columbia and Puerto Rico are under “stay at home” orders, meaning that immigrants cannot leave their homes to collect supporting documents and print, prepare, and mail their applications. Individuals should not have to face the choice of defying “stay at home” orders or risk losing their ability to support themselves and their families. Thus, Congress should direct USCIS to automatically extend Employment Authorization Documents (EADs) for all immigrants (including DACA recipients and TPS holders) whose EADs expire within one year or within 90 days of the rescission of the emergency presidential proclamation in response to COVID-19.

4. Provide Immediate Relief on Housing and Utilities

Congress must provide immediate relief on housing and utility costs, as well as other forms of consumer debt, so that basic survival can be guaranteed for the duration of the pandemic and subsequent recovery period. At a minimum, immediate federal action should support the following:

- Cancel payments due on rent, mortgage loans for primary residences, and utility bills for the length of the crisis. Provide funding for small landlords to cover expenses normally covered by rent, upon demonstration of hardship. Place an immediate moratorium on evictions, foreclosures, and utility shut-offs. Restore utility services to any customers who have had their utilities shut-off.

5. Halting immigration enforcement and detention, and the public charge rule which exacerbate the spread of coronavirus and put all of us at risk

Community members in immigration custody and employees who work inside those facilities are extremely vulnerable to contagious illnesses like COVID-19, due to the enclosed nature of detention facilities. Medical neglect at ICE detention centers has resulted in many preventable deaths of community members in ICE custody. In the next COVID-19 legislative package, Congress should follow the recommendations of public health experts and require the U.S. Department of Homeland Security (DHS) to suspend civil immigration enforcement during the course of the pandemic and require ICE to release detained community members. In the meantime, ICE must provide free access to healthcare, sanitary supplies, and phone calls. Crucially, the CARES Act did not provide additional funding for ICE and CBP and instituted restrictions on the transfer of funds to those agencies. Congress must ensure any future legislation maintains these provisions, which are critical to protect our communities.

The Department of Homeland Security and Department of State's public charge rules took effect on February 24, 2020. As evidenced by response to this survey, the regulations have deterred immigrant communities from seeking health, nutrition assistance, and other essential services. In order to protect public health, Congress must halt the application of the DHS and DOS public charge regulations during this crisis. Similarly, any further action by federal agencies to alter the longstanding policies on public charge must be halted.

State and Local Level Policy Recommendations

- 1. Disaster Relief Cash Assistance Program for Undocumented Immigrants and Excluded Workers:** New Jersey's half million undocumented workers and their 128,000 U.S. citizen children are facing hunger, deep loss of income and pervasive fears about being able to access medicine and pay bills. Survey data makes this clear. As immigrants approach their fourth week without income, it is essential that New Jersey start a disaster relief cash assistance program to provide \$600 per week to individuals who have lost wages due to COVID-19 but are excluded from unemployment insurance and the federal stimulus. Individuals who are unable to work as a result of the COVID-19 pandemic, either because of a lay-off, reduction in hours, a shelter-in-place order, or because they are taking care of a child whose school or childcare has closed due to the current pandemic should be eligible for relief.
- 2. Ensure all New Jerseyans Access to Government Services without Fear of Deportation:** in addition to the public charge rule, survey data makes it clear that New Jersey immigrants and their families fear accessing public benefits and services they are eligible for due to increased immigration arrests, enforcement actions and detentions across our state. Gov. Murphy should sign an executive order to protect the privacy of information of all individuals who access state services, to prohibit state entities from using state resources to assist or cooperate in civil immigration enforcement, to prohibit warrantless immigration arrests in state buildings and facilities, to ensure that each state office has a protocol in place should immigration enforcement officers attempt to detain individuals who are accessing critical services, and to prohibit state entities from inquiring about or collecting information regarding immigration status of those accessing state services, unless required by law. New Jersey must also ensure that individuals with limited English proficiency have adequate access to translation and interpretation in medical settings by issuing an Executive Order to require language access service in all health care, hospitals and pharmacies.

3. **Ensure Health Care Access:** An overwhelming number of respondents were unable to see a doctor when they are sick and are uninsured. If New Jersey is going to flatten the curve, everyone must have access to care. As our state undergoes one of the worst public health crises in a generation, New Jersey must include immigrant communities in state funded health care. This includes restoring coverage for all lawfully residing immigrants and green card holders, who are currently barred from accessing care for the first five years of their lawful permanent residence. New Jersey can follow the lead of California, Massachusetts and New York City by expanding access to health care services and public health insurance to all immigrants, regardless of status. COVID-19 testing sites must be open and accessible to undocumented immigrants, which means mobile testing sites accessible to pedestrians. The state should open up its healthcare emergency line to allow doctors to provide referrals for free testing to undocumented New Jerseyans who confirm symptoms in a telephone assessment.
4. **Protect Worker Safety:** Survey respondents report significant lack of basic labor protections at their workplaces, including paid sick leave. Sick leave is available to all workers, regardless of status. New Jersey should mandate employers provide an expanded set of paid sick time (a minimum of 15 days) during public health emergencies, and should create a special task force in the Department of Labor and Workforce Development to respond to violations. Workers also reported inadequate protective gear. New Jersey should mandate a temporary partial or complete shutdown of warehouses, restaurants, and grocery stores where workers have been tested positive for COVID19 and provide for full pay to workers in these circumstances. Finally, frontline workers should have the right to decline unsafe work-shifts if they in good faith believe they will be exposed to COVID19 because their employer did not provide appropriate protective equipment and workplace safety measures.
5. **Pass legislation to permit ITIN filers to receive the state EITC and Child Tax Credit and put cash back in the pockets of working families:** individuals who file taxes using an IRS-issued Individual Taxpayer Identification Number (ITIN) are currently excluded from receiving New Jersey's state Earned Income Tax Credit. EITC and Child Tax Credits are a critical vehicle to put cash back into the pockets of low-income families. ITINs are available to tax filers who are not eligible for a Social Security Number (typically immigrants to the US without legal work status) and are used to file income taxes, to open bank accounts, and in other situations that require an official government identification number. New Jerseyans who file their taxes using an ITIN are currently excluded from the state EITC because it follows the structure of the federal EITC in requiring a Social Security Number that is valid for work for both the tax filer and all children claimed as dependents. This requirement excludes many working immigrants in NJ from benefiting from the EITC as well as many US-born children who have

immigrant parents. New Jersey should pass legislation for a full refundable EITC and Child Tax Credit that is open to ITIN filers of all ages.

6. **Provide immediate relief on housing and utilities:** An overwhelming majority of survey respondents feared they would be unable to pay rent on May 1st and feared making payments on bills. Gov. Murphy's moratorium on evictions and utility shut offs is a key first step to address the housing crisis, but once the pandemic ends, most individuals will be unable to pay back rent and will be faced with eviction. New Jersey must act immediately to suspend rent and utility payments and to create a program that permits *all* low-income residents to obtain rent and utility relief, regardless of federal immigration status.
7. **Release Immigrant Detainees:** New Jersey currently has the highest number of cases of immigrants who have tested positive for COVID-19 in detention;⁴⁰ and this does not even reflect the dozens more who are sick but have not been tested. The crowded and unsanitary conditions in detention facilities make social distancing -- required under Executive Order 107 -- essentially impossible and basically guarantee that it is only a matter of time before the number of cases skyrockets. New Jersey officials have already taken extreme measures to limit the exposure and spread of COVID-19 throughout the state, including a recent Executive Order that allowed some people incarcerated in New Jersey's prisons to leave on furlough, home confinement, and release.⁴¹ Similarly, Governor Murphy, Commissioner Persichilli, and county officials responsible for the administration of detention centers must act immediately and do everything in their power to ensure the release of all immigrants who are detained. Finally, the state must fully fund the universal legal representation program so that every individual who is detained in the state and cannot afford a lawyer during deportation proceedings has access to high quality legal counsel.
8. **DACA Renewal Fund:** As DACA recipients lose their jobs, or support family during the COVID-19 pandemic, income is scarce. There are more than 5,000 DACA recipients working in front-line jobs in New Jersey under COVID-19. Their ability to work is essential to the wellbeing of our state. New Jersey should start a DACA renewal fund to ensure every DACA recipient in the Garden State is able to renew their status before the Supreme Court decision comes down. DACA renewals cost \$495 per applicant. Once a DACA recipient renews and is deemed eligible, they may access employment authorization for two years. The state must ensure each DACA recipient is able to preserve their status before the U.S. Supreme Court decision.

⁴⁰ Monsy Alvarado, "ICE detainee coronavirus cases grow across the country. New Jersey is the state with the most" *NorthJersey.com*, April 9, 2020, <https://www.northjersey.com/story/news/new-jersey/2020/04/09/16-ice-detainees-have-tested-positive-coronavirus-nj/5120326002/>

⁴¹ New Jersey (State), Executive Order No. 124, April 10, 2020, nj.gov/infobank/eo/056murphy/pdf/EO-124.pdf

9. **Remove Barriers to Occupational Licensing:** New Jersey’s immigrant workforce will be able to thrive and better contribute to the COVID-19 crisis if more people can access occupational licenses. Out of date and unconstitutional laws mean that many immigrants are barred from accessing professional licenses. DACA recipients are currently studying or working in professions that are vital to our state, including frontline health care professions. Many states, from deep red Arkansas to bright blue California -- have lifted barriers to professional and occupational licenses for immigrants. To ensure our state’s economic growth, to provide meaningful career and occupational opportunities for our residents - and to address the worst public health crisis in a generation, New Jersey must enact legislation to remove citizenship and immigration status requirements from occupational licenses by amending and passing S843/A1286 to include all qualified New Jersey residents and to not discriminate based on federal immigration status.

Survey Sample and Methodology

The survey findings featured in this document were the result of a thirty-five question survey conducted over the phone by Make the Road New Jersey staff between April 12 - April 18, 2020. The survey sample included 226 respondents residing in New Jersey. Survey respondents spanned 24 cities across the state including: Brick town, Camden, Cliffwood, Clifton, Edison, Elizabeth, Fairview, Garfield, Haledon, Hillside, Jersey City, Kenilworth, New Brunswick, Newark, Parsippany, Passaic, Paterson, Perth Amboy, Ramsey, Roselle Park, Summit, Union, West New York, Woodbridge.

The survey respondents were 64.4% female and 35.6% male; and ranged in ages from 17 to 59 (the median age was 40). Respondent race and ethnicity totals were: 96.4% Latinx, 1.3% Black, 2.2% White, 0.4% Asian or Pacific Islander, 0.9% Native American, and 2.7% Other. Note: respondents were able to “check all that apply” so race and ethnicity figures do not total 100%. Reported immigration status among 226 survey respondents: 52% estimated undocumented** (118 people); 16% work authorization or asylum recipients (36 people); 12% US citizens (26 people); 10% Lawful permanent resident or green card holder (22 people); 8% DACA or TPS (19 people); and 2% Declined to answer (5 people).

**The estimated undocumented data highlighted throughout this report, refers to survey respondents who indicated they were immigrants to the United States but *not* US citizens, lawful permanent residents, DACA or TPS recipients, or individuals with any other work authorization or asylum status. Survey respondents who declined to answer any of the survey questions on immigration status were not counted in the estimated undocumented total (118), but are instead reflected in the overall survey response total (226).