

A LASTING IMPACT

2008

ANNUAL
REPORT



25 YEARS OF JUSTICE AND EQUALITY

ASIAN PACIFIC
AMERICAN
LEGAL CENTER
OF
SOUTHERN CALIFORNIA



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AMERICAN
LEGAL CENTER
OF
SOUTHERN CALIFORNIA



from the.
executive
director

From its start in 1983, the Asian Pacific American Legal Center (APALC) has set the pace for social justice for Asian Pacific Americans. Twenty-five years later, APALC continues to strive for justice on behalf of Asian Pacific Americans and for all underrepresented and marginalized individuals and communities.

As you read on, you will witness for yourself APALC's impact. We encounter individuals at moments of crisis and provide in-language help with legal issues that profoundly influence their lives. We litigate on behalf of individuals to effect broad, sweeping change in laws, institutions, and practices. We develop multicultural-savvy leaders in the health sector and among today's youth and parents. We do original research on Asian Pacific American demographics and advocate for policies that better serve our communities on local, state, and national levels. We work to protect and enhance the well-being of immigrants in our communities. We help over 15,000 individuals each year. We meet the relevant, ongoing needs of our community in direct and systemic ways for a personal and lasting impact in families and communities.

This year, we have recognized the immense challenges facing our community, and decisively and swiftly acted to be a force for positive change. For example, we launched an elder law project, focusing on the needs of the rapidly growing older population of Asian Pacific Americans. We also initiated a foreclosure and housing project to help Asian Pacific Americans facing foreclosures during this economic crisis.

Looking ahead, as community needs rise, so do the demands for our services. In keeping with our original, pioneering course, we will continue to forge new roads of equality and justice.

Very truly yours,

A handwritten signature in white ink that reads "Stewart Kwoh". The signature is written in a cursive, flowing style.

Stewart Kwoh, Esq.
President & Executive Director



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Direct Services

Providing Asian Language Legal Hotlines

We receive nearly 10,000 calls from limited or non-English speaking individuals a year through hotlines in four Asian languages: Khmer (Cambodian), Chinese (Mandarin and Cantonese), Korean and Vietnamese. Because language and culture are significant barriers for immigrants seeking legal information or assistance, these language-specific hotlines play an important role by assisting callers on a wide range of legal issues, including immigration, family law, housing, public benefits and consumer rights.

Helping Immigrants Gain Citizenship and Legal Status

APALC provides free individual immigration and citizenship assistance, educates the public on immigration issues, and advocates for fair immigration laws and policies. In the past year, APALC has provided free naturalization assistance through dozens of clinics in Los Angeles County, helping hundreds of immigrants achieve their dream of citizenship.

Assisting Domestic Violence Survivors

For more than 25 years, APALC's multilingual staff, *pro bono* attorneys and law clerks have helped hundreds of immigrant women and children escape abusive relationships, find jobs and housing, and secure their legal status in the United States. In recent years, this work also included immigrants who are trafficked here for domestic work or sexual servitude.

From the beginning of its history, one of the hallmarks of APALC is our direct services; we provide legal services and education to individuals, especially those who speak little or no English, through counseling on the telephone or in person.



Ms. Chen* is a recent immigrant from China. She came to the United States in May 2008, for the first time. She was reluctant to come to the U.S. with her abusive husband, who had already fractured her nose once when they were in China, but she came with the hope that she could give her 5 year old daughter, Mei Mei*, a better life here in the U.S. She also hoped that her husband might treat her better here in the U.S. than he did in China. However, these hopes were crushed during the first few months of their life in the U.S. Ms. Chen's husband threatened her physical safety on several occasions, her in-laws were controlling, manipulative, and emotionally abusive, and most devastatingly, at the end of August 2008, her husband abducted Mei Mei from her and denied her any access to her child. Luckily, Ms. Chen obtained an APALC attorney's help at an APALC clinic in Chinatown around the same time that her child was abducted.

Since Ms. Chen met APALC at the clinic, APALC has helped reunite her with Mei Mei, obtain a restraining order against her abusive husband, gain admission to a domestic violence shelter with Mandarin-speaking capacity and holistically assist her with the numerous barriers that she faces as a monolingual Mandarin-speaking recent immigrant without a single friend or family member in the U.S. other than her daughter.

Since working with Ms. Chen, our staff attorney has realized the scarcity of social services and legal resources available to low-income, limited English proficient Chinese immigrants, and thereby has gone the extra mile to provide holistic services beyond the range of a typical legal services provider, because, as Ms. Chen often tells her, "You are the only one that is helping me."

* Clients' names changed to preserve confidentiality.

Breaking New Ground in Key Social Areas

In 2008, APALC spearheaded two new legal projects in direct services: an elder law project and a housing/foreclosures project. Both initiatives concentrate on crucial needs in the Asian Pacific American community. As the elderly population grows, monolingual elders are at greater risk for fraud schemes and in greater need for government benefits. Our Elder Law Project, funded by the Aratani Foundation, launched in 2008, with its first phase focused on the growing elderly Japanese population. Legal education and awareness are the focal points for the initial stages of this project.

The housing and foreclosures initiative comes at an extremely timely moment in our nation's history. With 190,000 homes in foreclosure in California in the first three quarters of 2008 alone, the need for homeowner assistance, foreclosure counseling, and education is crucial for the Asian Pacific American community. We have hired one attorney to begin taking cases and expand our services on this issue.

Impact Litigation

In its 25 year history, APALC has advocated for civil rights through lawsuits that seek to expand existing protections, set legal precedent or change institutional practices. APALC has led or participated in key civil rights cases to fight English-only workplace policies and city ordinances, education inequity at public high schools and universities, sweatshop abuse and racially discriminatory employment practices. In 2008, APALC successfully fought on behalf of tenants, workers and students of color.

Fighting on Behalf of Workers & the Right to Speak Out

In October 2008, APALC successfully defended the Los Angeles Taxi Workers Alliance (LATWA), the South Asian Network, and the South Asian Network's Executive Director against a lawsuit brought by seven cab companies in Los Angeles. The cab companies alleged that the "Justice for Taxi Workers" campaign, town hall meetings, and multiple appearances before the City Taxicab Commission violated restrictions on non-profits. With help from the Law Offices of Carol Sobel and Gaglione & Dolan, who served as co-counsel, and expertise from Public Counsel, APALC exposed the lawsuit as a Strategic Lawsuit Against Public Participation (SLAPP), intended to punish these organizations and activists for exercising their fundamental free speech rights. The dismissal of the cab companies' lawsuit is a huge victory for low-wage workers and their advocates. As APALC argued in the case, the ability to speak out against injustice, to petition the government for redress, and to demand change from oppressive corporate practices are essential to the work of non-profits.

APALC has sought justice for low-wage workers through several other ongoing cases. For example, along with co-counsel Munger, Tolles & Olson LLP, APALC represents a group of immigrants who responded to an ad in a Chinese language newspaper advertising "sushi school" classes and job opportunities. Instead of providing the training and job as advertised, the owner forced the students to work without pay.

Fighting for Tenants' Rights



APALC, along with co-counsel Los Angeles Center for Law and Justice and Dewey & LeBoeuf LLP, represented a group of Koreatown tenants in *Kim v. Shin*. The suit, which was filed in 2007, charged that the landlords created uninhabitable conditions in the tenants' apartments when they started major construction work as part of a plan to convert the units to condominiums. The landlords tore down walls, exposed electrical wiring and removed kitchen and bathroom facilities. The lawsuit also alleged that the landlords failed to pay the tenants relocation assistance as required under city ordinance. After a six-day jury trial in June 2008, the tenants won their case, and were awarded a total judgment of over \$572,000 including damages, restitution of relocation assistance money, and attorneys' fees against their landlords. The case also received wide media coverage, providing vital community education on tenants' rights.

Fighting for Students and Communities of Color

APALC, in coalition with the ACLU of Southern California and Skadden, Arps, Slate, Meagher & Flom LLC, along with other civil rights organizations and law firms, helped defend the Los Angeles Unified School District's desegregation policies. The Pacific Legal Foundation filed suit specifically challenging the LAUSD's magnet programs and Permits with Transportation program as violating Proposition 209's bar against race consciousness. Both programs had race as a factor for participation, but race was one component of many, as mandated by a long-standing *Crawford* decree. APALC joined the team of interveners working with LAUSD to protect those programs, arguing that the programs fall under the exemption for existing consent decrees entered into prior to the passage of Prop 209 in 1996. The Superior Court agreed, dismissing the case in January. The Pacific Legal Foundation's appeal was denied.

APALC is uniquely able to litigate on behalf of workers to create systemic change as well as meet their direct legal needs. In 1995, APALC represented the Thai garment workers forced to work in abysmal and inhumane conditions in El Monte. Thirteen years later, in 2008, APALC had the rare privilege and honor of helping these same Thai immigrants receive their American citizenship.



From Sweatshop Workers to Proud American Citizens: The Story of Freedom

In August 1995, the discovery of 72 Thai garment workers, forced to sew behind barbed wire and under armed guard in El Monte, California, stunned the nation and the world. More workers – all Latino – also toiled in a front shop in downtown Los Angeles for the same contractor and manufacturers. As details of their ordeal became known – 18-hour workdays for less than a dollar an hour, constant threats, extreme psychological abuse – the world was shocked and horrified. The workers' ordeal received a wave of media coverage that highlighted the poverty, desperation, and extent of human rights abuses endured by low-wage immigrant workers in the United States.

APALC, along with its co-counsel, launched a historic lawsuit against not only the workers' captors, but also against the manufacturers and retailers for whom they had sewn. APALC was committed not only to fighting for the workers, but fighting with them, using the lawsuit as a

vehicle to empower and educate the workers as well as to reimagine the role of lawyers in social justice litigation. APALC met with the workers innumerable times to discuss every aspect of the case, organized trips to the retail stores where the clothes were sold, and facilitated public speaking opportunities for the workers.

The lawsuit, *Bureerong v. Uvawas*, resulted in two published legal decisions that opened the door to low-wage workers suing the large corporations for whom they work, even when there is an intermediate contractor. The case was a landmark decision in federal law, marking the first time a Federal District Court opened the door for large retailers and manufacturers, who almost universally contract out their garment production, to be held responsible for garment workers' wages.

In 2008, the Thai workers found themselves in a place few of them would have dreamed of or even

imagined possible in August 1995. After securing their legal status, many of the Thai workers became eligible to apply for U.S. citizenship in 2007, 12 years after being freed from El Monte. By August 2008, more than 40 Thai workers had filed their applications or completed their interviews with the U.S. Citizenship and Immigration Services (USCIS), the successor to the very agency that sought to deport them a dozen years earlier. Many have now been sworn in, and many more will soon follow, as U.S. citizens. In a special ceremony in August 2008 to commemorate this latest chapter in their remarkable journey, APALC honored the workers for being true American heroes, standing up for justice and embracing the American dream of freedom and opportunity. *The Los Angeles Times* covered the special ceremony and celebration in a front page article entitled, "Home of the Freed."

Leadership Development

APALC creates a more just and harmonious society by developing leaders for a multiracial, global society and by strengthening interracial group relations. More than 1,000 parents, students, and community members were trained through APALC programs in 2008.

Developing Justice-minded Community Leaders

For more than 17 years, the Leadership Development in Interethnic Relations (LDIR) program has challenged its participants to understand and negotiate the differences that separate them from each other, including issues of race, ethnicity, gender, sexual orientation and class. Currently focusing on the health sector through "LDIRs in Health," the program has trained over 50 participants to support movement building in the health sector and to develop and sustain community-based initiatives to address health disparities. LDIR's influence extends beyond Los Angeles as well, with technical assistance to groups such as Solano Coalition for Better Health and the Oregon Shakespeare Festival. Trainings include topics like "Creating Multicultural Organizations" and "Facilitating Intergroup Dialogue," which encourage increased understanding and transparent communication.



Creating New Youth and Parent Leaders

Through work with both youth and parents, APALC develops the leadership skills of immigrant families so that they can effectively advocate on issues affecting their communities. APALC's Preparing Asian Pacific American Youth Advocates (PAPAYA) is an afterschool social justice leadership development program for youth in San Gabriel Valley, home to some of Los Angeles County's fastest-growing Asian populations. With an artistic component, PAPAYA provides creative space for students to respond to the social justice issues presented in the program. The program is currently offered at Alhambra and Mark Keppel High Schools in the Alhambra Unified School District.

The LDIR school-based program is an in-school, semester-long course focused on building multi-ethnic student leadership in which students can critically analyze and engage in well informed discussions on issues of race, class, gender, sexual identity and media literacy. The program has developed a comprehensive curriculum which it shares through teacher training and support for service learning initiatives at partnering high schools. This year the class is being offered at Mark Keppel High School as well as Wilson and West Adams Preparatory High Schools in the Los Angeles Unified School District.

APALC has also launched successful multilingual parent academies to help parents advocate for their children, as well as learn skills to become active community leaders. The parent academy curriculum focuses on leadership development and skills-building, and includes topics such as how to communicate



effectively with teachers and school officials, how to support a child's academic success, and understanding pathways to college. The parent academies are conducted in Spanish, Mandarin, Cantonese and Vietnamese. In the past year, the program was conducted at Alhambra, Mark Keppel and San Gabriel High Schools, and reached more than 200 parents.



Parents Equal Power: Leaders Emerge from APALC's Parent Leadership Training

Advocating for your child within a complex school system is challenging for anyone, but for immigrant parents with limited English proficiency and cultural differences, it is an even greater challenge. APALC's Parent Academy equips immigrant parents with tools to effectively navigate the school system. Each year, our program graduates 150 parents from the high schools of Alhambra Unified School District (AUSD). Last fall, APALC held a Leadership Training for returning alumni, to empower them to become effective leaders for all children. For six weeks, 28 parents developed organizing and advocacy skills. Workshops were simultaneously translated into Mandarin and Vietnamese.

"I wanted to learn how the school system works here so I can teach my kids how to study at home...I learned something new at every workshop," says He Dai Zheng who has participated since 2006. Mrs. Zheng along with her husband Zhan Hu Liang, immigrated from China in 1994, and serve as the primary caregivers for their three

grandchildren. "The education of adolescents in a society involves parents, school, and the community...Parents need to voice their concerns to the school and other parents." Mrs. Zheng continuously encourages newcomer parents to participate in the Academy.

In the Leadership Training, parents led initiatives highlighting the top issue in the high schools of AUSD: an inadequate number of school counselors. According to the American School Counselor Association, the average 9-12 grade student to counselor ratio for 2006 was: Nationwide 248; LA County 382; AUSD 551. Parents presented their findings and offered suggestions to school administration and board members. The Vice-Superintendent validated the parents' concerns and parents will continue to meet to discuss next steps.

Before the Leadership Training, parents like Mrs. Zheng might not have felt comfortable asking questions or speaking in crowds, yet this March,



our alumni will lead group discussions and assist with translation in our upcoming Academy. Our parent leaders will also be making a video documenting their experiences as immigrants in the education system and their needs within it. One parent summed it up: "Change can come about when we work as a whole: Parents=Power!"

A critical component of APALC's work with parent leaders is the Parent Organization Network (PON), a group of 20 independent parent groups representing schools and districts throughout Los Angeles County. In May 2008, over 400 parents participated in the third PON Parent Summit to help shape PON's first collective policy campaign around the creation of parent engagement standards for schools to follow in order to ensure meaningful and active involvement of parents in their children's education.

Policy Advocacy & Analysis

APALC defends civil rights through advocacy with the legislature and government agencies, in order to change existing laws or institutional policies at the city, county, state and national levels.

Mobilizing Voters and Defending Voting Rights

During the historic 2008 elections, APALC worked with APA community-based organizations to conduct non-partisan voter mobilization efforts, helping APA voters overcome common voting barriers. Voter mobilization is critical to activating APA voters. Because political campaigns tend to ignore voters with infrequent voting patterns, including many limited English speaking APA voters, community-based organizations are left to shoulder the burden of providing the personalized contact necessary to increase participation among these infrequent voters. The mobilization efforts included bilingual phone banks, voter hotlines, and materials translated into Asian languages. The get-out-the-vote (GOTV) effort for both the June primary and November Presidential elections proved to be highly successful, reaching 12,000 voters in June and 15,000 voters in November. The phone calls increased APA voter turnout by

17%, a tremendous effect that surpasses previous phone calling efforts.

In 2008, APALC also conducted poll monitoring during the February primary and November elections. With the assistance of a hundred volunteers, APALC monitored over 160 poll sites in Los Angeles and Orange Counties. Through the poll monitoring efforts, APALC and its volunteers enforce the Voting Rights Act, which protects limited English proficient voters at the polls and allows many of them to access translated voting materials or to use interpreters.

Surveying APA Voters



Exit Poll Results

(preliminary findings from 2008 Southern California Voter Survey)

The exit poll surveyed over 4,000 voters in Los Angeles and Orange Counties in English, Spanish, Chinese, Japanese, Vietnamese, Tagalog, Korean, and Hindi.

Asian Pacific American Presidential Vote in Los Angeles County

Candidate	% supporting
John McCain (R)	30%
Barack Obama (D)	68%
Other	2%

Asian Pacific American Presidential Vote in Los Angeles County by Ethnicity

Candidate	Asian Indian	Chinese	Filipino	Korean	Vietnamese
McCain (R)	9%	22 %	36 %	40 %	46 %
Obama (D)	90%	75 %	63 %	60%	53 %
Other	1%	3%	1%	0%	1%

Key Issues for Asian Pacific Americans in Deciding Which Candidate to Support

Issue	% of Asian Pacific American Voters
Economy / Jobs	65%
Healthcare	29%
Education	22%
War in Iraq	22%
Civil Rights / Immigrant Rights	21%

Policy Advocacy & Analysis

Advocating for Immigrants

APALC has worked with other immigrant rights organizations to demand fair and humane immigration legislation. To ensure an APA voice in the immigration debate, APALC has collected individual stories to demonstrate to the media and the larger public the significant impact that proposed policies would have on APA communities. In 2008, APALC produced a report about the family immigration backlog entitled *A Devastating Wait: Family Unity and the Immigration Backlogs* highlighting family backlogs—which for some family categories are as long as 23 years—and the impact on Asian Pacific American communities and families.



Locally, APALC works closely with Los Angeles County to ensure that APAs and other immigrants are able to access public hospitals, health clinics and government programs. At the state level, APALC, as part of the California Immigrant Policy Center (CIPC), advocates to protect state programs that provide crucial health, nutrition and cash assistance services to California's immigrant families.

In January 2008, Governor Arnold Schwarzenegger declared California to be in a state of fiscal emergency as a result of its multi-billion dollar state budget deficit. In response, APALC united 38 APA community based organizations to urge leaders in Sacramento to protect critical health, nutrition and education services and reform our flawed budget system.

APALC also works to pass laws that protect immigrants; in 2008, APALC worked with CIPC to pass AB 2327, a bill requiring public employees who provide disaster-related assistance to do so without asking evacuees for information or documents not strictly necessary to determine eligibility for the services. During the 2008 San Diego wildfires, evacuees were asked to prove

identity and residence from an evacuated area in order to enter an emergency shelter, access emergency food and water, and speak to a relief worker. As a result, families who had escaped the fires with only the clothes on their backs were turned away, even though they were not legally required to prove their identity or residence. The elderly, people with disabilities, the homeless, immigrants and those who are low-income are the least likely to possess and carry personal documents, and are thus the most likely to be affected by unnecessary document checks during a disaster. AB 2327, which was signed into law in September 2008, will help to ensure that emergency response is effective and focuses on the safety and well-being of all Californians.



Providing Demographic Data on Diverse APA Communities

Although demographic data drives many policy and funding decisions, there is a significant lack of data on APAs. To fill this gap, APALC invests significant resources in collecting, analyzing and disseminating ethnic and language-specific data on APAs.

In 2008, APALC released a number of reports. *Asian Americans at the Ballot Box: The 2006 General Election in Orange County* offered a comprehensive look at Asian American participation in 2006's gubernatorial election, including Asian American voter registration and turnout, support for candidates and ballot measures, views on immigration reform and use of bilingual voter assistance. *LA Speaks: Language Diversity and English Proficiency by Los Angeles County Service Planning Area* highlighted the demographics of the limited English proficient communities in Los Angeles County by Service Planning Area (SPA). The report found that five of the eight SPAs countywide are majority non-English speaking, and that Latino and Asian American communities faced the greatest challenges, with 48% and 43%, respectively, experiencing some difficulty communicating in English. In partnership with the Tomás Rivera Policy Institute, APALC released a joint publication, *Disaster Preparedness*

in Urban Immigrant Communities: Lessons Learned from Recent Catastrophic Events and Their Relevance to Latino and Asian Communities in Southern California, which found that immigrant and limited English proficient communities are not fully incorporated in disaster preparedness educational efforts and emergency response plans, and provides recommendations to personnel and government officials in better prepare immigrant communities in major disasters.

All reports are available at demographics.apalc.org.



Advocating for Asian American Civil Rights

APALC works on legislative solutions to issues such as hate crimes, language rights and discrimination through Asian Americans for Civil Rights & Equality, a joint project with two San Francisco-based civil rights organizations. In 2008, we championed a number of bills that promoted access for limited English speakers in a variety of contexts: in the courts, at the polls, in the juvenile justice system, during a disaster or emergency. Many of these bills were vetoed at the Governor's desk during the budget stalemat of 2008, but APALC continues to seek statewide solutions to issues affecting our community.

Asian Pacific American Legal Center

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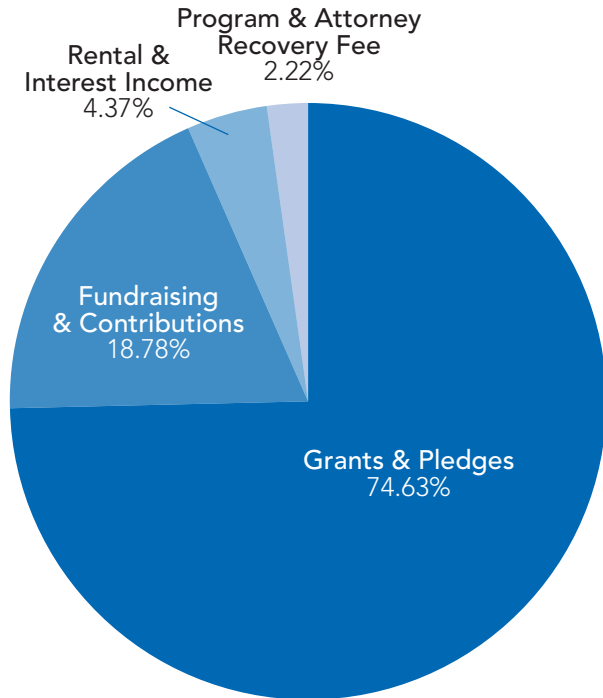
APALC Statement of Financial Position

ASSETS	AMOUNT (\$)
Cash and Cash Equivalents	3,577,714
Long-term Investments	2,815,316
Grants and Pledges Receivable	1,540,197
Property and Equipment, Net	2,556,598
Deposits	19,808
Total Assets	10,509,633

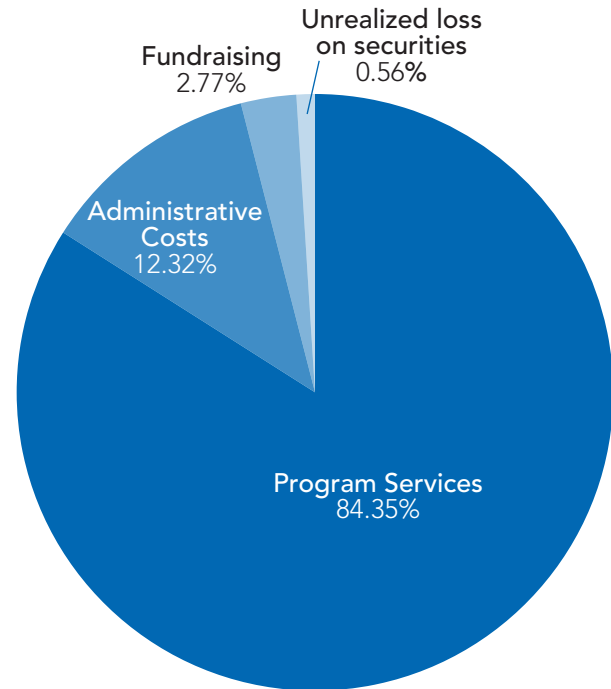
LIABILITIES	AMOUNT (\$)
Accounts Payable and Accrued Expenses	77,726
Accrued Employee Benefits	140,044
Deferred Revenue	281,660
Custodial Funds	14,720
Total Liabilities	514,150

NET ASSETS	AMOUNT (\$)
Unrestricted	6,594,063
Temporarily Restricted	2,401,420
Permanently Restricted	1,000,000
Total Net Assets	9,995,483
Total Liabilities and Net Assets	10,509,633

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