
2017 Legislative Day

presented by

NEW JERSEY LEGISLATIVE BLACK CAUCUS

and

THE NEW JERSEY BLACK ISSUES CONVENTION

LOCATION: Committee Room 4
State House Annex
Trenton, New Jersey

DATE: June 13, 2017
10:00 a.m.

MEMBERS OF CAUCUS PRESENT:

Senator Ronald L. Rice, Chair
Assemblywoman Shavonda E. Sumter, Second Vice Chair
Senator Shirley K. Turner
Assemblyman Jamel Curtis Holley
Assemblywoman Mila M. Jasey
Assemblywoman Angela V. McKnight
Assemblywoman Sheila Y. Oliver
Assemblyman Troy Singleton
Assemblyman Benjie E. Wimberly



Hearing Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
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SENATOR RONALD L. RICE (Chair): Mayor, first of all, it's good to have you. Would you state your name for the record? And if you didn't sign a form, before you leave make sure you sign the form there, okay?

MAYOR LESTER. E. TAYLOR III: Yes.

Thank you, Senator Rice.

Good morning, Senators and members of the Assembly. I am Lester Taylor, Mayor of the City of East Orange, New Jersey. Thank you for assembling this audience this morning for this very pressing and important issue.

To all my colleagues behind me -- the mayors, Councilmembers, school board members, planning board members, etc. -- I can tell you that it is truly an awesome feeling that I have right now, being in this room, of people -- not just of power, but of influence in various capacities throughout the state.

I am also joined by one of our Councilmembers, 1st Ward Councilman Amy Lewis, who is in the back. And I am very grateful that she is here this morning, taking time out of her day.

The City of East Orange -- our vision is that we will set the standard for urban excellence and become a destination city. I will say at the outset that everything is important to us. So I am only talking about two issues this morning, UEZ and CDBG funding. But to the extent that you have other issues that come before you, rest assured that they are important and critical to the City of East Orange.

After suffering a significant population loss in the late 1980s and 1990s, while facing issues such as vacant and abandoned properties,

foreclosures, aging infrastructure, and the depleted cultural landscape -- issues endemic to urban communities throughout the State of New Jersey -- East Orange is finally experiencing a period of unprecedented growth and redevelopment, largely in part because of CDBG and UEZ -- CDBG being *Community Development Block Grants* and UEZ being *Urban Enterprise Zone* funding. These two critical programs have been paramount in our efforts to revitalize our community, making an extremely meaningful impact on the quality of life for all of our residents, businesses, and stakeholders.

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

Between 1977 and the present, CDBG allocations have funded dozens of local nonprofit organizations annually and supported well over \$100 million of vital community development initiatives. From mental health services and transitional housing assistance to recreational enrichment programs and preventative health services, there is no doubt that the elimination of this funding would have a negative and severe impact on the people and programs of the City of East Orange, and I'm sure my colleagues join in that concern.

The second issue is UEZ. Since 1996, the City of East Orange has used UEZ funds to attract investment to our community, including a

substantial amount of modernized residential properties that have re-invigorated our old housing stock.

Today, developers throughout the tristate area are investing in our city in record numbers. Under my Administration, since January 1, 2014, private capital in the City of East Orange has increased by over 500 percent, going from \$100 million in 2014, to well over \$600 million today. In fact, we were recently ranked No. 16 on the list of the Top 20 New Jersey cities with new construction permits by the *Star-Ledger*.

Historically, UEZ and CDBG funding was created to afford struggling municipalities an opportunity to be competitive and fuel economic growth. Today, continued funding of both programs is not only important to the continued success and survival of East Orange, which has one of the largest African American and Caribbean American populations in the nation -- it's important to note that in our population of 65,000, 85 percent is African American, with the second-highest concentration of Guyanese Americans in the country next to Brooklyn, New York; a very large Caribbean American population; and individuals from the continent of Africa. As Marc Morial, the former the Mayor of New Orleans, recently told me, we're probably the blackest city in the country. The reality is, we're working very hard to make sure we are the example of urban excellence in the State of New Jersey.

As East Orange stands at a critical turning point in its transformation, it is imperative that our legislators continue to fight on our behalf to avoid crippling the tremendous progress we have made thus far. True commitment to our urban communities means commitment to

legislation that levels the playing field and promotes equitable opportunities for stability and growth.

Thank you all for the opportunity to present testimony on behalf of the City of East Orange this morning.

Thank you.

SENATOR RICE: Thank you, Mayor.

MAYOR TAYLOR: Thank you.

SENATOR RICE: Any comments from any of the members?

ASSEMBLYMAN HOLLEY: Thank you, Mayor, for your testimony. Thank you for being here with us.

I wanted to touch specifically on UEZ; because as a former Mayor, I definitely can understand the significant loss that we all took in our communities.

What I will tell you is that there is a unified effort currently, right now, in the Legislature to reenact our UEZ. You know, the Governor has taken a significant stance on eliminating part of the programs. But come January, with a new Administration, I think that you'll see a unified front in restoring our UEZ efforts here in the State of New Jersey.

MAYOR TAYLOR: Thank you, Assemblyman.

ASSEMBLYMAN HOLLEY: You're welcome.

ASSEMBLYMAN SINGLETON: Mayor, if you could crystalize the point that my colleague, Assemblyman Holley, talked about, with the UEZ. With the pullback of the Administration's designation on Urban Enterprise Zones, can you put in practical terms what that has meant in the City of East Orange by seeing that designation being walked, as far as, has it chilled other development to come into your area? Because,

obviously, that is something that attracts developers and sales to come into communities that have Urban Enterprise Zone, because it helps balance some of the other challenges that they face. What have you seen, from a practical standpoint, as this action by the Governor take place?

MAYOR TAYLOR: Well, what I'll say is, you know the adage that all politics are local. I refuse to let an obstacle deter our efforts to promote our city. But the reality is, we just celebrated Small Business Week in the City of East Orange; it's a national initiative. We did a tour of our small business corridors in the city. And the feedback we get from business owners is that they need help improving their facades, improving the esthetics of the business marketplace.

We always say in East Orange that a clean city plus a safe city equals a profitable city. And so our small businesses, that make up the majority of employers in the entire state and nation, need all the help they can to make sure that their marketplace, their storefronts are as attractive as possible so we can encourage, therefore, our residents to shop local, and make our local environments and our local economies more competitive; versus, you know, shopping at large chain stores, or what have you, on the highways.

And so we're looking to increase those opportunities, level the playing field -- as I mentioned in my testimony -- and be able to be an attractive center so we can keep those dollars recycling in our communities.

ASSEMBLYMAN SINGLETON: Thank you.

SENATOR RICE: Senator Turner.

SENATOR TURNER: Thank you, Mr. Chairman; and thank you, Mayor, for appearing before us today.

That is one of the most important bills that I introduced in order to reinstate -- to continue the UEZ program, which ended for the Capital City at the end of 2016. And I believe there were five other cities where the UEZ expired. And of course the Governor did veto the bill, and he said that the program was not successful; it was a failure. And he wanted to have it studied.

So my running mates and I -- Assemblyman Reed Gusciora and Assemblywoman Liz Muoio -- we introduced another bill saying, "Let's extend it until the study is done; and then once the study is done, we'll know." But we did not feel that it was very prudent for the Governor to just let it in, because we know very well that here in the Capital City there are over 100 small businesses that benefit from this program. And we have to provide some kind of an incentive for consumers to travel into our inner cities to shop, because so many consumers go to the malls and spend their money.

But if they can get a half-of-a-percent, half of the sales tax discounted, that's an incentive for them to spend their money in our urban areas. And in the City of Trenton, our basic business is State government. And we cannot exist by just relying on State government; not under this Governor anyway.

So, you know, I don't know if you realized it, but this Governor did, in his-- It took seven-and-a-half years, but he realized that this is the Capital City; it took him that long to wake up to realize that we are the Capital City, and we do need more than State buildings to exist.

Thank you.

MAYOR TAYLOR: Thank you.

SENATOR RICE: Anyone else? (no response)

Mayor, thank you very much for the work you're doing up in Essex County. We certainly know of all the good things that are happening.

But more particularly, for your testimony, I know that you'll probably leave office at the end of the year; and to have you on record as to what the needs are, I think, is really beneficial to us, and also beneficial for those coming behind you. They don't have to figure it out; we can help figure it out for them down here.

So once again, thank you very much.

MAYOR TAYLOR: Thank you all; have a great day.

SENATOR RICE: Thank you.

ASSEMBLYWOMAN SUMTER: Thank you.

SENATOR RICE: Next I'm going to call up Council President Mildred Crump. Mildred -- is she here?

ASSEMBLYWOMAN SUMTER: Yes, she is.

(applause)

MILDRED C. CRUMP: May I repeat that again? (laughter)

SENATOR RICE: Would you state your name for the record, and who you represent?

MS. CRUMP: My name is Mildred Crump; and I am President of the Newark Municipal Council, representing the City of Newark.

SENATOR RICE: You can go ahead. I know you know everybody; and you've done all your waiting. Now you can talk. (laughter)

MS. CRUMP: Thank you, Senator.

First, let me thank Senator Rice for convening this very important meeting, and for the cooperation that he has received from his fellow members -- the Senate here in the great State of New Jersey.

I bring you greetings, number one, from the great City of Newark, the largest city within the borders of the State of New Jersey. We are proud to have an engaging and ever-continuing relationship with this body of legislators; and for keeping those communities that are always in danger -- and I use the word *always* on purpose -- from having predatory practices held against residents of their various communities.

To be specific, this morning I would like to use my time to speak to the issue of predatory lending practices and foreclosure issues.

It is no secret that this is, number one, a national issue. But today we have to -- at least those of us in Newark -- we are focused on solutions. At our last count, approximately 54 percent of the housing stock in Newark is doing well; and so we are happy about that. But we do have a significant percentage, as you realize, that are having greater issues.

We have not been shy about naming the banks that have practiced these predatory issues and are creating circumstances that are very difficult for those who reside within our borders. One of the steps that we have taken is we have reviewed the amount of money that is placed in each bank that we have identified as a culprit in this endeavor, on the part of the banks. And as result we have withdrawn significant amounts of money from those banks and replaced our money in banks that have a much more friendly procedure.

It is our hope that as a result of this particular meeting, that mayors throughout the State of New Jersey will join with the cities of

Newark, East Orange, and Orange in Essex County that have agreed that we will put our money where our mouth is.

I thank you for listening. I support the endeavor, certainly, of your Committee, Senator. And I will be happy to answer any questions that I may possibly be asked.

SENATOR RICE: Council President, thank you very much for your testimony.

Any members have any questions or any comments you need to make at this time? (no response)

Okay; seeing none, I want to acknowledge Assemblywoman Mila Jasey who just came in. Assemblywoman, would you wave to our folks there, and would you tell them what District you represent? (applause)

ASSEMBLYWOMAN JASEY: Good morning.

I represent District 27, with Senator Codey and Assemblyman McKeon, in Essex and Morris counties. And I apologize for my lateness, but my mom trumped the meeting this morning and needed me. But I'm happy to be here.

Thank you, Senator.

SENATOR RICE: Thank you.

Also I'm going to ask all the speakers to speak as loudly as you can for those in the back.

And I also want everyone here to know that we are being transcribed; we're being recorded. And so try to keep your statements succinct, but also be careful what you say (laughter), or at least how you phrase it. You know, we don't want to be like the Trump Administration, and have everyone totally confused, etc.

With that being said, I'm going to call up Julie Diaz, Political Director, on behalf of Kevin Brown, State Director, SEIU 32BJ; and also Demetrius Lucky. Are they here?

JULIE DIAZ: Good morning.

We also have Reverend Tuff with us; we filled out a slip.

My name is Julie Diaz--

SENATOR RICE: Excuse me.

Okay; so Reverend Tuff, your slip was to speak with this group?

MS. DIAZ: Yes.

REVEREND RONALD TUFF: Yes.

SENATOR RICE: Okay; not with the clergy. Okay.

That's okay; that's fine.

MS. DIAZ: Good morning. My name is Julie Diaz with 32BJ SIEU, Political Director. I'm here to offer testimony on behalf of Kevin Brown, Vice President and State Director with SIEU, who couldn't be here this morning.

Thank you for the opportunity to present testimony today on behalf of Kevin Brown.

I'm here to talk about the conditions faced by the largely black workforce at Newark International Airport; and to strongly advocate for the passage of Senate Bill 3226 and Assembly Bill 4870, the New Jersey Safe Transportation Jobs and Fair Employment Rules Act, otherwise known as the *STAFER Act*.

With more than 163,000 members, 32BJ SEIU is the largest union of property service workers in the U.S. In New Jersey, we represent 11,500 property service workers, including office cleaners, school

maintenance and food service workers, residential workers, and security officers; while also organizing airport workers.

Newark Airport is one of the biggest worksites in the State of New Jersey, and it is located in a city that has a majority black population. Newark is also a city in which poverty is concentrated and income is lower than the State of New Jersey as a whole.

The median income in the City of Newark for 2011 to 2015 was \$33,139, significantly lower than the New Jersey statewide median of \$72,093. Moreover, according to the 2010 census, 29.5 percent of all black families in Newark had income below the Federal poverty level.

The significant majority of the subcontracted service workforce at the airport is black. The millions of passengers who travel through the airport each year depend on them to provide vital services, such as cleaning, baggage handling, wheelchair assistance, and security; yet the workers struggle to support their families. They make \$10.20 an hour, which adds up to just over \$21,000 a year, assuming full-time work. This is considerably under the Federal poverty guideline of \$24,600 for a family of four.

A significant number are forced to rely on food stamps; some are homeless and live in shelters. This is simply not right.

While contractors with public entities -- such as New Jersey Transit or the Port Authority -- are bound by the prevailing wage and benefits standards, contractors with private entities -- such as the airlines, private bus and ferry companies, and Amtrak -- are held to much lower standards. The ones at the airport are held to a minimum wage of \$10.20

an hour, which was established by the Port Authority of New York and New Jersey in 2014. The others are bound only by the minimum wage.

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

At the moment, this would translate to \$17.98 an hour in wages, with an additional \$4.27 an hour in benefits, plus paid leave.

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

For these reasons, I wholeheartedly urge you to vote "yes" on S-3226 and A-4870.

Thank you.

I also have written testimony here for the three of us that I can submit.

SENATOR RICE: Okay; Reverend Tuff.

REVEREND TUFF: Good morning.

ASSEMBLYWOMAN SUMTER: Good morning.

REVEREND TUFF: My name is Reverend Ronald Tuff. I am the Associate Pastor, First Bethel Baptist Church, in Irvington, New Jersey; and I also serve as 2nd Vice President of the New Jersey Black Issues Convention.

As an Associate Pastor for a church from an urban area, I see firsthand the devastating impact that poverty has on individual families in our communities. From hunger and poor nutrition, to crime and lack of health care, poverty disproportionately puts communities of color at a disadvantage.

One solution to this problem is a good job.

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

Making matters worse, these skycaps, baggage handlers, wheelchair attendants, cabin cleaners, and other privately subcontracted

workers at Newark Airport make less than workers at LaGuardia and JFK airports, even though they do the same work.

This is outrageous; especially when you consider that airlines have made record profits in recent years, and air carriers receive huge tax subsidies. Meanwhile, the airport workers who help generate these profits are living in poverty; and that's not right.

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

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

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

Thank you so much.

SENATOR RICE: Okay, thank you very much also.

Do you have another person who is going to testify? Okay, if you have written testimony, would you make sure we get it?

And for those out there, when you come up, make certain that if you have written testimony, you give it to us. And try to summarize what you have, because we're getting a lot of slips up here, and we're going to try to get everybody to testify. So we're going to try to hold everybody to, like, three minutes for each person and see how we make out with that, okay?

Okay, next speaker. Identify yourself on the record.

DEMETRIUS LUCKY: Hi, good morning.

My name is Demetrius Lucky. I work at Newark Airport.

Thank you for the opportunity to testify today.

I made this long trip today so you can hear my story and put a face on the issue of poverty. I am a single dad; I work hard for a living because I must provide for my teenage daughter. But I can't make a living, despite the fact I work a full-time job.

I work as a baggage handler at Newark Airport. This is physically demanding work, which I have been doing faithfully for 10 years. Despite my hard work and loyalty, I make just \$10.20 per hour. That adds up to about \$22,000 per year, which is less than the Federal poverty level for a family of four. You can't feed your family on poverty wages.

Making matters worse, airport workers at LaGuardia and JFK, who do the same job as me, make more money than me. That's insulting and plain wrong. Meanwhile, the airlines are making billions of dollars.

Poverty wages don't just hurt us, the workers; they also impact families and neighborhoods, especially communities of color, because the majority of the airport workers are immigrants and minorities. And, like

me, many of the workers at Newark Airport live in the city and surrounding communities. So we need these jobs to be good paying jobs that allow us to sustain ourselves and our families.

You can help uplift me and thousands of other subcontracted airport, rail, and ferry workers by supporting the STAFER Act. This bill will ensure these privately subcontracted workers earn the same wages and benefits as publicly contracted unarmed security officers. We deserve it. That's because workers at Newark Airport, Newark Penn Station, and Hoboken Station play a vital role in keeping these transit facilities safe and well maintained.

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

Thank you.

SENATOR RICE: Thank you also.

Any comments or questions from--

Assemblywoman McKnight.

ASSEMBLYWOMAN McKNIGHT: Good morning, and thanks so much for coming.

And I met with you a couple of weeks ago, with Nancy; and I heard her story about -- her struggle in trying to make ends meet. And right then and there I did sign on to 4870, and I'm getting on my colleague and he will be -- Assemblyman Holley will also be joining as well.

MS. DIAZ: Thank you.

SENATOR RICE: Anyone else? (no response)

Okay, thank you very much for your testimony.

We are certainly going to be paying attention to this. I know it's on the fast-track; I don't know if it's going to happen in lame duck or afterwards. But I know that you have been doing outreach, at least the Local has, to members of the Legislative Black Caucus, as well as to our colleagues in both houses.

And so this is the kind of thing we need to hear. And we're certainly going to take a look at the legislation, because what I want people to know is that when folks come and testify on legislation, we have to look at the bills -- because on record they sound good, but then we have to look at them to make sure we're not doing unintentional harm to others. And so, certainly, this is a big issue for those of us in the State House, and we know we're going to get through it.

But thank you very much for your testimony, okay?

MS. DIAZ: We appreciate your support.

REVEREND TUFF: Thank you.

MS. DIAZ: Thank you.

MS. LUCKY: Thank you.

SENATOR RICE: Next I'm going to call up Noel J. Christmas, Utility Workers Union of America Local 601; and Rex Reid, AFCSME New Jersey.

And while they are coming up, let me throw my little commercial out.

This event is made possible because of the New Jersey Black Issues Convention, and our organization members who -- the constituent group, The Deltas; along with those of us, members of the Legislative Black Caucus. I need to emphasize that; and I know you will probably get a

chance to meet the President of the Black Issues Convention throughout the day. But in case some of you leave, I'm going to ask Reva Foster -- would you just stand up and wave, Reva, so they know? (applause)

And also, what is important -- the Black Issues Convention has been around for over 33 years. I'm one of the founding members of it, along with Jerry Harrison, who is in the back. But the Black Issues Convention is something for you to go online and get to know more about. Black folks in particular should be members or participants of the Black Issues Convention. The Black Issues Convention is the organization name; it's an organization, even though there's a convention annually.

So please look that up; and hopefully Reva will give you more information about that later.

With that being said, I just want to thank Rex and Noel for coming to speak on labor issues; so you can determine among yourselves -- but put your name on the record -- who is going to speak first.

NOEL J. CHRISTMAS: Can you hear me?

SENATOR RICE: Yes.

MR. CHRISTMAS: Good morning.

SENATOR RICE: Good morning.

MR. CHRISTMAS: Thank you for the opportunity to speak to you today.

My name is Noel Christmas, and I am President of the Utility Workers Union of America Local 601, representing 1,300 members in customer service for Public Service Electric and Gas; bus claims department for New Jersey Transit; and Atlantic City Contact Center, located in the old Claridge Casino.

I am also the Chairman of the State Council of the Utility Workers Union of America, representing 3,500 members in the electric, gas and water industry in the State of New Jersey, such as American Water, United Water, Elizabethtown Gas, Bergen County Sewerage Authority, Atlantic City Contact Center, Keily Construction, and JD Covely.

The general makeup of my members are meter readers, field and office collections, billings departments and payment centers, customer service call centers and walk-in centers, new construction, gas and water contractors, and gas and water utility street workers.

I will not take up much of your time; but my testimony today is to talk to you about the important role our field, office, and customer service members play.

There are three specific issues I would like to touch on, such as economic opportunity, diversity in the utility industry, and the positive presence utility workers provide in the communities we serve.

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

Diversity: Whatever diversity exists currently in utility companies are a direct result of the entry level jobs I just described above. Without those jobs, diversity will almost be extinct.

Safety presence in the communities: Those jobs above perform important emergency duty work. This could not have been more prevalent than when severe storms, such as Hurricane Sandy and Irene, reared their ugly heads. Our members sat on downed live power lines, reported cracked and downed utility poles, and blocked off the dangers to the public. This was done by meter readers and other non-emergency positions, which are now trained for this until the emergency repair crews arrive, and to supplement police and fire units that are limited in those times.

In addition, because of our field presence, we can detect dangerous conditions such as gas leaks, and tampered gas and electric meters and lines. We also report illegal apartments to the county sheriff departments. Without these services, residents can tamper with electric and gas lines, and meters and put themselves and the public in serious danger.

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

Thank you for listening to me, and hopefully getting a better picture and understanding of the role utility workers play in our communities and in your lives.

If you have any questions for me, please ask.

SENATOR RICE: We're going to hold up on questions until Rex is finished.

Do you have a copy of your written statement you can leave us?

MR. CHRISTMAS: Yes, I handed it in.

SENATOR RICE: Okay, all right.

Rex.

R E X R E I D: Good morning.

SENATOR RICE: Good morning.

ASSEMBLYWOMAN SUMTER: Good morning.

MR. REID: Thank you on behalf of AFSCME New Jersey, Randy Sharpe, Executive Director, for this opportunity to speak to you this morning to ask for your support and have you hear AFSCME's concern.

I'm Rex Reid, the Political and Legislative Representative for AFSCME in the State of New Jersey. AFSCME New Jersey represents approximately 40,000 employees -- working employees; more than 20,000 retired in the State of New Jersey. AFSCME members consist of direct care staff in all of the state's operating developmentally disabled centers, psychiatric hospitals, veteran's homes; including nurses, food service workers and institutional trade instructors within the State's correctional institutions.

We work in juvenile justice institutions, county welfare offices, water departments, public works departments, libraries, colleges, and universities; but not limited to any number of other State, County, and municipal jobs.

There are also some 700 in-home child care providers, part of a joint local union -- CCWU, with CWA -- for a combined 1,400 members providing in-home child care. These are independent contractors, registered with the State of New Jersey, and collectively bargained for by AFSCME and CWA. AFSCME also represents a number of private sector hospitals and nursing home workers throughout the state.

All of these members are your constituents. They live in the communities you represent. They work in the State, County, municipal sites in your districts and throughout the state. They pay taxes from their public employees' salaries in your respective districts. I say that because the conversation had in and about this building, the State Capitol, sounds as if public employees are the enemy or, at least, the cause of the State's financial problems. We all know that's not true; and those who perpetuate that untruth have a hidden agenda.

So first I'm asking you, members of the New Jersey Legislative Black Caucus, to stand up and defend not only public employees, but your constituents who are public employee, when they are given a bad rap at your committees, hearings, and when speaking to the press. For if I'm to defend you and the Democrats in these chambers before my members and the public, it's only fair that I ask no less of you.

The members of AFSCME only want to work, get paid a living wage, and retire from their labors; as they have grown accustomed to living, like every other working person in New Jersey. To that end, we ask you to support our jobs and the wages we earn by keeping us employed and not supporting any more layoffs. Public employees do the best job that can be done at the most cost-effective manner for the public we serve.

I would also ask you to keep the word of the State you all represent. That if we work 25 years until retirement, you would support a pension with health benefits as part of that retirement package.

That contractual promise has not been kept as it was made, and the idea of a pension going forward is in jeopardy. We are asking you to fight with us -- to hell and back, if necessary -- to see that the promise of a pension, as it was made, is kept. If the State funds the pension at 100 percent, it will work and, therefore, the promise can be kept.

Retirees in the State were promised a pension with a cost of living increase and health benefits. Initially it was to be free; now it's at a 1.5 percent cost to them. That is a fight we are asking you to take on with us -- for you and your governing bodies made the contractual promise and you should fight to keep it.

The COLA should be returned sooner rather than later. The Lottery, as a funding stream, sounds suspect because of its constitutional requirements and, again, the Debt Limitations Clause in the New Jersey Constitution. If the pension is fully funded with quarterly payments, it would be the best thing that could happen to the pension fund.

Child Care: Child care providers are some of the lowest paid workers in the country. In the State of New Jersey they earn about \$3 to \$4 an hour, of which they are only paid for the first 6 hours, when their average day is 11 hours or more. In the coming legislative session, we would ask you to sign on and support a bill that would correct that system error, and increase the number of children a provider can care for with an assistant in the home. To increase their earning potential, five children are too few to earn a living.

We ask that you support a new contract for State workers under a new Governor. State workers have not seen an increase since 2011, when the old contract started, with health benefit co-pays that increased, with salaries decreased. The contract ended in 2015, and we have been without a successor.

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

This is a short list of the tasks AFSCME New Jersey would like you to support in accomplishing. Together we can make them a reality in this State and improve working people's lives within your respective districts.

Thank you for your consideration.

SENATOR RICE: Let me thank you too, Rex; and let me thank Noel.

Certainly labor is a very important aspect of our lives as black elected officials. We understand the minimum wage is important; we understand protecting the workers' rights is very important. And we are championing those causes, so we're going to be paying attention as we go through the budget. What does not happen now, we're hopeful we'll continue this pathway into the new Administration. But we can assure you that the Legislative Black Caucus is going to make things a priority; we have already had those kinds of discussions.

And you know labor issues are important to, hopefully, soon-to-be Senator Singleton as well. And he's not going to forget anything about labor, that's for sure.

But for the people in the back and for those who are not testifying but came down to participate and listen to the process, some of the testimony that you just recently heard was testimony based on trying to help your family members, number one, get jobs; number two, maintain the jobs and get some living wages and some decent wages. At the same time, protect those of you who are retired, protect your pension and your benefits. And that's why it's important that you do come to the State House to see the kinds of things we're talking about.

With that being said, any comments from the members? (no response)

Okay; thank you very much.

Next, we're going to call up Scott Novakowski, New Jersey Institute for Social Justice. And we're asking everybody to, kind of, give us your written testimony and summarize your statements.

Also, Caroline V. Chang, Esq., Mayor Emeritus, the Association of Black Women Lawyers; and also John Harmon, the African American Chamber of Commerce President and CEO.

While they're coming up, let me acknowledge the Speaker Emeritus, our champion, the Honorable Sheila Oliver.

Speaker Oliver. (applause)

Speaker, would you tell them what District you represent?

ASSEMBLYWOMAN OLIVER: Yes; good morning everyone.

I represent District 34, which is East Orange, Orange, Montclair, and Clifton. But I represent everybody. (laughter)

SENATOR RICE: We always say the Legislative Black Caucus -- we accept the reality that some of our colleagues may not accept -- we get

elected in certain districts, as you heard the district numbers. Those are the people who vote for us. But for those of you out there, our titles are *State* Senators and *State* Assemblyperson, which means we represent the total state. We just don't get elected in every district, and that's what the Speaker is alluding to.

We're going to start with -- I'm taking the liberty to start with ladies first. Madam Chang, former Mayor, Councilwoman, Association of Black Lawyers, Esq., and all those other things that you do.

How are you this morning?

CAROLINE V. CHANG, Esq.: Good morning, Senator.

SENATOR RICE: Okay. You can testify first, and give your name and information. I know you have to leave. And then the two gentlemen can determine who is going to speak next, okay? Let them fight it out.

MS. CHANG: Thank you, Senator Rice; good morning, Senator, good morning to all the other members of the--

SENATOR RICE: Press the red button; push the red -- red light. There you go. Is it working, John?

MS. CHANG: Thank you.

Good morning, Senator Rice; and good morning to all the members of the Legislative Black Caucus. I am Caroline V. Chang, Esq.; I come before this panel today in my official capacity as the President-elect and the Chair of the Social Justice Committee and, effective July 1, 2017, President of the Association of Black Women Lawyers of New Jersey.

Organized in 1975, ABWL New Jersey is a nonpartisan, nonprofit organization with a mission that includes promoting the

participation of African American women in the field of law. However, for over 40 years, our broader mission has also incorporated strategies designed to gain the legal, educational, and economic empowerment necessary to promote a more perfect social justice, diversity, and inclusion in the democratic process; and service to a variety of stakeholders who do not share equitably in the resources of this great country.

Our interests here today is to let this body know of our continuing concern that there are still too many unnecessary impediments and barriers to full participation in our society, which presents as discrimination and workplace barriers for African American and Latinos with a record of criminal convictions. Due to factors -- which there is not sufficient time to address in this forum -- we know that African Americans and Latinos are disproportionately represented in the prison population, and suffer a desperate impact for certain collateral consequences of incarceration based upon race and ethnicity.

We know that employment reduces recidivism. It is not always popular to advocate for persons who have been found guilty of committing a crime. As you know, the research tells us that reoffending is reduced when ex-offenders have lawful, gainful, and meaningful employment. This Caucus, and others in the Legislature, along with many advocacy groups, worked tirelessly for many years before *ban the box* legislation was passed in New Jersey and went into effect, I believe, in March of 2015.

We know from research -- including the work of Michelle Alexander, author of *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* -- that African American ex-offenders are more affected than

white ex-offenders. Studies even show that white ex-offenders are more likely to get employment over non-whites with no criminal conviction.

So indeed, it is in the area of employment that policymakers must continue to make sure that barriers or limitations to removing the disabilities of conviction records continue to be refined and revised, including our expungement laws. The longer ex-offenders must wait to show that they have made good faith efforts to be good citizens and clear their records, they continue to face the real prospect of discrimination because of their conviction record, and increased chances of eventual return to prison instead of supporting themselves and their families through lawful means.

We suggest that public safety and the public interest is not served when ex-offenders cannot successfully reintegrate into society and become productive in legitimate employment and business enterprises. We believe that restoration of voting rights upon the completion of the custodial term is the way we should go in New Jersey.

Also, with respect to recidivism, a study in Florida found that a return by ex-offenders to democratic participation by restoration of voting privilege is an important factor in reducing recidivism. We are unaware of any research to suggest that public safety is impaired by restoring the right to vote immediately following the completion of a custodial term.

Keep in mind that research -- in two states, Maine and Vermont, voting rights are retained even during incarceration.

Our former Attorney General, Eric Holder, delivered remarks on criminal justice at George Washington University Law Center on February 11, 2014, essentially advocating for policies that are smart on

crime. In his remarks, Attorney General Holder noted that the history of penalty disenfranchisement dates to a time when such policies were employed not to improve and promote public safety, but purely as punitive measures intended to stigmatize, shame, and shut out persons who have been found guilty of a crime. Over time, our country began to reject the notion that the commission of a crime should result in a lifetime ban from society. But after reconstruction, many states deliberately enacted disenfranchisement schemes designed to target African Americans and to diminish their voting strength.

Even in the face of Federal legislation, the Civil Rights Act of 1964 and the Voting Rights Act of 1965, outlawing discrimination based on race, the vestiges of discrimination against convicted felons and collateral consequences of convictions continue to plague our society. Eric Holder advocated for states to rethink and reevaluate voting restrictions placed on ex-offenders. Perhaps this morning this Caucus can follow suit and begin to dialogue in the legislative process to study this issue.

Thank you, Mr. Chairman.

SENATOR RICE: Thank you, Mayor.

Any questions for the Mayor? I know she has to leave.

What I do want to say before you leave, Mayor, is that these social justice issues -- we're going to hear more on social justice, for those who are here. It's really important to us. And I really believe -- and that's why I emphasize this to the members of the Legislative Black Caucus -- we get invited to support a lot of legislation that is written and drawn up by all kinds of coalitions of people who actually get black folk involved with the coalition, with their names on paper. We wind up following, rather than

leading. I just believe that black elected officials, and black Civil Rights leaders, and black organizations need to be in the forefront and ask these other organizations -- whether it's Working Family, whether it's the Drug Policy Alliance -- to follow what we want, not what they want.

MS. CHANG: I agree.

SENATOR RICE: Because what happens is, when legislation comes through -- and bail reform is a good example -- when it gets to us, we are onboard with the intent; but then it's all messed up, and then we're fighting our own folks.

But I do know that expungement is something that we did as a Black Caucus, with our colleagues in the Legislature. Senator Cunningham did some things, Jerry Green did some things, Senator Turner did some things -- Assemblyman Jerry Green -- did some things, etc.; and the Governor vetoed it.

Then the Governor went in the paper and said that he's going to go back and do some expungement things, and he's going to meet with Senator Cunningham to try to get some compromise. And I understand they finally came to some agreement. We have not seen that yet. But I do know that we have one of your members from your Association of Black Women Lawyers -- Ms. Price, who is in the back -- who's constantly talked about some of the issues and elements that are being -- should be involved in expungement. And so if African American leaders and organizations don't come together, we will never know that those elements are important.

For Ms. Price, who's in the back -- I want you to know I shared that with staff and told them to get it to Senator Cunningham and others. And for my members, it's that even when we put a bill in, we have to look

at our stuff too, because oftentimes we don't know what we put in and get the participation.

So I want you to know that's one thing we're on. But I also know that the black lawyers -- the Garden State Bar Association, the Association of Black Women Lawyers who are part of our Civil Rights network, and the Legislative Black Caucus members -- we need to do more in terms of communication; we need to evaluate all these policies coming through on social justice and economic justice, and put our legal minds on it before we move forward in things.

So I want to thank you for taking the time to come to do that testimony this morning.

MS. CHANG: Thank you, Senator Rice. ABWL will be here with you.

SENATOR RICE: Thank you very much.

Senator--

ASSEMBLYWOMAN SUMTER: Assemblyman.

SENATOR RICE: It doesn't make any difference. (laughter)
Assemblyman Singleton.

ASSEMBLYMAN SINGLETON: Thank you.

Thank you, Mayor Chang. It's always good to see you. I'm from Burlington County, so it's a good thing.

MS. CHANG: Always good to see you.

ASSEMBLYMAN SINGLETON: This issue, many of us around this table have looked at earnestly. I know my friend and colleague, Speaker Emeritus Oliver, was one of the foremost thought leaders, when she

was the leader of our Assembly Chamber, on this topic; and many of us are trying to take up the mantel.

I charge you, if you don't mind-- Or actually ask you -- and this is, almost, a little bit self-serving, so I apologize -- but I would ask if you could take a look at a few different proposals that a bunch of us around this table have worked on together, that falls in line with what you are talking about. And I'll give you a series of numbers and try to just give you a brief audit.

One of the proposals is A-321, which would establish a pilot reentry court program to try to address some of our challenges in that regard.

There's also A-3677 -- which my friend, Assemblyman Wimberly, was kind enough to let me join him and work with him on -- that talks about -- I think I heard someone speak about it earlier -- the racial and ethnic impact statements as it pertains to sentencing.

There's also Assembly Bill 4565, which looks at the reduction in suspended sentences, probation, or parole based on compliance with conditions of sentence requirements. Senator Lesniak has worked tirelessly on that issue, and it is something that I and others have been working with him on it in the Assembly.

A-4678, which is led by Assemblyman McKeon and also Assemblyman Johnson -- who is one of our members of the Black Caucus, who isn't with us, as well -- talks about resentencing and parole for certain juvenile defendants; that is -- it comes right out of the Supreme Court cases that have recently been talked about in that area.

A-4780 talks about removing certain bars to employment for convicted offenders, which is right in line with part of your conservation we're talking about. And I would also ask you -- AJR-156, which established the Drug Law Commission to study and review New Jersey's drug laws, generally; and to possibly look at the disparate impact on certain races and ethnic groups associated with those laws.

I heard part of the conversation earlier, and it may have been either someone from Capital Impact Group or Reverend Boyer, because I was in and out of the room earlier -- that talked about how our drug laws -- how they are reflective of folks because of their color when they sit in front of jurors, as well as the bench.

So because of your great legal acumen, I would really love your opinion on those particular proposals; because I know many of my colleagues have worked together on a lot of those and others. And again, it's entirely self-serving, because I've worked with a bunch of folks on those and I know there are others around the table who have other bills on those topics. But I would love your feedback, to be able to give us some guidance on that, because it is seemingly aligned with the conversation you had.

Thank you, Chairman.

MS. CHANG: Thank you, Mr. Singleton. ABWL will provide you with our feedback. I appreciate that.

ASSEMBLYMAN SINGLETON: Thank you.

SENATOR RICE: The Speaker is going to raise the issue -- a question before you leave.

But what I do want to say is, the Legislative Black Caucus -- what we're trying to do is provide a better system of communications to our

network of people. Because things like this -- when we get them, we should be able to shoot them, and know we're going to shoot them out automatically to organizations like yours; if it's a business thing, we should get it right to the African American Chamber of Commerce. So we're working on that stuff. I'm just not a geek with the IT stuff, and I don't want anything that people are going to be doing -- blogs and talking negative. I want information. So we are working on that as well.

Speaker.

MS. CHANG: Thank you, Senator.

ASSEMBLYWOMAN OLIVER: Yes; good morning, Mayor.

I wanted to know -- I don't know if this was discussed prior to me arriving here -- but I do know that the New Jersey Institute for Social Justice is putting a focus on having the State close Jamesburg. And we know the issue of our juveniles; we know that, generally, it's a pipeline into the adult system. Has the Association of Black Women Lawyers been engaged in conversation with the New Jersey Institute for Social Justice on this issue of the closure of Jamesburg and community-based alternatives?

MS. CHANG: Not as yet, Assemblywoman. However, it is my year; and ABWL will be focusing on social justice issues this year.

ASSEMBLYWOMAN OLIVER: Thank you

SENATOR RICE: Anyone else? (no response)

All right; thank you very much, Mayor. You can leave whenever you want. You can stay and listen.

Have you two gentlemen figured out who is going to speak next?

MS. CHANG: Thank you Senator.

SENATOR RICE: Okay.

SCOTT NOVAKOWSKI: Good morning.

My name is Scott Novakowski. I am Associate Counsel and Debevoise Legal Fellow at the New Jersey Institute for Social Justice.

I want to thank the members of the Legislative Black Caucus, the Black Issues Convention, and Senator Rice for allowing us the opportunity to speak with you today.

The Institute's mission is to empower urban residents to realize and actualize their full potential. To do this, we employ a broad array of advocacy tools -- including research, analysis, and writing legislative advocacy, public education, and litigation.

Our work is organized around the three pillars of social justice -- civic engagement, criminal justice, and economic mobility.

You should have copies of my testimony that has a lot of detailed proposals on each of our pillars; as well as our 2017 platform document that has more information.

Right now, today, I would just like to touch briefly on each of the three pillars, and an issue that we think is important within each of them.

I'm going to start with civic engagement, which is my area of expertise and something I am deeply passionate about.

The Institute believes that full, equal, and active access to the ballot is essential to empowering people of color. One of the biggest barriers to civic participation is a disfranchisement of people with criminal convictions. In New Jersey, as you know, a person convicted of a felony is denied the right to vote until they have completed their full sentence,

including parole and probation. New Jersey is an outlier; it's the only state in the Northeast that disenfranchises people on both parole and probation. And in fact, it currently disenfranchises more people living in their communities than New York, Connecticut, and Delaware combined.

The impact of this law on communities of color cannot be ignored. Rather than using our democracy to reduce racial disparities in the criminal justice system, what this law does is it takes the well-documented disparities in the criminal justice system and imports them directly into our electorate. This is especially problematic in New Jersey, where a sentencing project study had found that we have the largest black/white disparity in incarceration rates in the country; it's about 12 to 1.

The result is a significant diminishment of black voting power. Currently, about half of those disenfranchised because of a criminal conviction are black; over 5 percent of black voting age citizens are currently barred from voting.

In addition to entrenching racial disparities, disenfranchisement laws have also been shown to increase the likelihood of recidivism, as well as distort our public debate on important issues of criminal justice.

The immediate first step should be passing legislation to restore voting rights to folks on parole and probation -- automatic restoration upon release from prison. Currently, three-quarters of those disenfranchised in New Jersey are on parole and probation, living in our communities, raising families, and contributing to the economy.

In the long run, we need to end this connection between the criminal justice system and the fundamental right to vote. The two do not intersect -- should not intersect. It was a link formed in a different

historical period that is no longer appropriate. Eventually, we ultimately need to restore voting rights to all people with criminal convictions, including those in prison.

Next, I want to talk about our criminal justice pillar and, specifically, as has been mentioned, our campaign to transform the juvenile justice system by closing two youth prisons and moving toward a community-based system of care.

We were all young; we all made mistakes. Young people need community support and need room to grow in order to successfully transition into adulthood. The right to learn from one's mistakes is unfortunately not evenly distributed. There's little difference between black and white youth in terms of delinquency. Nonetheless, black children in New Jersey are 24 times more likely to be committed to a secure juvenile facility than their white counterparts. A black youth is more likely to be arrested, less likely to be diverted, and more likely to be incarcerated than their white peers.

These policies create a system where some kids are kids, and others are thrust into the juvenile justice system.

Furthermore, incarcerating children has a lasting negative impact, both on the children -- as they are more likely to be later arrested or live in poverty -- as well as on the community. Studies have shown that incarcerating children does not improve recidivism rates and does not make our communities safer.

The Institute recommends, in place of youth prisons, we invest in community-based programming. For youth that includes intensive wrap-around services.

So with that, on June 28, 2017 -- 150 years after the Jamesburg prison opened its doors -- the Institute is saying 150 years is enough. We'll be holding a rally outside of Jamesburg to call for the closure of the Jamesburg and Hayes facilities; and in their place to create a community system of care. We invite everyone in the Caucus, as well as those attending, to join and urge their -- add their collective voices to this important issue.

And finally, just briefly, on the topic of economic mobility. Fifty years ago, Dr. Martin Luther King explained that the country consisted of "two Americas." In one, children grow up in the "sunlight of opportunity;" in the other, people of color find themselves "perishing on a lonely island of poverty in the midst of a vast ocean of material prosperity."

To bridge these two Americas, the Institute recommends that the Legislature focus on the most immediate cause of poverty and inequality, which is unemployment and a lack of access to jobs that pay a living wage. Central to that is increasing the minimum wage, currently at \$8.44 per hour. A living wage in New Jersey is currently about \$12.99, and it's higher in Essex County, where Newark is located. We recommend that the Legislature immediately increase the minimum wage to \$12 an hour, and adopt a phase-in to eventually reach \$15 an hour, as California and New York have done.

In this current climate, states and localities are where the action is. We have an opportunity here to make New Jersey a leader that is looked to as a model for other states.

Thank you for the opportunity; and I am happy to take any questions.

SENATOR RICE: Thank you very much.

And certainly we appreciate the work that the Institute of Social Justice is doing in New Jersey, and has been doing for quite some time under the leadership of Ryan Haygood.

And we also want to thank Jerome Harris, who is here, for the work he did when he was Acting Interim Director, and kind of bringing us, really, together on these issues.

I want to just say that we need to-- Do you have any more of these testimony pieces with you? If not, that's okay; we'll make copies for my members.

MR. NOVAKOWSKI: Okay.

SENATOR RICE: I think it's important that my members understand this conversation that is taking place about the ineffectiveness, if you will, and discriminatory practices of Jamesburg, which I'm very much familiar with for a number of years. We recognize we have to address those statistics; but the question is, how do we do that? We do have workers over there as well. We do know that there are folks, just like the adult institutions, who need not necessarily to be incarcerated in certain types of facilities, but need a new direction and some supervision. But we, as African Americans, are also mindful of the fact that we have some folks who cannot be supervised without being confined, unfortunately; and that's in our community, more so than any place else, in many cases. We get that too.

And so as you move along the process, I think it's good to raise this, and I think it's good to go to Jamesburg, and I think people should join you at Jamesburg. Because what that does is raise the public awareness

of what is happening to us and to our young people, and the need for reform. And I'll argue that if the Governor and the Legislature can, after all these years, talk about the drug situation and make it a number one priority -- which we talked about years ago when it wasn't a priority -- then we should have equal standing with the conversation of juvenile delinquents and juvenile incarceration, etc., particularly when the majority of the people incarcerated who are being treated differently happen to be African Americans, and poor whites, and immigrants.

So we appreciate the testimony.

The next speaker is John Harmon, who is the Executive Director and CEO -- President and CEO of the African American Chamber of Commerce. And I think that this combination is good, because you're talking about the social ills, and John can talk about the things that can help us get out of that mess.

John.

J O H N E. H A R M O N Sr.: Thank you, Mr. Chairman. I am honored to be here today.

As you said, I am the founder, President, and CEO of the African American Chamber of Commerce of New Jersey. And I want to focus today on a few areas: the recently passed Bonding Bill, the Economic Opportunity Act, and efforts to restore minority and women participating, goals and procurement here across the State of New Jersey.

It is important for me to note to this body that in two days, June 15, we'll celebrate our 10th anniversary. We're pretty excited about that. But also I'd like to thank the New Jersey Legislative Black Caucus and New Jersey BIC for hosting today's program, and also for extending an

invitation to the African American Chamber of Commerce of New Jersey to participate.

We seek to execute a mission through advocacy, and education, and capitalistic activities that will grow businesses and improve the competitiveness of the State of New Jersey through the leveraging of the talent that is available for the 1.2 million African American residents and the 66,000 African American businesses here in this state.

As you know, we have the highest unemployment level, the highest poverty level, and the lowest capacity level for businesses here in the state. Ninety-three percent of the African American businesses that domicile here in the State of New Jersey are sole proprietorships -- meaning that they are one man, one woman-owned organizations. So we -- my staff and I personally seek out best practices so that we can implement strategies to accomplish our mission.

We are truly grateful for the relationship that we have forged with this body that has enabled the passage of the following pieces of legislation. And I want to underscore *grateful*, because through the leadership of many people around this table, we truly have a partnership that is working to derive mutual benefits. So I want to say that publicly, because we talk about it all the time with our Executive Committee and our Board -- about forging a relationship with our State Legislators.

The ban-the-box legislation was very important; we worked very closely with our partners at the Institute of Social Justice. The Community College Consortium legislation, that was led by Senator Rice and Senator Cunningham, has now positioned the African American Chamber of Commerce to avail itself of resources to provide training to help men and

women of the State be better skilled and positioned to take advantage of opportunities that exist.

Recently, the Small Business Bonding Readiness Technical (*sic*) Assistance Program -- a bill that was passed unanimously by both Democrat and Republican Legislators in this state-- But I wanted to point this out because this is important. Although this Bill was recently signed by the Governor, and he came to our office to sign it, I looked at the budget, and there's not a line item to support the \$250,000 that was earmarked for this Program. So I would ask that you all kind of take a look at that, because there was a lot of effort that has gone into getting this program passed. But if the money is not there, it's just another conversation.

Also the work that is occurring in Essex County to implement a comprehensive and inclusive procurement program that will have a direct impact on growth and sustainability of minority-, women-, and veteran-owned businesses in that region. And I hope that this becomes a best practice that can be adopted throughout the state.

I said this *best practice* because, in my opinion, New Jersey is grossly behind. And I'm going to state a few examples of best practices that are working across the country and are clearly having some -- there's a direct correlation to economic growth and viability, particularly of African Americans.

Last year, Governor Rauner in Illinois signed an Executive Order to establish a set-aside program for state procurement of goods and services; an Executive Order. New York state, under the direction of Governor Cuomo, increased minority- and women-owned goals from 20 to 30 percent. It's important to note that it was Governor Patterson who

initially implemented this program with a 20 percent goal. This is a border state.

The state of California, working with the African American Chamber of Commerce of San Francisco, recently implemented a state set-aside program exclusively for African Americans who are registered disadvantaged businesses. For those firms that participate in Federal contracting, this is precedent-setting; and I think this could also be adopted here in New Jersey as a Federal law. And this would be very important as we speak to the potential tunnel project, which will have Federal money; New Jersey Transit projects, the Port Authority, and all those agencies -- the various bridge and toll commissions across the state. I would encourage you to look at this precedent-setting set-aside that was driven by the African American Chamber of Commerce in San Francisco.

I would also encourage this body to aggressively do what is necessary to commission a disparity study so that minority- and women-owned goals can be reinstated for all procurement across the state. Why? Because if this body desires to see New Jersey's economy grow -- and believe it has grown for some -- without policy or will, many will not have an opportunity to share equitably in New Jersey's prosperity.

Next, I support the Economic Opportunity Act; however, without effective monitoring of jobs and contracts, the economic impact on communities like Camden, Trenton, Newark, and Patterson will be marginalized at best. I see and hear firsthand that although this is great legislation and it is incentivizing economic growth and development in many urban communities, the impact on the ground is not happening. There is a huge gap here, unfortunately, because the monitoring is not

there, the coalescence and capacity building strategies to mentor protégé programs, and then engaging the African American Chamber to introduce and be an effective advocate for many businesses in those communities. We're not seeing the economic impact that we desire.

Many of the proposed wage increases and employment benefits could come with severe unintended consequences for those we seek to help, if we don't find a way to ensure that African Americans and other people of color have an equitable stake in New Jersey's economy. In my view, the best way to increase wages is by driving policies that will increase opportunities. More contracts mean more jobs. Frequent participation in contract opportunities lead to sustained employment and vibrant communities.

And lastly, getting back to this disconnect -- because working closely with many of you, we are seeing initiatives and policy driven at the State level -- but the disconnect is with many of the urban mayors. And I'm not trying to be disparaging, but if we don't acknowledge the gaps and the challenges, we can't fix them. So we need a deeper engagement of urban mayors on economic empowerment issues. There are a number -- I mean, a number of millions of dollars of contracts that are let daily to firms outside of these communities in which we have people of color in charge and bringing businesses from outside of the state, particularly when you look at the professional service contracting with insurance, and engineering, and environmental remediation. It's criminal -- if you all would take the time to do a random OPRA request with some of the urban cities and see who's getting the contracts.

So we're not on the same page here. We're advocating on one hand getting policy in place, and we see the bricks and mortar development occurring. But when I look at the numbers -- the poverty, the unemployment, the capacity building -- those numbers are systemically high, and we're high in areas that we should be very low.

So in closing, this is a discussion that we must commence immediately if we want the businesses and the families that pay taxes to have a shot at having a better life here in New Jersey.

And we at the African American Chamber of Commerce of New Jersey are committed to working to strengthen the economic standing of African Americans across this state. But we have to figure out how we can come together and have some honest conversations amongst ourselves.

And I thank you for this opportunity.

SENATOR RICE: Let me thank you also, John, for your testimony.

Can you share that in writing with us so I can get it to my members?

And I also want to say that we are moving legislation -- at least we introduced it -- to do a disparity study. In fact, it may have been signed already; it may have gone right through, right? -- because we recognize the importance of it. We did a disparity study going back to the McGreevey Administration. We think that the McGreevey Administration duped us by doing the consent order, rather than going to court. I don't think the GEOD Corporation had a legal standing--

MR. HARMON: I agree.

SENATOR RICE: --because they were never harmed by affirmative action. I see other states that are doing set-asides, and they say we can't do them, per se, in New Jersey. And I believe that disparity studies should be done every five years anyway, just to see where we are.

So we are working on that, as the Legislative Black Caucus, with our colleagues, in that direction.

We do recognize the economic justice piece; and we know that urban mayors-- And to be quite frank, African American mayors also have some authority and are not doing as much as we can. But a lot of that is because these laws that we have are being barriers to the mayors doing the right kinds of things without getting in trouble. And so one of the things that maybe -- that I made a note -- that perhaps the Legislative Black Caucus, and the Black Issues Convention, and our Civil Rights coalition of leadership can maybe call a meeting of the urban mayors together and have some dialogue with them and with people like yourself.

And finally, what I want to say is that -- and maybe you can espouse on this a little bit -- Assemblyman Singleton had made a suggestion about the things you are talking about. Because you have your meetings and we have our meetings, but we're not sharing information until we get to this kind of meeting, and this is annual. And so maybe you can just tell them what -- how you see us kind of communicating, Assemblyman.

ASSEMBLYMAN SINGLETON: Oh, sure.

The conversation that the Chairman and I had is that -- much like you said, oftentimes when it comes to broad discussions, we typically have them in this forum about once a year. But each of us gets a lot of phone calls at different times for different issues. It would be helpful for us,

as a group, I think, if organizations -- for us, when they see bills that are happening -- would take the time, perhaps, to reach out. Whether it is through the Chairman, or any one of us individually, on issues that you think are particularly pertinent to the African American community. We talk amongst ourselves, often and always; we can disseminate that information to each other. Sometimes if an issue is happening, and some person who has a personal relationship with Jamel -- Assemblyman Holley -- they may tell Assemblyman Holley, but may not tell all the rest of us. And all of us have to vote on the same issue anyway.

So for us, it's trying to find a way that we can have a conduit for good information to go back and forth, so we're not just waiting until the last minute.

And Mr. Harmon, I know you and I talk fairly often about issues and challenges that come up. And I think all of us around this dais would welcome an opportunity, as the issues come up in real time, to sort of submit to us. Because Benjie and I serve on the Budget Committee; and I'm floored to hear that point that you talked about. But we've had a whole host of hearings with every department head that comes before us. That would have been something that we could have raised with the Treasurer, or raised with the Department of Labor, or any department and say, "Why isn't this here; why is the rhetoric not meeting the action?"

And that's not to point a finger at you; that's just an example of how, with better communication, we can, in real time, address those issues a little quicker in that regard.

MR. HARMON: Could I just respond?

SENATOR RICE: Yes; go ahead.

MR. HARMON: I think all your points are well taken. And we would truly welcome the opportunity to be a part of the circulation of information so we can chime in.

One thing important to note is that, within our organization, we have a very active Executive Committee. And one of the members is an attorney and a CPA, who has scored legislation previously back in his time in Texas. So now he is here in the state, so he is a great resource for the organization.

And one example I'd like to just point out for mayors to consider; and again, I'm not trying to admonish anyone, but we have to figure this out somehow. If we use Atlanta as an example, H.J. Russell was a paint contractor under the leadership when Mayor Maynard Jackson was Mayor. Then when the Olympics came to Atlanta, he became a prime contractor. And now, recently, we all celebrated the opening of the African American Museum in Washington, a \$550 million project. Two of our members were in a tri-venture with, I believe, Clark Construction, a white firm; and then you had H.J. Russell -- the firm that started out as a paint contractor -- and you had Smoot Construction. Those three firms built that project not only on time and under budget, but Smoot, which is an African American firm, also restored the Capitol in Washington. You remember all the scaffolding?

The point I want to make is that we have a database now that not only -- that goes far and wide. So we have the capacity, within the state, or we can recruit the capacity to forge strategic partnerships with businesses here in the state to execute these opportunities. So there is no

longer an excuse saying that we can't do these projects. It takes the will and the commitment to do so.

And again, I thank you for your time and your indulgence.

SENATOR RICE: Before you leave and we get to the next speaker, I wanted to acknowledge the Conference Chair in the Assembly, Assemblywoman Sumter, who is here. She also, I think, has a comment or a question to be raised.

And I also wanted to say to those of you who are here, particularly organizations. I'm going to have to do more as the Chairman of the Legislative Black Caucus. Because the way we are organized, we have subcommittees to address these issues -- that are supposed to hear, for example, the commerce stuff and deal with it. So I might have to take my whip out and do a little whipping of these Chairs and have these Chairs meet with their members and get them a little bit more active. I know we have all been busy, but I always tell members of the Legislative Black Caucus, we should never be too busy for our people. I really believe that from my heart.

And so I just wanted to say that, okay? (applause)

Assemblywoman.

ASSEMBLYWOMAN SUMTER: Thank you, Chairman.

And to all of you, good afternoon.

Mr. Harmon, congratulations on your 10th anniversary. Thank you for all the work you've done in keeping the Chamber alive.

I just want us, as we move into this next phase of government, to consider the millennials in making sure that we're coming up with opportunities for them to start businesses. New Jersey is made up of small-

and mid-size businesses. And I know with the New Jersey Business and Action Center -- what I've been hearing a lot from my constituents throughout the state is the arduous tasks of navigating that system. So wherever we can provide the resources to help folks navigate that; and also incorporate our young people who are graduating with an idea to start a company, helping them to get started, as well; in addition to enforcement in the procurement processes as well.

So I just wanted to put that on your radar; we can talk a little bit more about that as well.

Thank you.

MR. HARMON: Okay; yes. I am open to that discussion, yes.

ASSEMBLYWOMAN OLIVER: Mr. Chairman, I want to comment; and thank all of you for testifying.

You know, John, one of the issues that plagues us -- and I listened to you detail the Atlanta experience. One of the things that plagues us in New Jersey is that we have a second level of government -- quasi-independent authorities and commissions. And as I look over at Assemblyman Singleton, I think the last time we had an African American male serving on the Turnpike Authority was when Assemblyman Singleton was on the Turnpike Authority. But he had to give that up in order to enter the Legislature.

I had the opportunity to get Jan Walden appointed, based on her long history with New Jersey Transit. But when her term expired, she was replaced with a non-African American or person of color. But I think that we, as legislators -- not just legislators, but as activists and advocates -- we cannot turn a deaf ear to the quasi level of government that

exists. We're about to embark on a \$300 million-plus construction project in this building. It has circled around the Legislature. It will be handled by the Economic Development Authority. I think Marge Perry's term is up, so I don't think that we have a representative there. But we have to begin to look at New Jersey Sports and Exposition Authority, the New Jersey Higher Education Assistance Authority, and these quasi levels of government. Because this is where humongous amounts of money are being expended. If there is no one in the room, at the table, on these boards and commissions, our voice isn't heard.

So we hope that when there is a transition in government that this is taken seriously. And for those who don't take it seriously, we have, as a community -- we have to begin to hold folks accountable. Don't pat us on the head, wag a tail, you know? Keep it moving. We have to hold folks and their feet to the fire for these issues, because that's where the action is in terms of the expenditure of massive amounts of money. We brought Triple Five in here from Canada; they bid out there 15, 16 years. Every time I go by the projects, I don't see us represented there.

So I think the focus has to be beyond just the Legislature.

MR. HARMON: I agree.

ASSEMBLYWOMAN OLIVER: It has to go to these people who the Senators give advice and consent to, to serve on these boards and commissions.

MR. HARMON: You know, I absolutely agree.

Another area -- I could go all day here -- but the other area is investments.

ASSEMBLYWOMAN OLIVER: Yes.

MR. HARMON: The State-- We're talking about the pension fund.

ASSEMBLYWOMAN OLIVER: Yes.

MR. HARMON: But there are people who are managing those billions of dollars annually. There are no folks of color around that table. We have, within our membership, folks who manage billions of dollars who have very strong credibility across the country. So that's another area.

Colleges and universities. You all authorized billions of dollars for higher education improvements; very little participation from folks of color. These are areas that we can come together. New York had a very effective mentor-protégé program that worked with the MTA and worked with the New York School Authority that worked very effectively. These are best practices that build capacity.

I remember, years back, here in this county -- and Senator Turner is here, and this is where I live -- but the College of New Jersey, for example -- when they-- They had -- I ran a regional chamber first; we were part of the RP. In other words, if you were outreaching for minority and women, you had to include, at the time, the Metro Trenton African American Chamber of Commerce. That type of language -- I don't know what happened, but it has been removed. So we have to get-- When we set up procurement documents, we have to get the language throughout those documents, because policy rules the day.

ASSEMBLYMAN SINGLETON: In the absence of the Chairman until he gets back, are there any other questions for the gentlemen at the table? (no response)

Seeing none, thank you both.

MR. HARMON: Thank you.

ASSEMBLYWOMAN SUMTER: Thank you.

ASSEMBLYMAN SINGLETON: Next, we'll call to the dais, Freeholder President of Essex County, Britnee N. Timberlake; as well as Freeholder Samuel Frisby.

SENATOR RICE: Councilman Shabazz, are you still here? Come on up.

Deborah, could you let Councilman Shabazz sit there -- sit in with them -- because he has to leave?

DEBORAH DAVIS FORD: Oh, sure.

SENATOR RICE: And then you can come back with the field, okay?

MS. FORD: Yes.

SENATOR RICE: And I am taking prerogative to ask the Councilman to -- who is also the President of the NAACP in Atlantic City -- to speak first, because I know he has a drive, and they still have issues down there they have to address.

Go ahead, Councilman.

COUNCILMAN KALEEM SHABAZZ: Thank you very much, Senator.

Senator, and Madam Speaker, and--

SENATOR RICE: Red button.

COUNCILMAN SHABAZZ: Red button?

Good morning, Senator Rice, Madam Speaker, and the rest of the members of the State Legislative Black Caucus.

I apologize in advance; I have to go back to Atlantic City to continue our momentous struggle against the -- what will go down as one of the most obscene governmental actions taken. Atlantic City, obviously, has had severe financial, physical, and structural problems for a while. But those of us in city government and those of us in the active Civil Rights movement vehemently disagree with the solution that the State government has thrust upon us. It's almost analogous to having a broken wrist and cutting your arm and your shoulder off to accommodate.

So let me say, first of all, good morning, Senator Rice, officers and members of the State Legislative Black Caucus. I am very grateful for the opportunity to present some of the concerns that we have in Atlantic City.

I wish to thank you for being a friend, an advocate, and a strong voice for the Civil Rights and interests of Atlantic City residents.

As we have gone through our struggle with the State -- that still continues -- you and the Black Caucus have maintained the banner of social justice on behalf of Atlantic City.

In Atlantic City we are counting the days in preparing for a new Governor, one who will restore the political rights to Atlantic City voters and residents.

Having given you a portion of the tremendous debt of thanks owed you, let me present some of my concerns regarding Atlantic City.

Of course, one presentation cannot capture all of the issues and topics of concern; but I hope to highlight the major areas that impact social justice, Civil Rights, and political equity.

The first one is restore self-government to Atlantic City. We have heard both major candidates for Governor publicly state their resolve to overturn the State takeover of Atlantic City. We need the Caucus to be our backup and strong voice in Trenton to ensure that this occurs in a timely fashion.

Public ownership of our MUA -- the Municipal Utilities Authority. There is a tremendous struggle led by the NAACP and several community organizations to ensure that our MUA remains in public ownership. There is a consensus that we want to avoid the Flint disaster over public water. And as we speak, there is a citizens group that is going to turn in petitions tomorrow to put this on the referendum, and we are going to consider that at City Council.

Speaking to Madam Speaker's point about diversity and inclusion on major Authorities, we are sad to report that in 2017 there are no people of color on the Casino Reinvestment Development Authority or the South Jersey Transportation Authority. These two bodies make decisions that impact the citizens of Atlantic City, and we must have representation. And we humbly beseech the Caucus to be our advocate in Trenton for diversity and inclusion on these two bodies -- these bodies directly; millions of dollars of public money, contracts, and things that impact us in Atlantic City.

Fourth, judicial appointments. There are only two African Americans and one person of Hispanic descent in our vicinage. Judicial appointments must reflect the area that they preside over. We will continue to address this concern to our State representatives to select and present candidates who reflect diversity. The Caucus can help us increase

the volume on the demand for greater diversity in judicial appointments. And I don't need to take time to explain how important that is to criminal justice reform.

School funding, lastly. The disaster in our ratable drop in Atlantic City, with the closure of five casinos, has placed an extraordinary burden on taxpayers. Today's Atlantic City ratable base accurately depicts the profile of an Abbott district, or one that deserves acute consideration in any new formula for State funding. We encourage the Caucus to join us in right-sizing Atlantic City's educational funding.

Thank you for the opportunity to present our concerns. The New Jersey Legislative Black Caucus is to New Jersey as the Black Caucus is to our Federal government. May your voice, your focus, and your strength continue to grow.

And I have a copy of my remarks for all of the members to look at it.

And again, Senator Rice, thank you so much for allowing me to go out of order. And I appreciate and thank you for your leadership and your support, and all the Black Caucus. You have been a tremendous source of encouragement to elected officials, to Civil Rights and community groups by showing concern for us in Atlantic City and Southern Jersey; and I appreciate it.

SENATOR RICE: Let me thank you, also, for your activism over the years, and for the things you do as an elected official.

Now, my leadership is based on my membership; they keep me strong, they are very supportive. And I also want to thank those members who are elected officials here throughout the state who are members of the

New Jersey Black Elected Official Policy Alliance. As you can tell, we have a lot of work to do and we intend to get it done as the new Governor, whoever it may be, comes in.

With that being said, I know you have to leave. But let me make sure-- Do my members have any issues or questions? (no response)

Okay? You're okay, Speaker? Okay.

COUNCILMAN SHABAZZ: Thank you very much.

SENATOR RICE: Let me thank you very much; and we're going to work on those issues, okay?

COUNCILMAN SHABAZZ: Thank you very much.

SENATOR RICE: Thank you.

Okay; if you need Deborah back, you can put her back over there, okay?

So I just want to say hello to both Freeholders. Hopefully, you're working together throughout the state as Freeholders. There are not many of us, right?

So with that being said, what I need to do is, I need to yield -- we usually yield to the women, but I have to yield to Freeholder Frisby; this is his home turf. (laughter) And you know we have Senator Turner here as well, and I do not want her to not give me a vote on my next bill. (laughter)

So Freeholder.

FREEHOLDER SAMUEL T. FRISBY Sr.: Thank you, Senator.

And to the Legislative Black Caucus, thank you for allowing me a quick moment to speak to you; and to my Senator, Senator Turner.

I am a Freeholder here in Mercer County, on my second-and-a-half term. But today I come before you as CEO of the YMCA of Trenton, which serves Trenton, Ewing, and Lawrence.

And I really wanted to speak to you about the issue of the *Fight for \$15*, A-2162; and some of the impact that I believe it's going to have on Mercer County, especially our urban center.

Now, let me say from the jump, I was the Chair of the Freeholder Board when we voted to support the Fight for \$15, because I fundamentally believe in what it stands for, in making sure that we raise the minimum wage so that working families in this state can survive and they can live and thrive.

But I also recognize when I talk to the groups that were coming before us that they had not included nonprofit organizations in their discussions. And when we began to talk about where they saw this particular bill going and what the push was, they began talking about the Walmarts, and the Costcos, and the very large entities, which we know are not paying their workers enough.

But when you try and compare a \$30 billion organization to a \$1 million organization and hold them at the same standard, it becomes very challenging.

There is a study that was done by the Pew Foundation two years ago that showed in Mercer County the median income was \$73,000 a year; but in Trenton, the median income was \$36,000. What they showed was that when you look at the economic disparity between Trenton and the rest of our County, Trenton itself ranks second in the nation in terms of being economically segregated from the rest of the municipalities in this

County. Where that creates a challenge for nonprofits, when you're a nonprofit that is providing child care -- and I am going to give you two things that I think we might be able to do as you're beginning to look at A-2162, so that you attack it with a scalpel and not an axe -- that when you start to look at that disparity, you begin to see that urban children don't have a chance in the summer or in afterschool programs.

So when you look at -- across Mercer County, the average cost of summer camp in Mercer County, per week, is about \$305 a week. Because of the subsidy that the State provides for those children who are actually eligible, most of the nonprofits in Trenton have to charge \$140 or less; \$140 or less to be able to take care of a child. And most of us are providing services from 7:00 in the morning until 6:00 at night, because we're trying to make sure that working parents can work and still get back to their children.

And so when you look at that disparity, you find nonprofits, especially in urban centers, falling into a hole. So you look at one of the larger nonprofits, just as of last year -- the YWCA, which actually had to close its doors in Trenton. And much of it was because of the cost of being able to provide services for afterschool children in the city. We picked up those children, but we're not being subsidized at the same rate -- when you have 90 percent of your constituents who are subsidized. And so if you have 90 percent of your constituents who can't pay you \$140 a week, and the average cost of camp is \$305 a week, what tends to happen is most of the nonprofit organizations in your urban centers -- which provide jobs for mostly African American and Latino employees -- tend to go into deficit.

Last year alone, my deficit in summer camp was \$75,000 just to provide summer camp. But we didn't want to turn children away.

So one of the things that I would suggest is that when we look at the subsidy that the State provides through Child Care Connection, it has not -- I know that you're beginning to look at that now -- but that has not been changed in more than a decade-and-a-half, all right? And so the reason that most of us charge about \$140 a week is because that's all Child Care Connection will actually provide, is \$140 a week. So we know those parents-- And when you look at just the demographics in Trenton alone, 36.3 percent of the households -- the 27,000 households in this City -- are 200 percent below poverty. So we need that to be raised, and we need you to take a real look at that.

And then I'd like for you to take a look at-- When you're looking at these corporations -- a Walmart -- and when you begin to look at possibly tiering what it looks like -- look at it based on the revenue generated from some of these organizations, as opposed to it's a blanket across the table of \$15 a hour. Ninety-six percent of my employees, of my over 100 employees, are African American females who also have children, who are trying to survive and provide for their children. So I'd just like for you to take a look at that.

Thank you for the time, and thank you for your service.

SENATOR RICE: And thank you too, Freeholder.

Any questions to the Freeholder?

ASSEMBLYWOMAN OLIVER: I have a comment.

SENATOR RICE: Assemblywoman.

ASSEMBLYWOMAN OLIVER: Yes, Freeholder Frisby, thank you for that.

And you know, many of us have spent time during our careers in the nonprofit sector; so we understand the story well. Most of us represent districts where there are Head Start programs and that sort of thing.

But one of the problems confronting nonprofits is the fact that this Administration has not been supportive of nonprofits; and there has been significant decline in State support for nonprofits service deliverers. So that is point number one.

But on this issue of tiering, and that sort of thing. I think that will be a little difficult because many people choose to work in the not-for-profit sector. They like laboring at a neighborhood level, at a community level, offering services. I think what we need to begin to examine, perhaps, going forward, is we provide, perhaps, tax credit incentive to those who work in the nonprofit sector. That is a way of putting money back in the pockets of those who are in nonprofits. But I would not want us to go down a trajectory of segregating those who work at a Walmart, those who work at a Wegmans, versus those who work at YMCA.

But I understand the challenge that you have, but I think the challenge lies in broader support. You know that we-- Well, we didn't do it, but this Administration shut down *NJ After 3*.

FREEHOLDER FRISBY: That's right.

ASSEMBLYWOMAN OLIVER: *NJ After 3* provided significant funding to our nonprofits; that's off the table. The Department

of Human Services and the Department of Children and Families -- they've begun to pull back the contractual support that a lot of nonprofits had.

So we understand the problem, but I think we have to put our heads together to figure out how nonprofits can survive. But I don't want to penalize people who work in the nonprofit sector, because they are deserving and need \$15 an hour just like the person who is stocking the shelves at Walmart.

FREEHOLDER FRISBY: Madam Speaker, if I can just say -- and I totally agree with you in that respect. And I didn't want to-- And if I said segregate nonprofits, that's not what I meant. I said when we look at it, look at it based on revenue generation, right? Because it's -- whether you're a for-profit or a nonprofit that makes a million a year -- just as John said -- many of these proprietors are one-man, mom-and-pop shops, right? And so it's not just the nonprofit world, but it's based on what you can actually provide and what those organizations that bring in revenue can afford to actually put out. So the goal would be to look at it, not in terms of tiering it based on what type of entity you are, but based on what the revenue generation is for that particular organization -- whether its for-profit or nonprofit.

SENATOR RICE: Thank you very much, Freeholder.

Freeholder President, just acknowledge -- put your name on the record. You know the routine.

FREEHOLDER BRITNEE N. TIMBERLAKE: Yes, sir.

Thank you so much.

For the record, my name is Britnee Timberlake; I serve as the Essex County--

SENATOR RICE: Hit the button.

FREEHOLDER TIMBERLAKE: For the record--

SENATOR RICE: Yes.

FREEHOLDER TIMBERLAKE: --my name is Britnee Timberlake; I serve as the Essex County Board of Chosen Freeholders President.

I just want to thank you so much for this Convention, and also for all of your leadership. It's truly humbling to be speaking before you. And I feel blessed at being able to say that many of you have truly been so generous of your time and of your talents with helping me in my role. And that's what we have to do for one another -- is constantly support one another and teach.

So thank you for being-- Many of you are friends and mentors; and for being champions in the community and for standing up for what's right in New Jersey.

I'm joined here by Deborah Davis Ford, who is the Trustee of South Orange; and also the Clerk to the Freeholder Board.

So we're here to talk about black issues. And when we think about black issues -- when we're talking about black issues, similar themes often come up. We've heard them already today: housing, jobs or poverty, environmental and health, economic development opportunities, right?

So I just wanted to have the opportunity to talk about a few things that are happening in Essex, and then I have a few asks for you in your role as State Legislators.

So I have been the Freeholder for -- this is my third year, first term. And in that time, we have unanimously adopted three pieces of legislation. One was called the *Responsible Banking Ordinance*. My colleague, President Mildred Crump -- Newark Council President Mildred Crump, did an excellent job laying out the need to really speak to different banks and only invest in banks that are investing in our communities. And that's what we did, but it was by way of an ordinance. So banking, foreclosure, and small business lending was the entire focus of the ordinance.

Essex County is leading the state in foreclosures, and this ordinance is something that can really help with that. We have to do more than just make the verbal commitment, and then also make the action of disinvesting money with banks. But we should also be encouraging legislation and laws on the books because, believe or not, I spend a great deal of time thinking about succession. And what if those who are sitting in our seats in the future, when we are no longer sitting in them, do not have those same priorities? And through circulating the legislation that was passed in Essex County -- requiring banks that the County deposits funds with to come before the Board to talk about if they are working with people to stay in their homes; are they lending to small businesses, women-owned businesses, minority-owned businesses; and what are their best practices?

So that was the first piece of legislation.

And then the other thing addressed -- the next piece of legislation addressed environment, as well as jobs. So we have an ordinance that was called *Clean Jobs*; it's all in the name. And it connects the need to repair infrastructure; abate lead, and asbestos, and other contaminants; while training the unemployed and underemployed -- because

underemployment is a great issue here in Essex as well, especially in the theme of speaking for \$15 an hour minimum wage and the need for that -- but training the unemployed and underemployed in this very lucrative trade of environmental cleanup.

This is something that is so needed. Many times we hear health reports talk about how -- because of genetics, black people are more susceptible to certain conditions, and diabetes, and things. Well, what if that's not always the case? There have been many studies done that show where communities are located, and there being contaminants and pollutants around actually having a relationship with the causes of many health issues that are experienced within the community. For example, there was a case, many, many years ago, where there was a swimming pool that was built over an old factory that had previously been manufacturing, and had spilled Agent Orange, which we know causes diabetes. And children were swimming in that pool. You know, it's different things like that. So cleaning up our brownfields, and abating lead and asbestos is so important.

And I wanted to speak with you all today about it because this ordinance is on the books in Essex County; and we applied for EPA funding. And just putting it kindly -- what's going on at the Federal level -- the application was not approved, because the EPA had been frozen for quite some time. And I'm just imploring you and asking you if there are any opportunities for funding for environmental things, please not only think of Essex County, but just the State of New Jersey as a whole, to leverage those things.

And I thank you so much for your leadership already in those areas.

And the last piece of legislation that I wanted to mention -- which the President and CEO of the New Jersey African American Chamber of Commerce has done an excellent job of driving home -- the point of need for-- And this is an ordinance that was introduced on June 7, and is expected to pass unanimously on July 19. And that is a law establishing a joint venture and a set-aside for women-owned businesses, minority-owned businesses, as well as veteran-owned businesses. So in a review of the County's 2014, 2015, and 2016 reports from the Office of Small Business Development and Affirmative Action, it revealed that, on a three-year average, the County performed at 33 percent for small businesses as far as dollars spent on contracts; but only 6 percent for minority businesses, 9 percent for women businesses, and 0.16 percent for veteran-owned businesses.

So, whereas, the Freeholder Board -- we certainly commend the County of Essex for having such a strong showing in the area of small businesses, but we are coming up with this solution, which is an ordinance proposing an affirmative action set-aside program be established with quantifiable goals of increasing the MBE, WBE, and VOB contract spend.

The law further creates a joint venture program, which gives emphasis on large construction contracts. So that means that major construction jobs -- large firms will partner with minority businesses, women businesses, or veteran-owned businesses in order to bid on the contracts.

So the joint venture method -- as you have heard from Mr. Harmon -- and the set-aside method, in general, have been very successful in other places in the United States, such as the city of Atlanta. The result is removing historical blockades preventing the MBEs, WBEs, and VOBs businesses from being competitive in the bid process. So what are some of these blockades? We all often hear of them. But definitely it's difficult for many -- many of these companies to obtain bonding, as it involves having a large amount of cash on hand not committed to use.

The Freeholder ordinance states that the bond must be assigned to the joint venture formed, and thus open access to major construction contract participation for these companies. So, in essence, by leveling the playing field to increase opportunities and economic growth for companies who have, throughout the nation, been historically marginalized, this is definitely a hand up, not a handout. The legislation is needed because, on average, as many of you know, women in the United States make 20 cents less on the dollar than men; and contracting more women-owned businesses can help close that gap.

There are plenty of qualified, ready and able minority-owned companies that can do the work, but passive discriminatory policies really kind of inhibit a lot of that.

And then, also, our veterans had our backs, so we have to have theirs.

So I'm just asking that if there's anything you can do, as far as the State language, to support the joint venture model out of your Committee, that would be extremely helpful; and keeping your eye on the environmental issues and the funding.

I thank you so much for your time; I've already taken up enough of your time.

Thank you.

SENATOR RICE: Thank you very much.

Make sure we get your testimony. And we can have more conversations, and you can work with your delegation up there, too, on some of those issues -- that we may need to take a look at funding to see if it makes sense and if we can get support. Because it definitely -- it's on our consideration.

So does anybody have any questions for-- We only have a few more people to testify; we're trying to get everybody up and out by 1:00 p.m.; that's what we have to do. So we ask you to shorten your testimony, as I asked you before. If you have written copies, give us the copies and just summarize what needs to be said, okay?

FREEHOLDER TIMBERLAKE: Thank you.

SENATOR RICE: All right; thank you very much for taking the time to come and talk to us today,

Next we're going to call up the Reverend Charles Boyer, Pastor; I think it's Steffi Bartley--

PASTOR STEFFI BARTLEY: Yes.

SENATOR RICE: Is that right? Okay. And Wilfredo Rojas.

WILFREDO "WIL" ROJAS: Rojas (indicating pronunciation).

SENATOR RICE: Rojas (indicating pronunciation).

ASSEMBLYWOMAN SUMTER: Rojas (indicating pronunciation).

SENATOR RICE: Rojas; okay.

ASSEMBLYWOMAN SUMTER: Wilfredo Rojas (indicating pronunciation).

SENATOR RICE: Wow, you Pastors write like doctors.
(laughter)

Pastor Boyer, you can go first; and then your other colleagues can go right behind you.

Try to keep it as summarized as you can.

UNIDENTIFIED MEMBER OF AUDIENCE: They can't hear you.

SENATOR RICE: Sorry; try to keep it as tight as you can, because I want to move the rest of this list so nobody feels they were shortchanged coming down, okay?

REVEREND CHARLES F. BOYER: Yes, absolutely.

SENATOR RICE: Thank you.

REVEREND BOYER: Reverend Charles Boyer; I will be extremely brief.

First, I wanted to thank you, Senator Rice, for your leadership on the racial and ethnic impact statement bill, which is now sitting on Governor Christie's desk. And he has until July 10 to sign that bill. So whatever support can come from this body to help that process along, we would certainly appreciate it.

I'm here, specifically today, to talk about marijuana legalization in the state. And Senator Rice, I think you said it best -- that far too often folks put legislation in place without talking to this body and without talking to black lawmakers. And what we see is that, currently, Senator

Scutari has introduced a Bill -- S-3195, I believe it is -- which is in favor of marijuana legalization.

I also found it interesting that prior to the primary, all of the Democratic legislators were in favor of legalization, and they all had big plans for what to do with the revenue. And this is extremely dangerous because, as we all know, what has gone on with the war on drugs -- that marijuana has been used in the racialized way disproportionately against the African Americans, who are three times more likely to be arrested and prosecuted for marijuana crimes than whites, although whites and blacks use marijuana at similar rates.

This Bill that Scutari has out there does not recognize and does not affirm processes and policies that would address what the war on drugs has done through marijuana prohibition. And so what we're asking is that his Bill be looked at through the eyes of black lawmakers so, one, we would definitely ask that any kind of marijuana legalization that takes place in this state would have expungement attached to it; that there also would be market accessibility attached to it; and that the revenue would be directed, in some significant way, towards the very communities that have been ripped apart by the war on drugs.

Any bill that does not recognize the racial components that marijuana prohibition has had upon black people is a bill that cannot be supported.

Now, as a Pastor, I think it's very evident that I am not in favor of marijuana usage. And if I was, my sermons would have quite the different flow to them. (laughter) But what I am in favor of is just policies. And one thing serving black communities -- I do not think that any of our

people should have their lives destroyed over marijuana possession or usage. So I am in favor of legalization, but only if that legalization recognizes the racial component to this.

And that's all I have, Senator. Thank you for your time.

SENATOR RICE: Thank you, as well.

Pastor.

ASSEMBLYMAN SINGLETON: Senator--

SENATOR RICE: Sure.

Assemblyman Singleton wanted to raise an issue with you.

ASSEMBLYMAN SINGLETON: Reverend, you mentioned *marketability*, I think, is the word; or did you just -- I was confused by what that meant. Can you explain to me what that means?

REVEREND BOYER: Thank you; thank you.

Market access.

ASSEMBLYMAN SINGLETON: Market access; I'm sorry.

REVEREND BOYER: So what's about to happen, if marijuana legalization takes place in the state, is we're going to see what we're seeing nationally. Nationally, we have white brothers who are now marijuana moguls; wonderful entrepreneurs. And they're getting all kinds of support to open distilleries and the whole nine; while we have black men and women incarcerated over the same issue. And so what we're saying is that there should actually not only be accessibility, but a preference for black folks who have been disproportionately affected. If we have been disproportionately incarcerated over marijuana, we sure enough need to be disproportionately represented in the legalizing industry. (applause) And so that's what I mean by *market accessibility*.

And there's no way we can legalize it, and then have people who are shut out of the market because their records reflect a marijuana possession charge.

ASSEMBLYMAN SINGLETON: No, I understood that in the context of the expungement part, the second. But it sounded like what you're saying on the first part -- and I don't want to put words in your mouth, so I want to understand it -- is that the legislation, if it were to move forward, should almost have a *preference* -- again, I think was the word you used -- a preference for minority owners of the facilities, to have preference in this state in putting this in. Is that what you're saying?

REVEREND BOYER: That's absolutely -- you put those words beautifully.

ASSEMBLYMAN SINGLETON: Okay.

REVEREND BOYER: Absolutely.

SENATOR RICE: Just let me say this, and then you can speak, Pastor.

What happens in the black community -- and I've dealt with these conversations at the national level -- they send folks who look like us in to tell us how much money we can make and how we can go into businesses, job opportunities for us. That's a falsehood. Unless you happen to be Shaq or somebody with that kind of money, you're just not going to get into it, when you look at the numbers. So you are right, in terms of what we need to look at.

Even if we don't support it, and it's moving, we need to make sure that those things take place and it's written into legislation; and we'll let it fall where it may fall. So I just needed to say that to my members,

because they're going to hear the same thing from the lobbyists and people saying, "Here's how we can get into business" then we're going to be trying to figure out how to get the business aspect of it, which there isn't really going to be any business aspect to us. And, in the meanwhile, something is going to go through.

But that's driven by those nonprofits and other people I keep talking about, who want us to be a part of their coalition, rather than us putting our legislation together and making them a part of our coalition.

Pastor.

REVEREND BOYER: Yes; you know, I'm in agreement.

One thing-- And I'm-- Again, I'm a small town preacher with a big vision. And so I come to this, and I come to you all, as the experts. So I'm coming with the theological and the justice argument; and I come, really, across sectors. And I look to build very broad coalitions with whoever I believe is on the side of justice, even when we don't necessarily, perfectly, agree.

But one thing that is for sure is that this body right here -- who knows the ins and outs, who has the experience -- I believe definitely needs to weigh in on this legislation, and on this marijuana legalization issue that is afoot in this state; and shape this in such a way that not only does it not shut us out totally and not consider us, but that we also benefit from it in some way.

So my prayer is that we all work together to move this thing forward in a way that it is best for us -- the best possible piece of legislation for us.

SENATOR RICE: Thank you very much.

Pastor.

PASTOR ROJAS: Yes, my name is Wilfredo “Wil” Rojas, and I’m with Gloucester County NAACP. But, most importantly, I am the father of a homicide victim.

And I want to thank you, Senator Rice, and the rest of the members of this Committee; and I would ask that you touch the hearts and minds of your colleagues on both sides of the aisle. Because most people know and recognize the devastation of homicide and violence suffered by communities which experience a disproportionate amount of violence across New Jersey and across the nation, and the traumatic repercussions experienced by children, youth, and families who are constant witnesses to these events.

We need to provide legislation and, most importantly, appropriation to do research, and also to make sure that we are conducting trauma-informed programming to combat these circumstances.

I come to you as someone who lost a son; and I come to you as someone who believes that for men of color -- and this comes directly from the nation’s statistical data -- men of color, the leading rate of death for men between the age of 14 to 34 in the black community is homicide. For Latino men, within the same age, it’s the second-leading cause of death in this country. And I would ask that this Committee use the power of persuasion, and the power of your legislative pens, to craft legislation that deals with the families of murder victims who are affected throughout our state.

And also make sure that the Federal government is listening to our voices.

Now, there's Federal legislation that was introduced in Congress; but we need local governments to adopt these kinds of legislative measures at the local level. And New Jersey can take the lead-- The same way we took the lead in bail reform, we can take the lead in advancing this. Because there are a lot of mothers, and fathers, and relatives who are feeling the pain of homicide, and are not getting the proper psychological treatment; or they are strapped with the bills that are associated with the funerals and with the other costs that are associated with homicide.

So I would submit to you that I need your help, the NAACP needs your help, and, most importantly, those parents in the State of New Jersey need your help.

SENATOR RICE: Thank you, Pastor.

And let me say also -- make certain you have this conversation with Assemblyman Taliaferro, one of our members; and give us a copy of your testimony so we can take a look at it as well. Because we want to do a better job than we did with bail reform. I think everybody blew that, and no one listened to this Caucus. And then we had to clean up a lot of stuff, even though the intent was good, we were (indiscernible) intent.

So if you could do that -- get us your testimony. The same with you, Pastor Boyer; we would really appreciate it, okay.

REVEREND BOYER: Thank you.

PASTOR ROJAS: Thank you.

SENATOR RICE: All right; thank you very much.

No one has any questions? (no response)

Okay; with that being said, let me call up the next speakers.
We're almost there, okay?

Is Mayor Dwayne Warren still here; and Council President Donna K. Williams, City of Orange? Can you come up?

Just for your information -- after that we have two more groups, and then we'll be finished with the testimony.

Okay, we'll bring up -- see, I don't have to bring up-- Fredrica Bey is coming up anyway, so we might want to just put her right there. (laughter)

D O N N A K. W I L L I A M S: She's going to be with us. (laughter)

F R E D R I C A B E Y: My Council President asked me; oh, my gosh. (laughter)

S E N A T O R R I C E: That's okay; I had you on another list. But that's all right; you're signed up, okay? (laughter) Donna's in charge anyway. (laughter)

M S. W I L L I A M S: Good evening, Senator.

S E N A T O R R I C E: Hit your-- There you go.

M S. W I L L I A M S: Donna K. Williams, Councilmember, City of Orange; and Council President.

I come today, along with Mayor Warren and Ms. Fredrica Bey, to talk to you about the foreclosure crisis.

I know at the top of the meeting, Council President Crump spoke of it.

I started going to a meeting at Essex County College some months ago; and at that meeting it was led by Fredrica Bey, Walter Fields, and others -- Mayor Baraka, Mayor Warren, all the towns combined -- about this crisis. We decided to take the meeting into the municipalities, and Orange has been the most recent host of these meetings. And at these

meetings, one thing that has stood out -- that we have had people come from as far as Monmouth County, all up and down the state, and there is a tremendous crisis on foreclosures. The mortgage companies are not being responsive; turn away hardship needs, modifications for people who have paid, who have done what they are supposed to do, yet when they ran into a crisis, they are not being assisted.

We have gotten together with other legislators where -- again, at these meetings, people are coming from Orange, East Orange, Irvington, Newark; now Monmouth County. We make sure to reach out to the legislators to say "Did you know this was going on?" and to keep the conversation going on and get some solutions.

Mayor Warren will be talking about some of the solutions; Fredrica Bey will be giving testimony of what she has experienced. But we're asking-- I know that Assemblywoman Oliver, Senator -- I believe you have legislation in draft, in terms of the ask, that we ask -- is a moratorium on the mortgages, on the foreclosures. But we're also just asking you to just look at the disparity. I know in Orange, specifically, where I serve, that I can walk up and down streets, and I can see vacant homes where people have had to leave their homes. And as we all know, the banks are not in the business of real estate, so we have blocks of homes that are more vacant than there are people in homes.

So we are seeking your assistance in moving this as quickly as we can, in terms of a moratorium, and any other actions that can be taken to slow this and stop this process.

And I will tell you that the City of Orange brought down a busload of people. So while you just see three people here, we stand with

other people who have come with us, who are also affected by this. And some people came down from Monmouth County as well.

MS. BEY: That's right.

SENATOR RICE: Mayor Warren.

MAYOR DWAYNE D. WARREN, Esq. Thank you to this fine Committee, and thank you for the work that you do on a regular basis -- not only on this issue, but across the board. Certainly to Senator Rice, who has been an advisor and a friend of Orange.

Foreclosure in the City of Orange has been what it has been for most urban areas: a place that's desolate, it hurts our school system, it hurts our local economy, it hurts our neighborhood, it drives up crime, it hurts our public safety budget. So there are a number of issues that have to be addressed when you look at foreclosures.

And what we have found -- in Orange, at least -- is that most of the foreclosures issues come from-- While there are strong economic indicators, a lot of it comes from lack of information. And so one of the things that we want the Legislature to do, directly, is to require that mortgage lenders provide education -- not only on what their mortgage is, but education on the foreclosure process as well. We found too many cases where people received foreclosure notices and complaints, and didn't answer them, just because they didn't know what the process was.

We think that kind of education should be required upfront; it should be at the expense the mortgage company; and it should be done by a third party, so that the mortgage is given in a light that's -- where the consumer is educated about the product they're receiving, and about the

repercussions if they don't pay their mortgage, and the options if they don't pay their mortgage.

So, first thing, education prior to issuing the loan; the company should be required to give an education on the foreclosure process in the State of New Jersey.

Secondly, with the onslaught of modification requests and the requests to abate mortgages or to terminate some part of a mortgages, or to deal with arrears in mortgages, there should be a State reporting system where the -- either the mortgage company or the modification company reports directly to an agency in the State as to what their progress is. This would allow citizens to be able to go to their agency, find out what the status of their application is, find out that there's one set of standards that they have to meet, and also to track whether or not they have their documents in. Many times people come for modification, and they have to apply three or four different times because their mortgage company or the modification company has lost their documents. There should be one tracking system that they all report into that citizens have access to.

And then there should be an audit done. Before a foreclosure starts, there should be an audit of all of the items that are on the HUD-1 statement for a consumer. What is their insurance for? How do they file a claim? A lot of the mortgage lenders require that the consumers purchase mortgage insurance, but they never know what happens to the mortgage insurance; they never know what happens to their premiums. So those insurance policies ought to be audited; the consumer ought to know what is happening -- how do I file a complaint? How do I file a claim? -- and

whether or not their insurance would cover their mortgage and avoid foreclosure.

And then we're looking for education-based aid. Now, education aid, in some cases, is based on the tax base of the municipality. For urban municipalities where there are foreclosures, that decreases significantly. We're asking that the value system be included such that each property is given the value as if it was not in foreclosure; as if it was not vacant and abandoned property. And that's what our State aid and education aid ought to be based on.

And then, finally, the last two items.

One is, there is already a law on the books that allows a mayor in a town or a council in a town to appoint a contractor to develop a property with their own money, given court approval, and be able to bring that property back to the tax rolls. The problem that we're having is that we'd like to use local contractors to do that, but many of them don't have the kind of funding necessary to do it. There is precedent, I believe, in Freehold where a pot of funds is being made available so that contractors can bring vacant and abandoned properties back to life; get it back on the rolls; and when they sell it, to return that money back to the fund. We think that fund should be set up statewide, it should be done based on a formula using how many vacant and abandoned homes or how many foreclosed properties are in a particular neighborhood. And those funds should be made available to local contractors to bring those properties back on the roll.

And then, finally in my hat as an attorney I've handled a number of foreclosure cases; and we fought banks on foreclosure issues

across the board in terms of notice, in terms of wrongfully filing against people who really should not be in foreclosure. We want to join with the state of Florida and, specifically, the city of Miami, that took on banks for fraud and had their entire foreclosure filings in the state of Florida reviewed to make sure that they complied with all of the notice requirements, all of the requirements for documentation that have been recorded at the register of Deeds and Mortgages. We believe that kind of action should not only happen in a particular municipality, it should be a State function -- that the State, under the auspices of the Attorney General's Office, should take on all the banks that have engaged in predatory lending in particular neighborhoods, especially in urban neighborhoods, and bring them to justice, and have the mortgages in those cases restored. And have any further foreclosures be subject to a State moratorium until all those issues can be fleshed out.

I thank you for your time and attention.

SENATOR RICE: Thank you, also, Mayor.

Mayor, can you send a copy of your testimony if we don't have it? Because there are some issues that you pointed out that we need to have a discussion on. They sound to me as though they are things that we may have done, we may not have done; but in any event, they need to be done, okay?

MAYOR WARREN: I will send a text over.

Thank you, Senator.

SENATOR RICE: Okay.

Assemblywoman.

ASSEMBLYWOMAN JASEY: I was just going to say that, through the Housing Committee, we have had hearings over the last several years on these issues. We've heard testimony from experts throughout the state. And unfortunately, the Governor has not funded the programs. We had really excellent programs where trained counselors were there to work with homeowners to guide them through the process, to educate them -- to do all the things that you're saying, which I totally agree with. And the funding was cut off.

So, you know, obviously we have to do it again. The idea of a moratorium, I think, is a good idea; maybe we can get that through. But in terms of the programs -- those programs were in existence, and they were doing a good job. And we heard it over and over again in our Housing Committee meetings that the funds were being -- they were drying up and not being replaced on the State level, unfortunately.

ASSEMBLYWOMAN OLIVER: I have a question.

SENATOR RICE: Assemblywoman.

ASSEMBLYWOMAN OLIVER: Yes. Mayor Warren, you know, Senator Rice had legislation enacted a couple of years back, because of this issue of devastated neighborhoods. And certainly in our District we know, as President Council Williams said, you can see blocks and blocks of vacant houses.

Senator Rice's legislation required that whoever owned that property had an obligation to come, cut the grass, cut the shrubbery -- the maintenance and upkeep of those properties. I want to ask you what your experience is in Orange with zombie homes, abandoned properties -- are the owners of record in compliance with Senator Rice's legislation?

MAYOR WARREN: Thank you, Assemblywoman; and thank you for your service to our community.

ASSEMBLYWOMAN OLIVER: Yes.

MAYOR WARREN: In many cases, as you can see, it is not. Calls to the banks, calls to the management companies, calls to the agencies that are responsible for maintaining the property go unheeded many times. And it's really a drain on the economy of the city because we have to spend our budgetary dollars to actually go clean those properties. And when we place a lien on them, it then becomes a drain to litigate the lien and try to collect on the funds.

So it's definitely an area that needs to be strengthened; and I applaud the efforts of the Housing Committee in trying to get the banks to actually fund some of these measures. And I think that's a place where we have to continue to focus, especially when it comes to maintenance and when it comes to training.

Thank you.

MS. WILLIAMS: And Assemblywoman Oliver, I want to add that I had this experience. I live next to a vacant home, and I happened to come out one day while the bank had sent their contractor to upkeep the property. And when they got there, the property-- Let's say, it was \$750 worth of work, but they had only been approved for \$500. So rather than even doing \$500 worth of work, they walked away because they were not -- they said they were not allocated enough funds to do the job. So they just walked away.

SENATOR RICE: Okay.

First of all, revisit the legislation, because the legislation requires you do maintenance. And it says that if the property is not maintained, and you don't have anybody to contact, you can fine them up to \$2,500 a day. So you need to use the penalty provision. And if there's a problem, give me a call and we'll-- If we have to make some changes in the legislation, we'll do it.

Assemblywoman.

ASSEMBLYWOMAN McKNIGHT: One of the things that I want to talk about -- you talk about the foreclosure. And I represent Bayonne and Jersey City. And what is happening in Jersey City is, you know, lack of funding for predominantly the seniors to fix up their homes. They are being approached by outsiders to sell their homes. And they have a bag of cash. And since there's lack of funding, or lack of education, they're taking this cash and then they're losing their home.

So one of the -- there is an ordinance that just passed in Jersey City, and it's called *Do Not Knock*. So if you register, and if someone comes and they are aggressive to you, if you have a sign on your door or on your gate, then you can call and they will get into trouble; which is great. So that's something that you should definitely look at.

But I want to commend you, because education is key. Not many people understand what they can do to prevent from losing their homes. And one of the programs that I really, really love is *Rebuilding Together*. Rebuilding Together -- they help homeowners fix up their homes; it's like -- it used to be called *Christmas in April*; now it's *Rebuilding Together*.

So again, we go back to the lack of funding; now you have Rebuilding Together. It can do probably, like, 5 homes versus 15 homes.

So we have to just work collectively together; because we are losing our homes, not just to foreclosure, but to gentrification, which is happening.

You know, many people say it's coming; no, it's here, and I see it, especially in Jersey City.

MAYOR WARREN: Thank you, Assemblywoman.

SENATOR RICE: Assemblyman.

ASSEMBLYMAN SINGLETON: Mayor, I would just tell you, if those homes that are bank-owned -- and I'll just speak from experience about what we've been able to do with one or two properties in the 7th Legislative District. Many of us have relationships with the Association -- that is the Banker's Association. So rather than chase around-- If you know the home is bank-owned, you would be better served letting any of us -- your local representatives, or any of us work through the Association to say, "Hey, I have 10 homes in Orange that are Wells Fargo; another 20 that are Bank of America" -- just using those as an example; I'm not trying to label those banks -- but if they do, then instead of you getting calls unheeded, any of us can call the Association and say, "Look, here is the pocket of homes we have; they are in ill-repair, and no one is responding to the local community." It shouldn't work that way, but it does work that way -- that our influence, working with the folks who work with us, often can help do that.

Because the Senator's Bill, as the Speaker pointed out, is very clear on the penalty provision. So as you all are going out doing the work on these homes, not only are there fines ticking up, but you could probably be reimbursed for the work that you're doing.

So it would behoove you to -- if they are bank-owned, to let us know so that we can talk to the Association and say, "We have a concentration of homes in these particular communities with these particular banks." And try and address it that way as well.

MAYOR WARREN: Thank you, Assemblyman.

SENATOR RICE: We're going to go to Fredrica; and we're starting to run out of time. We have two more groups to bring to up, and then we'll conclude.

But I want to say this. I want to acknowledge, first of all -- I know that Mayor Angela Garretson from Hillside is here; and also I know Mayor Mapp was here -- I don't know if he is still here; he was here earlier, and there were other mayors.

But I try to use my experiences in local government to tell folks, "You have to do a little more homework until we pass the law." As I suggested to Mayor Baraka's people in Newark, they need to just -- even if they have to get an intern, go and identify from your tax records every bank-owned property you have, and keep a separate database of that group. And send them a copy of the law, and let them know you want to work in the spirit of cooperation. But you want them to know that you know what the law is, and just in case they don't know -- because they didn't pass it down to their subordinates -- that there is a law. And just take the time to do that, but we have to do more prep work.

Fredrica, can you just--

MS. BEY: Thank you.

SENATOR RICE: Yes, can you kind of do this in three minutes?

MS. BEY: Yes, sir; thank you, Senator, so very much; and the Legislative Caucus, and BIC, and certainly to our Speaker Emeritus, Mayor, Council President, and Council President Crump, for all of the help that they've been giving.

And you talk about the law, Senator -- that's exactly what-- We've been trying to get the banks, the banks' attorneys, the courts, the judges in New Jersey to absolutely do-- What we are required to do is obey the law. We're required to pay our mortgages and to do what the law says to do.

Your Bill, Senator -- Bill No. 1593 -- I quoted in this letter that is going to the banks today. You have the law written, and that's why the moratorium, Assemblywoman Jasey -- that's why it is so important. Because in the Hearing of Citizens Coalition throughout the state, we've come to the realization that New Jersey is just acting in a very callous, gangster way. Because the law says, clearly, that we are supposed -- the creditor -- your law, Senator; thank you very much -- says that the creditor must advise the court when a forbearance agreement is entered into, and when it begins and when it ends. I just about know your law verbatim. And we've written it to them so many times and they totally ignore it.

We are asking, who owns the note? Who is-- Nation Star sent a letter yesterday-- and I have it, and I will give it to you both -- Nation Star and U.S. Bank. Nation Star says U.S. Bank owns the loan; U.S. Bank says, "Oh, no, we don't own the loan. We have the letters right here that we are merely the trust for the trustee."

So we've asked a million times, "What is the name of the trustee? Who is the trustee?" And they refuse to say it.

It went to court -- as some of you know; certainly the Speaker does -- it went to court last week because U.S. Bank went into court after we had been given a forbearance and a modification; after we paid \$1,758.18 for March and April. And on April 4, we received the letter that they went to court and they got foreclosure -- while we're in a forbearance agreement -- which is totally against the law of God and civilized man, to take someone's house and their money too. You can't do that.

So we're -- this letter is going to them today. We had a court date last week, and I'm not the only one; so many of us in the Coalition are going through this. There's one lady -- Ed Kaiser can probably remember her name -- but she is in court, in a foreclosure now, because Wells Fargo did a fraudulent loan on their house--

MS. WILLIAMS: (off mike) Which is paid for.

MS. BEY: Yes, and then-- Yes, the house was paid for, and her father had died five years ago. She had the death certificate of the father's death, and the date when Wells Fargo fraudulently--

So Elizabeth Warren did a good job on the Hill with that, and you're doing a good job with this. And we really need this foreclosure (*sic*) to happen.

I just wanted to--

MS. WILLIAMS: (off mike) The moratorium.

MS. BEY: Yes, the moratorium is what we're seeking, and we're seeking the moratorium so that the homeowners can breathe. And the black and brown community homeownership is the wealth; you know, that's where the wealth is built, and they're taking it with impunity. So it definitely reminds us of the Dred Scott decision.

And this is the last thing I wanted to say -- that that was 1857, when the Dred Scott Decision was rendered -- that a black man has no rights; that a white man is bound to (indiscernible). The Constitution upheld that. Dred Scott fought for that, and we benefit today because of what he did in his struggles; and we thank him.

So the laws are on the books in New Jersey; the laws are on the Federal books; and the law is in the Constitution. And we're asking you to help us get the judges to obey the law.

SENATOR RICE: Well, what we're going to have to do -- and I need to end you here -- is we're going to have to-- We've been arguing through eight years in the legislatures and with the Governor -- that some things have to go to court to enforce laws on the books or to write new laws. But we'll take your testimony, we'll continue to pay attention to it, and we'll be getting a new Administration and maybe we can do things differently with enforcement on process, okay?

So thank all three of you very much.

MS. BEY: Thank you.

MAYOR WARREN: Thank you.

SENATOR RICE: Okay; I need to call up now Collin Smith; also Clifton Beckley; also Deborah Smith Gregory can come on up now too. We'll try to get three out, then we have two more people, and we're gone.

MS. BEY: Okay.

SENATOR RICE: Please try to keep these down to three minutes. I hate to do that to you, but we have to move.

MS. BEY: Okay; and I just wanted to thank James Harris, who I think is here. He certainly has been helping so much, Senator. Thank you.

SENATOR RICE: We'll thank him for you when he comes up.

MS. BEY: Okay; thank you.

SENATOR RICE: Go ahead, Collin.

COLLIN SMITH: Good morning; or I should say *good afternoon* at this point, members of the Legislative--

SENATOR RICE: Hang on; hang on a moment.

Put your mike on, and we're going to let Deborah Smith -- you may not know each other; you may be related, so check your family tree, you know (laughter) -- sit next to you, okay?

Is Clifton Beckley still here? Okay, come up. We want to move.

So you can start your testimony, Mr. Smith.

MR. SMITH: Thank you, yes.

Once again, Collin Smith--

SENATOR RICE: Hang on a moment.

ASSEMBLYMAN SINGLETON: Collin, if you don't mind, if you could pass out the testimony. The Chairman has asked don't read it, just summarize.

MR. SMITH: Okay; unfortunately, I apologize. I don't have a printed-out testimony to distribute to you all. I will get that to you as soon as possible.

I want to first thank you all for allowing me the opportunity to come before you and speak today.

As we know, you know, 2017 has been a very interesting year, to say the least, with its fair share of ups and downs. And with November only five months away, and 2018 only around seven months away, we're going to have a new Governor in the state. So with that is going to come a fresh set of ideas and a fresh new mindset in the Executive Office.

Lately, in our state -- state news and news across the country -- there have been talks of the failing war on drugs, specifically marijuana. And as you all know, the candidates for Governor have voiced their concerns on this matter -- with one being in favor of the criminalization, and the other being in favor of full legalization.

Members of this Caucus, I don't have to sit here and tell you the statistics on the failing war on drugs within our state -- how the State spends \$127 million a year on marijuana arrests, and how the illegal markets are making upwards of hundreds of millions of dollars on marijuana sales; and how African Americans are three times as likely to get arrested as opposed to their white counterparts, though consumption of the drug is the same among both.

When I hear the word *marijuana* spoken, I think of opportunity; whereas, others think of a negative stigma that dissatisfies them. Now, this very plant has caused over 20,000 or more arrests a year; when I personally believe that those thousands of dollars that are spent on drug incarceration can be used towards communities of color that make a positive impact, both financially and socially.

Throughout my time following the work that you and your fellow colleagues are doing, I frequently hear the term *new money* and the phrase, "Well, how are we going to fund this?" The New Jersey United

Marijuana Reform wrote a report last year stating that fully legalizing, regulating, and taxing marijuana at 25 percent will generate over \$300 million in new revenue for the State; and that's just a conservative figure. If this State takes action and fully legalizes marijuana before our neighboring states of New York and Pennsylvania, it can be higher; and personally, I believe it will be higher.

Your fellow legislator in the Senate, Nicholas Scutari, has once again introduced a bill to fully legalize marijuana; and he, along with everyone in this room and across the state, is aware that this will not pass under our current Governor's watch.

This subject of marijuana and criminal justice reform is something we cannot ignore. I know some of you have taken the steps in the right direction with regards to criminal justice reform, and I applaud you for your efforts. I've read Senator Scutari's Bill; and although there are some parts of the Bill that are good, there's also still much work that needs to be done with it.

Throughout today, you and I have heard testimonies from others on how communities that are predominantly African American are facing hardships in certain areas -- whether it be through housing, employment, schools, or other social programs. It is my belief that some of the money generated from taxing this plant can be used to help combat these issues.

Members of this Caucus, I love New Jersey. I lived in Irvington and East Orange as a baby; then moved to New York, only to move back to South Jersey to start high school. I believe this state is the greatest state in the nation. If states like Colorado, Washington, Nevada, even Oregon, can

find a way to legalize marijuana, generate revenue, and take steps to criminal justice reform, then there is no doubt in my mind that we can do the same. And I'm glad that those states did it before us. This will give us the opportunity to do it better than they, and to continue to study the positives and the negatives. And I say *continue to study* because some of your fellow legislators have already begun studying it, even as far as going out to Colorado for an educational trip.

Now, before I yield my time and take my seat, I just would like to say this. I believe in each and every one of you; I admire and appreciate the work that you all do for our State and for the African American community. The talks of marijuana, as 2018 quickly approaches, will grow louder and louder. Now is the time to take action, speak amongst each other, speak to your leaders in your community who you represent, voice your concerns on this matter, work with the Senator on making the improvements necessary.

Far too often communities of color get the short end of the stick on deals. This time around, we have a chance to make real change happen; sort of a domino effect of positive change. This industry is predicted to be a billion-dollar industry; New Jersey has a chance to get a large piece of that pie. If we are going to be known as the Garden State, let's continue to help our garden grow for a brighter and greener future.

And I thank you for your time.

SENATOR RICE: Thank you, also, Mr. Smith.

You were here earlier when there was a discussion about that legislation, I believe.

MR. SMITH: Yes, sir.

SENATOR RICE: And those are real significant issues.

And I've also said that "black folks" cannot let other folks drive agendas, and include us in it and tell us how wonderful it is for us. Colorado and them made a lot of bad mistakes out there; like you said, we can learn from them. But once again, as the clergy and other Civil Rights leaders said, if it's not going to benefit our community, we're not going to do business. If you think we are, you're kidding yourself. We're not going to do business the way it is set up. The benefit would have to be the kinds of discussions we had.

And so I'll be one who is going to be very adamant -- because we went through this; and I'm glad to see the Senate President here -- on bail reform. No one listened to us. And our Caucus members tried to slow this thing down. The intent was good; and then we had to clean up a mess.

So as we move forward, we're going-- Make sure we get a copy; oh, you said you were going to send us a copy of your conversation.

MR. SMITH: Yes, sir.

SENATOR RICE: We're going to have that, but hopefully, as we go -- this is not a fast-track thing; it's not going to happen in lame duck; hopefully it's not anyway, okay? -- so that we can come to the table. We have to participate, as African American leaders, and Civil Rights leaders, and attorneys, and others. I keep emphasizing that, and I'm clear on that piece.

So you are right; it's going to be a conversation. We can't be at the second meeting; we have to be at the first meeting, at the table, okay?

MR. SMITH: Absolutely.

SENATOR RICE: Thank you very much.

MR. SMITH: Thank you, Senator.

SENATOR RICE: I'm going to let the next two speakers speak, and then I'm going to have the Senate President. I'm glad to acknowledge Senate President Sweeney is here. It's been a very fruitful day, a lot of people -- some may still be in the other room, etc. -- but good testimony. And we'll share the transcripts with you because our agenda is very important to us; I always tell you that. And we're getting better at it.

So why don't you -- you speak next, I guess, or Deborah; whichever one. You can work it out.

Cut your mike off; and put yours on.

CLIFTON BECKLEY: Thank you.

SENATOR RICE: Put your name on the record.

MR. BECKLEY: Good afternoon, Senator Rice; everyone who is here.

I'm Clifton Beckley from Irvington, New Jersey -- Joe Blow Citizen.

I'm here because of my concern about foreclosure in my city. Although I know New Jersey is number one in foreclosures, but I'm concerned with Irvington where I live.

Right now, in Irvington, 50 percent of the properties are either in foreclosure or underwater. So many things have occurred because of this; so many people have moved out of Irvington because of this. One day you have a neighbor, the next day no one is living in the house.

I'm concerned about that because we are not looking at it from a psychological point of view. The shame attached to it, especially in my neighborhood -- we work all our lives to own a home and then, because of

fraudulency that occurred because of loans that were issued to people who couldn't pay for them, on a house that wasn't worth what they said it was worth -- and now you can't pay that. So they're moving instead of facing this problem head-on. I think because of shame, more often than not. That's why they leave. They don't want their neighbors to know what has occurred to them, thinking it is their fault.

I think we have to do something about that. Just like we are proactive when we want to get elected -- we go out in the churches and in the neighborhoods and talk to people. I think we need to do that exact same thing -- go out and educate people about what is going on so they will not walk away from what they worked all their lives for.

When we think about our neighborhood, most of the people in our neighborhood don't have a portfolio; they don't own stock; they do not leave a big insurance policy to their kids. What our people leave is the house. Grandma lived in the house; she leaves it to her daughter, and her daughter leaves it to her children. When you take that one asset away from them, what do they have left? We can no longer just sit by and watch this. I believe that this is the great train robbery of our time. Just like we stepped up in other times and remedied situations, it's time for our leadership to teach us or lead us in remedying this particular situation. Why should this be any different than any other situation that has plagued the black neighborhoods?

We've gone through so many things up until this particular time, okay? When has the common man been the oddity? The common man is the backbone of America. Now, we're watching the common man lose what he's worked his whole life for. That can't be right. The common

man and the older Americans are the ones who really vote. How can we lose those people? How can my neighborhood -- one block long; it has 15 houses abandoned. And then you can go to the next block, and the next block, and the next block.

And I'm going to close it down right now.

But when we neglect to take care of those people, we're neglecting ourselves. We're neglecting our future because, like, you know what? We're not reaching our hands up and pulling those kids out of the situation that they are in. I'm very, very concerned right now; I appreciate so much of your time. God bless you, and let's deal with this.

Thank you.

SENATOR RICE: Mr. Bentley, thank you for taking the time to come. We've heard a lot of testimony on foreclosure.

But you asked a question, and I want to give you the answer. One of the reasons the Legislative Black Caucus slowed down to try to identify every black elected official in the state -- from school boards to Congress, and to bring us into one room and have conversations -- is because black elected officials have a responsibility to the people across the board, but particularly our people, given our history of struggle; have gotten away from dealing with policy issues like this and dealing with politics instead.

There is not even a list to identify who are we are at the State level.

We try to move a bill; the Senate President managed to get the bill out to the Assembly side, and the Governor's Office has concerns about us identifying ourselves.

And so my point is very simple. When we allow other people to determine our destiny as a people, because we're not coming together, we're going to have these kinds of problems. The Civil Rights struggle, for the younger people in here -- the Civil Rights struggle was about people coming together -- of color, and others -- with common grounds and pushing issues. We've gotten away from it.

And so the New Jersey Black Elected Officials Policy Alliance -- which happens to be the black Legislators, and mayors, and folks from Congress to school boards -- we're meeting. Heretofore, we're expected to determine our own determination as a people and our destiny as a people. We're going to agree and disagree within our own parameters. We have had these discussions with the leadership in both houses of the Legislature and Governors in the past. We intend to have this discussion, as a Black Caucus, again; and we don't subordinate ourselves.

And so Legislative Lobbying Day is for this reason. As I said to many people, we want to see black faces -- and others, too -- but black faces in particular in the State House; it's our house too. And we don't take off from work like we did today, or take the time to come. We hope this will be not just annually; we hope that people, as Assemblyman Singleton said, look at legislation. We get it to you, and come and testify so you can be heard as well.

So that's when it's going to happen. But we're on it, okay? I want you to know we're on it.

MR. BENTLEY: Thank you so much; thank you.

SENATOR RICE: Ms. Smith; and then we're going to let you speak, Mr. President.

DEBORAH SMITH GREGORY: Good afternoon.

My name is Deborah Smith Gregory, and I serve as the President of the Newark Branch of the NAACP.

And I was here last year, April 2016, with this same request. So I am not going to make a lot of commentary; I'm going to give the request.

The NAACP calls for a moratorium on charter expansion until there is -- charter school expansion, until there is an independent official assessment and analysis of the expansion and its impact on public schools.

We call for legislation that mandates accountability via strengthening of oversight in governance, and practice, and public access to funding sources information. And this bill -- I don't know where it is; it's been sitting in a Committee for -- since 2015. And the request that I have of the Legislative Black Caucus is that we move the legislation out of Committee. I can tell you the horror stories, but I'm leaving that in my testimony. I know that the SDA, which is State-run, is not assisting with our facilities. We have created, in Newark, two cities. We have created a separate and unequal educational system, and it lacks educational equity. And as Newark, particularly, goes forward, we cannot afford to educate some of the children and misplace others of the children.

The only thing that I've added to my testimony for this year is a chart that shows the status of special needs children in public schools and in charter schools. And our public schools are becoming refuges of special needs students. And we're not knocking that, but the resources are not there for us to care for them the way that they need to be cared for. So when you read the chart, even though there are more children in the public

schools, there is still a disproportionate amount of special needs children in public schools versus charter schools. And we have all of the schools listed.

We need the funding; we know that the flat funding is going to stay in place until there is a new Governor. I am looking forward to a new Governor, because this particular Governor has completely dismantled public education, as it stands for, in Newark. And I'm sure that there are other parts of this state that say the same.

Thank you.

SENATOR RICE: Thank you, Ms. Smith.

The moratorium legislation has been around longer than 2015. The problem is that Assemblyman Mila Jasey got beat up on it; it's my legislation. And it's in the Education Committee, and the Senator who chairs that Committee doesn't see fit to put it up. We go through that once in a while; these Chairs put up what they want, in many cases. When we ask for things, sometimes we're penalized for not putting up stuff, and others are not. And I'm not going to get into that conversation.

But that's where it is, and it should come up, and we should do a moratorium -- not to stop charter schools, necessarily, but to get a thorough evaluation so we can do the kinds of things necessary to make schools work for everybody.

And then I'm glad to see the Senate President here because, you know, we've had these discussions before as well.

Why don't we thank-- Anybody have any questions, or anything for the speaker?

MS. GREGORY: What can the NAACP do to move it? Because there are 8,500 additional seats that have been assigned in Newark

from past-Commissioner Hespe. And that is having -- and that's to come, and that is having a devastating effect on Newark Public Schools, as you all know, that is slated back to local control. So then the people get it back, but what are we getting back? We're getting a hot mess back that we, ultimately -- we will be held accountable and responsible for.

So tell-- If you can give some advice as to what the NAACP can do -- not just Newark, but across the state -- to support this pending legislation to come out of the Committee.

SENATOR RICE: What we can do is-- First of all, the reason the Legislative Black Caucus has been organizing African American leadership across the state -- not just elected officials, but we also have black labor leaders; we also have black Civil Rights leaders. And so what we need to do is have a conversation with our black Civil Rights leaders -- which the NAACP is a part of; its leadership--

MS. GREGORY: Yes.

SENATOR RICE: --and have an honest discussion. Because sometimes folks in these organizations have barriers too. They close their deaf ears, particularly at the State level. And so we need to have that conversation as to why it is.

And then we have to make our minds up; this is what black leaders have to do. Sometimes we're too concerned-- And from an ethnic perspective, we're too concerned about other folks, and not concerned enough about ourselves. We had progress during the Civil Rights days, which some of you are too young to understand. What we did was -- not only did we mobilize and have meetings to discuss our stuff, we also litigated.

MS. GREGORY: Right.

SENATOR RICE: We're going to have to get back in the courts. We have to mobilize -- not a handful of people -- we're going to have to, just like the unions do, excite people like they did in Michigan, like we do down here with union people when things aren't going right; and stay there until somebody gets -- until we get their attention and somebody pays attention. You know, Bull Connor and those guys did not go away because we were passive, okay? You know, Robert Kennedy and the Kennedys, all these wonderful things -- not because they really wanted to, necessarily; because we were not passive.

And so until we take these bold stances-- Like I tell members of the Legislative Black Caucus, sometimes we may lose these little titles that they give us; and these chairmanships -- we may lose elections for doing the right thing, but it's the sacrifices we have to make. The President of NAACP may not be President anymore; do you follow what I'm saying?

MS. GREGORY: Yes.

SENATOR RICE: The President of the Garden State Bar Association may not be the President anymore for doing the right thing. Those are small sacrifices that we have to make. And I'm going to keep pushing this publicly, and in the Caucus, and with my members, and with my colleagues, until we get enough to understand it.

So we will have that conversation again; we will have that leadership meeting. And as I say, all of us need to get back involved with the Black Issues Convention. Regardless of what you think about it, we have to start bringing people together to have these conversations, and we intend to do that. (applause)

And the final thing is that Congresswoman Bonnie Watson Coleman, who was a member of this organization, has given us the charge. We need to have a black summit; a black summit, a black summit.

UNIDENTIFIED MEMBER OF AUDIENCE: (off mike) Let's have it.

SENATOR RICE: And so we're going to have a black summit, okay?

Thank you very much.

ASSEMBLYWOMAN OLIVER: Yes; Senator, I'd like to make comment on Deborah Smith Gregory's testimony.

One thing that you put on the record -- and I would encourage all of us to think broader -- there are a significant number of school districts in this state that are suffering, not just urban school districts.

In the 34th, I represent the City of Clifton. Clifton is the 10th largest city in this state; it has a population of 80,000 people. They are \$50 million below adequacy in their funding; 400 of their students have opted to go to the Passaic County Technical Institute; and there are two charter schools in Clifton, with applications pending for an additional one or two.

The School Board has taken such demonstrative action that they are refusing to write a check to the two charter schools.

I think we have to think broadly -- what is going to be the State of New Jersey's comprehensive public education policy? And it's affecting not just the Supreme Court-protected school districts; it is affecting other school districts as well. And I think until we lock arms with everyone across the spectrum, with the issue of what direction our State is going to go in with public education, we're not going to make any progress. Because we

hold town halls in our town of Clifton, packed audiences, with parents discussing -- no extracurricular activities in the district, no athletic program, parents raise money to pay for them, no music courses. We have a crisis in K-12 across the board, and I think if we couch this debate with just focus on urban experiences, none of us is going to win.

But I think it is going to take new thought leaders -- as you made reference to -- to really be serious about solving this problem, because there are towns where people are paying phenomenal amounts of local property taxes in order to finance their school systems.

I understand and I have supported Assemblywoman Jasey's moratorium bill. Yes, we do need to take a timeout, examine which way we're going. But I don't think this argument should be couched *charter education versus public education*. I personally do not believe there is one way to educate someone. What worked for me may not work for Assemblywoman McKnight; what works for her, may not work for Assemblyman Singleton.

So I think we have to approach this -- there's no one-size-fits-all.

In Clifton, they want to shut down Passaic County Technical School. That is the future; vocational education is the future. (applause) So we might as well understand that it's not going anyplace. And quite frankly, parents, in some instances, have a preference for that, because their children are able to acquire skills and transition right into the workforce.

So it is going to take broader minds, broader expertise, participation of everyone, to solve the problem. But I just had to put on

the record that this is not a conversation of a public school versus a charter school.

MS. GREGORY: I agree.

SENATOR RICE: Okay; let me thank you.

Now what I want to do is, I want to introduce -- for those who do not know him; you know the name, maybe -- Senate President Steve Sweeney. Okay, that's the face.

S E N A T O R S T E P H E N M. S W E E N E Y: Thank you, Senator Rice; and thank you for the courtesy of giving me the ability to say a few words.

I agree a thousand percent with Speaker Oliver. You know, we have the crisis in education funding; I have been arguing this for over a year-and-a-half. If people knew that Newark was being shorted \$120 million -- because that's what they're short -- I think they would be upset. We're fighting over charters, and I agree with the Speaker, you know. It's not one-size-fits-all. Parents should have choices and options. But we need to fund our schools, Senator. We need to fund them.

And this is a fight that I have taken up, and am going to continue to take up, because-- I'll give you an example where I live. I have a school district, Washington Township, that has 2,300 students in their high school; but they get funded as if they had 3,500. You heard that, right? That's 1,200 kids they don't have. And I have a school district, called Kingsway, that has 1,200 kids they don't get any funding for. Kingsway has a track that the kids can't run on; athletic fields that don't work; they share books. And Washington Township, they have synthetic

athletic fields; they're giving all their kids tablets -- it's nice -- with Kingsway's money. This has to stop.

And when people say there's going to be winners and losers -- there's no one a loser if we get to 100 percent funding. And someone said, "How do you do it?" Well, you start funding it. We all hear-- I know, I know I've supported the millionaires tax; here's another \$660 million. We can get there, and we have to deal with the districts that are being overfunded too.

And, you know, a school board leader in Jersey City came-- I was at a school board event. And he said, "The tax abatements that they have been giving out in Jersey City have robbed the school district of \$80 million that the municipality gets and the school doesn't." So the municipality can say, "I don't raise taxes, and look at all the wonderful things I do, and I build parks." And those schools -- they just can't manage.

It's not fair to give school districts back to communities without funding them.

MS. GREGORY: Right.

SENATOR SWEENEY: It's like Paterson. Paterson teaches in 58 different languages. Do you think it costs more money to educate a child in Paterson?

So this is a fight that I think is suburban, urban, black, brown, white, yellow -- it doesn't matter. This is one that we all have to get in together, because together we can win this thing; together we can absolutely win it.

And on legalizing-- So Speaker, I couldn't agree any more with your comments. The marijuana issue, Senator -- I know that Senator

Scutari is going to host a hearing, I think on June 19, to start to have the discussion. And this is the time for everyone to get engaged, because the legislation won't pass this year; but if I have my way -- and I think a lot of people could have their way, and if we have Governor Murphy -- we'll see this legislation go forward next year -- early next year. So I think it's time that we have those discussions to ensure that no one's left to a second meeting; that everyone is in the first meeting.

And Senator, I want to thank you for your leadership, and all that you do -- not just for this community, but for the whole state. I enjoy working with you. We have our battles from time to time, but we work very well together. And one thing you can say about Senator Rice is, he is not shy about speaking his mind. (laughter) And believe me, I've been on the good end of it, I've been on the bad end of it.

But after all your testimony, Senator, I'd love to see the transcripts from this and see how we can get back together. You know, we were going to get together with the Caucus and we had to cancel that.

SENATOR RICE: Yes.

SENATOR SWEENEY: But I look forward to sitting down and talking about issues of importance to this community. This community is an important community to the State of New Jersey, and their voices should be heard.

So I came here out of respect, just to let you know that we are here, ready to sit and talk whenever you want.

SENATOR RICE: Mr. President, we certainly appreciate that -- you taking the time out.

We're going to have two more people testify. We have to conclude; we're running a little bit late. I know another person came in who wanted to testify, but I'm going to ask Ms. Simmons to just give written testimony that we can share.

So I'm going to call up, now, Mr. James Harris and Amy Lewis. And after their testimony, we can conclude the hearing part.

Okay; I have three people, and I called two names. Who is number three?

BENNIE BRANTLEY: Bennie Brantley, President of the CWA Local 1077.

SENATOR RICE: Oh; okay, okay.

ASSEMBLYWOMAN OLIVER: Push the button.

MR. BRANTLEY: The red button?

ASSEMBLYWOMAN OLIVER: Yes.

SENATOR RICE: That's Bennie?

MR. BRANTLEY: Yes; Bennie Brantley.

SENATOR RICE: Bennie; okay.

MR. BRANTLEY: CWA Local 1077 in East Orange. I'm here at the request of Amy Lewis, for support.

SENATOR RICE: Okay; I got you, Bennie. I knew that was Bennie. (laughter)

Okay. I guess you gentlemen are going to yield to the lovely lady first, right? Ms. Amy Lewis.

Amy, just state your name and information -- who you represent and all that stuff, for the record, okay?

AMY LEWIS: Okay.

Good afternoon, Senator, and members of the Committee.

I would also like to acknowledge my Assemblywoman, Speaker Emeritus Sheila Oliver.

Thank you for this opportunity today to be here to speak on behalf of the Right to Work legislation.

Currently there is a case pending in the courts in California for the teachers union -- the teachers association. But you had 10 individuals who challenged a union, specifically the Teachers Association union.

On June 28, 2016, the Supreme Court denied the rehearing of the case. The case was based on individuals -- particularly the main plaintiff being Rebecca Friedrichs -- who did not want to support, as she put it, a *politically powerful union*.

Actually, what I will say is that it is going to spill over into this state. Currently, there are cases pending in California -- the *Yohn versus the California Teachers Association*; in Illinois, *Janus versus AFSCME Council 31 and Teamsters Local 916*; also, in New York, *Pelli versus IBEW Local 43*; and in Pennsylvania, *Hartnett versus Pennsylvania State Education Association*.

So these individuals won the-- Actually, the Reed (*sic*) hearing was denied on June 28 by a split decision, and the unfortunate passing of Justice Scalia.

As we sit here today, it is believed that this case will be argued before the Supreme Court this fall. If so, it could seriously undermine public sector unions nationwide, with respect to their dues that they collect from fair share members.

In Washington, and in a growing number of states, actions have been taken with the goal of weakening public sector unions. In addition,

the lawsuits are challenging the constitutionality of fair share agency fee requirements paid by nonmember public employees. We have to acknowledge the fact that this type of legislation is very dangerous to our working individuals within the states all across America. Employees in Right to Work states experience lower workplace safety protections, and the rate of workplace deaths is 51 percent higher in these states.

Right to Work laws make it easier to eliminate protections for whistleblowers who protect food safety, air, and water from pollution.

This is very important, and we ask that you keep your eyes open for this legislation that will be coming this way in the fall. And we just ask for any support that we can receive from this body.

Thank you.

SENATOR RICE: Thank you.

I know that we've been monitoring that legislation, at least the court action. And if the court rules the wrong way, you're not going to basically have public sector unions. That's what it comes down to.

Bennie, did you want -- do you have anything to say on that at all, before we go to James Harris?

MR. BRANTLEY: No; what she said, I am in full support of. And I hope you do the same.

SENATOR RICE: Okay; thank you very much.

We'll be monitoring that court decision, because like I said, it's going to do real harm, if it's not decided the right way, to the public sector.

Okay; Mr. Harris. For the record, put your name--

JAMES E. HARRIS: Good afternoon.

To Senator Rice and members of the Committee, my name is James Harris. I'm here representing the New Jersey Association of Black Educators.

And first of all, I want to thank the Legislative Black Caucus for calling this organization and this meeting together. As you know, I'm a 100 percent supporter of the New Jersey Black Issues Convention, and I agree that every organization in the State of New Jersey ought to combine its efforts, and get behind the efforts to bring people together so that we have an agenda, rather than just an opinion.

As I speak to the issue of education, I want to, first of all, indicate that the New Jersey Association of Black Educators would ask that you do everything possible to see if we can get the full funding for the legislation that was approved by the Supreme Court.

Education is a civil right, and we are seeing the destruction of civil rights all over this state. It is absolutely ridiculous and tragic what's happening to the Paterson school system with the layoffs; and what's really kind of disappointing is to see the former Commissioner of Education arrive in Paterson, at \$94 an hour, when they're laying off hundreds of educators from that system. The special education -- they are going to lose that suit because they are violating State and Federal law. But they're also violating laws all over the State of New Jersey; and we're talking about the denial of basic constitutional rights of our children for a thorough and efficient education.

We also want to point out that the Amistad -- we want to call upon this group to do everything you can to get a line item in the budget that is before you. We have Ms. Stephanie Wilson; James Harris, the

Executive Director of the Amistad Commission, who has applications for the Summer Institute that is free, and we are hoping that you will encourage teachers from your districts to apply for the Institute. It's free, and it will prepare people to be ready to teach the law, which requires for the total integration of African American history into the school districts all over the state.

We also want to support what the Newark President said -- of the NAACP -- it's time that we have a moratorium on the expansion of charter schools. The charter schools are playing some trick games; they're combining efforts, and so you get the impression that all of them are doing very well. But you don't get individual program assessments that other public schools are required to have. So we need to stop the expansion, do a thorough study, and really start to fix as the legislation *Abbott versus Burke* decisions were designed to do. We need to fix all of the schools for all of the students.

I live in Montclair. We're not making a choice between sending our kids to a bad school versus a good school. All of the schools are providing a very solid academic foundation. And we shouldn't have people having to decide whether they're going to go to a good school versus a bad school. And these charter schools are doing all kinds of things with propaganda, some of which is not true. But we see no real promotion of public schools to the advantage. And you know Malcolm X. Shabazz -- where both of us graduated from -- there is nothing in Newark that's promoting Malcolm X. Shabazz as a school that students should be going to. That school, which was designed for over 1,200 students, is down to

about 500. It would appear to me that the plan is to possibly close that school, sell that property, or to turn it into a charter school.

We also have some violations of some basic policies, where they're fixing up half of a school for a charter, and leaving the regular, public, traditional schools totally unimproved. It seems to me that's a violation of basic principles -- where you have two schools operating in the same building, with very different priorities and different types of facilities.

We also want you to do something that's very necessary. There's discrimination -- racial discrimination taking place all over this state. As you know, the decline of African American teachers is now before us. Try finding an African American male who is qualified -- highly qualified.

And by the way, I would hope that somebody -- and everybody on this group will look at the composition of the State Board of Education. We have no African American -- no African American sitting on the State Board of Education, when so many of our students come from -- are a minority. I don't see how we could consciously have a State Board making policy with no input from an African American.

And by the way, I believe the last time I checked, the African Americans were the most loyal supporters of the Democratic Party. So I believe that we have a Legislature that is predominantly Democratic, so I think that needs to be fixed right away. We're looking at a situation where we don't have an African American on the Supreme Court; now we have no African American on the State Board of Education -- two of the most important issues for us.

We want to see all efforts put into increasing the recruitment--

SENATOR RICE: Bring it to a closing, James.

MR. HARRIS: --employment, and promotion of African Americans. And I particularly want to focus on the affirmative action conduct at the State Department of Education. I want someone to do an affirmative action report and find out who has gotten promoted, who has been in those positions for a long time, and who has been passed over. And I think you'll find that to be very interesting.

I want to thank you very much. I know my Assemblywoman is hard working; I know that you travel all over the state; and I know that all of you are doing the best you can. And we support you 100 percent.

Thank you for the opportunity.

I am also submitting, on behalf of Kathleen Witcher, who could not be here, a public statement that she wanted presented.

SENATOR RICE: Very good.

Thank all three of you for your testimony.

Let me just say that when it comes to the affirmative action, when it comes to appointments, a lot of appointments are not going to take place until a new Administration seats itself. Those conversations -- the Legislative Black Caucus, as well as the Black Issues Convention, as well as Civil Rights leaders, as well as the New Jersey Black Elected Officials Policy Alliance will have those conversations during the course of the primary election with the Governor candidates -- we're now down to two candidates -- so whoever is elected, going into this November, will become the next Governor, understands our concerns and will be kind of be very adamant about taking a look at the Department of Transportation, New Jersey Transit, Department of Education, the Authorities, and everything else

where the economics are driven; and education and places like that where decisions are made on our future, where we don't have participation. Without participation, our agenda never hits the table; it comes back to the Legislature, null and void of what we think. And that's where the fights start.

So we're hoping to avoid that in the future, okay?

But once again, thank you very much.

Any members have anything to say to any of the speakers? (no response)

Let me, at this point in time, thank all of the members who participated this morning; because we had a rough year. We've been all over the place, there's been an election, and all that stuff; the same with you.

I need to turn this back over now to the Black Issues Convention. So I don't know if Ms. Williamson is still in here; if not, is Reva here? And if not, then we'll go to the President Emeritus and turn it over to him, so he can figure out what happens next.

Oh, Reva's here; okay, very good.

REVA FOSTER: (off mike) I'm here.

SENATOR RICE: This concludes our hearing. Thank you very much.

(MEETING CONCLUDED)