

# The Immigrant's Journal

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## Marriage Fraud Consequences

VIA 311IMMIGRATION.COM

**M**arriage fraud is a crime, regardless of the circumstances under which you sought to “help” an illegal immigrant circumvent legal immigration channels or if you took part in a sham marriage for money. What are the consequences of marriage fraud?

### Immigration and Customs Enforcement Investigation

U.S. Citizenship and Immigration Services (USCIS) have an important job to do. Immigrants who have been married for less than two years to a U.S. citizen or Permanent Resident must prove that their marriage is genuine and valid



and apply to remove the conditions of their residence. But if they cannot prove that their marriage is valid or they fail to file on time, and if there is any suspicion in the minds of USCIS employees that marriage fraud has taken place, USCIS can refer the case to Immigration and Customs Enforcement (ICE). ICE will decide whether to pursue a criminal investigation.

If ICE decides to take things further, they will then conduct an investigation to see whether marriage fraud has indeed taken place. If fraudulent proceedings are uncovered, ICE will then pursue criminal prosecution by the District Attorney's Office.

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## Immigration Anxiety



**A**nyone who has ever been through immigration will know firsthand that this is a very stressful time that can lead to sleepless nights as he or she struggles to get through the immigration process. What are some ways to cope with immigration anxiety?

### Map Out Your Immigration Journey

Immigration is like a journey that will eventually lead you to your final destination. If you are suffering from immigration anxiety, treating immigration like a journey by mapping out your course can help you to cope with the challenges that will come up over the next few months and years.

Start out with where you are right now and start to map out what comes next. Some of the steps you will need to take include attending an immigration interview and a medical examination. At the end of the journey, you will hopefully be at your desired destination.

### Lean on Immigration Support Services

Immigration is not easy, which is why it is wise to lean on immigration support services that are there to support you. If you are moving to the United States to live, you should acquaint yourself with the U.S. Citizenship and Immigration Services (USCIS) website, which is a one-stop location where you will find the answers to a lot of commonly asked questions.

*continued on page 4*

## House Passes Historic Legislation to Provide Path to Citizenship for Dreamers and TPS Holders

BY JORGE LOWEREE

**T**he U.S. House of Representatives passed H.R. 6—the American Dream and Promise Act of 2019—by a bipartisan vote of 237-187 recently. The bill would create permanent protections for Dreamers, participants in the Deferred Action for Childhood Arrivals (DACA) program, as well as beneficiaries of Temporary Protected Status (TPS) and Deferred Enforced Departure (DED).

Congress has been under renewed pressure to act following the Trump administration's attempted rescission of the DACA program and elimination of benefits for the vast majority of TPS

and DED beneficiaries. These actions have left over 1,000,000 people vulnerable to detention and removal from the United States. The bill would go further, however, by creating permanent protections for an estimated 2.5 million people.

The American Dream and Promise Act would provide current, former, and future undocumented high-school graduates and GED recipients with a three-step path to U.S. citizenship. They would initially have to apply for “conditional permanent residence” by meeting age, physical presence, and educational requirements. Individuals with serious or extensive criminal histories would be ineligible for benefits. Current DACA beneficiaries would be provided with a direct path to conditional permanent residency.



The Secretary of Homeland Security would be able to terminate the status of anyone who ceases to meet the requirements.

Individuals who meet further requirements would qualify to obtain permanent residency without conditions. For

*continued on page 4*

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# Trump's Policies Inflicting Harm on Children

BY AMERICA'S VOICE

It started early in the Trump administration and, at first, it appeared that harming children to achieve policy goals was just an idea that would never be implemented. However, a leaked administration memo and a review of multiple policies and actions by the Trump administration in the last two years shows that inflicting harm on children was either central to a policy goal, collateral damage that the Trump administration felt was worth the underlying policy goal, or given very little attention to mitigate the harm that would clearly result from various policies.

**Family Separation:** On March 7, 2017, then Secretary of Homeland Security John Kelly admitted on CNN that deterrence was more important to him than the harm his department would inflict on children through forced family separation. Never mind all the lasting medical and psychological harm that would be caused by such a policy. Although Secretary Kelly told senators later that month that he would back off, a family separation program was quietly conducted in the El Paso sector July through November 2017 and many cases of family separation were reported by advocates and the media by the fall and winter of 2017. By the spring of 2018, the Trump administration implemented a systematic family separation program across the southern border. Almost 3,000 children were identified as separated through that program, but thousands more have yet to be identified.

In addition to the harm of the separation itself, we continue to hear more about the harm caused by such a policy. In over 200 sworn statements, parents and children held by DHS described being thrown into “dog cages” and “ice boxes” with highly unsanitary conditions where guards kicked and taunted children, guards inhumanely separated and dehumanized parents and children who were forced to sleep on concrete floors in over-crowded, cold cells, where adults and children used toilets in front of dozens of strangers in the middle of cells, where food and water was often limited, even for young children, and where there was limited to no access to phones. One detained mother said of her nine-year-old son, “He wonders when we will get to the United States. I do not tell him that we are already here. He wouldn’t believe that the United States would treat us this way.”

Reports by the Inspectors General of the Department of Homeland Security and Health and Human Services, as well as the General Accountability Office, have also shown reckless disregard for basic preparation to mitigate the serious harm to children and families, including failure to track family units, failure to plan for reunification, failure to prepare for reunification before deportation of



parents, failure to plan for mental health care, and the list goes on and on.

**Children Left in Vans For Almost Two Days:** Recently, NBC News uncovered emails showing that 37 “tender-age” children between the ages of 5 and 12 waiting to be reunified with parents they were unlawfully separated from last summer, were left in vans for 11 to 39 hours.

**Forced Ingestion of Psychotropic Drugs:** It doesn’t end with family separation. In July of last year, as a result of serious and credible reports of forced ingestion of psychotropic drugs, a federal judge ordered the Trump administration to stop giving such drugs to migrant children in federal custody without first seeking parental consent.

**Failure to Conduct Appropriate Staff Background Checks & Provide Adequate Mental Health Care:** The Health and Human Services (HHS) Inspector General found that an HHS contracted tent facility for migrant children in a desert town, Tornillo, Texas, had employed staff without appropriate background checks and did not have sufficient clinicians for adequate mental health care.

**Unnecessarily Long Periods of Federal Custody:** Although the number of unaccompanied minor children crossing the border was lower in fiscal year 2016 than in 2018, the number of children and the time spent in federal custody has ballooned due to new, ineffective and irrational policies under the Trump administration. While children in fiscal year 2016 stayed in detention for an average of 35 days, by fiscal year 2018 the average length of stay in detention almost doubled to 59 days as a result of these new policies. All this in spite of clear warnings by pediatricians and psychologists that confining children is inherently harmful to children.

**Cutting Off Recreation, English Classes, and Legal Services for Kids:** Due to unnecessarily lengthy detention periods for children, the agency charged with the care and custody of migrant children says it is about to run out of money. Instead of addressing failed Trump administration immigration policy or tapping “emergency” funds, the President is unconstitutionally taking for his border wall, the Trump administration has chosen to cut off recreation, English classes, and legal services for

kids.

**Lengthy and Unlawful Periods of Inappropriate Border Detention:** At the border, recent reports suggest that a significant number of children remain in detention facilities inappropriate for children longer than the legally allowable 72 hours.

**Confiscating Critical Medicine for Children:** Reports show that border officials are confiscating critically-needed drugs from children they encounter.

**Confiscating and Discarding Personal Belongings:** A recent report by the DHS Inspector General explained that personal belongings are being confiscated and discarded in dumpsters. A picture of discarded belongings included a kid’s doll.

**Causing Families to Choose Homelessness or Family Separation:** A proposed rule by the Department of Housing and Urban Development would bar thousands of U.S. citizen and lawful permanent resident children from housing assistance simply because they live with an undocumented family member. This will lead to families having to choose between family separation or homelessness.

**Full Steam Ahead on Even Weaker Standards of Care and Protection:** In the midst of all this harm inflicted on children, the Trump administration, supported by key Republicans, is charging full steam ahead in attempting to end what little protection there is for children in federal custody, including critical standards of care in detention and limits on time children may spend in detention.

**Ur Jaddou, Director of DHS Watch and former USCIS Chief Counsel, said:** “If you thought that harming children was central only to one Trump administration policy – family separation – it is clear now that inflicting harm on children is either acceptable collateral damage to this administration or, at worst, necessary to achieve a dubious policy objective. Even if you gave the administration the benefit of the doubt, the record shows that the administration has taken little time to mitigate clearly predictable harm to children in the development and implementation of Trump policies.”

“And if the ultimate goal is decreasing the number of families seeking asylum at the border, then the Trump administration has clearly failed and all this harm to children they might have thought was cruelly and immorally ‘worth it,’ was actually for naught. This administration inherited the lowest number of border apprehensions in 46 years and after two years of cruel and failed policies by this administration, those numbers are spiking.” ●

# Free Medical Care: A Deal With the Devil?

BY MARILYN SINGLETON, MD

Listening to the campaign promises spewed out by the bevy of folks running for president brings the old but enduring story of Faust to mind. Despite being successful, Faust wanted more knowledge and possessions. To that end, he made a deal with Mephistopheles (aka the Devil) who promised to give him everything he wanted in exchange for his soul.

Who isn't tempted by a bargain or better yet, something for nothing? Free income, free college, and free medical care. What do we have to lose? Self-respect, the opportunity to succeed at a career suited to one's talents, your privacy and control over your own body.

Intended to ameliorate poverty, universal basic income can be counterproductive. Some promise income for merely having a pulse and others envision the government equivalent of a mama bird regurgitating food into the open mouths of her chicks. Neither option gives a sense of pride and accomplishment or the foundation for character development.

The high cost of college is the justification for free tuition. One key reason for the continually escalating tuition is readily available student loans: no matter the cost, the student can continue to borrow. Endless direct-from-the-government money would likely cause further increases. Further, one-third of college students drop out. The majority of these students were poorly prepared for, and not fully committed or suited to college. It is a bad idea to remove an incentive for perseverance, allow uncommitted students to waste their time on the government dime, or worse be stigmatized as a failure. Finally, as Senator Amy Klobuchar bravely pointed out, the taxpayers cannot afford it.

With regard to medical care, all "medically necessary" health services, including dental, vision, hearing, mental health, long-term care, home and community-based services, physical therapy, prescription drugs with no premiums, deductibles or co-pays from cradle to grave sound pretty good. Sold! Frankly, given the direction so-called reproductive health is going, you may never make it to the cradle. And with the current laser-focus on hospice for all, you may get to your grave a little faster.



Will free medical care halt one of the biggest drivers of poor health and medical costs? According to the Centers for Disease Control and Prevention (CDC), 40 percent of people in the United States are obese. And 47 percent of our \$3.5 trillion per year of healthcare spending goes to treat the effects of obesity, with another 8.7 percent attributable to cigarette smoking. People have known for years that eating too much makes you fat and smoking contributes to heart and lung disease. Free care would worsen the problem because patients will expect more pills and procedures to cure their lifestyle-created illnesses rather than taking care of themselves.

Not only is the promise of free stuff an attempt to buy votes, but the politicians themselves have sold their souls to special interests. And we never know whether they are working for the metaphorical Devil or for you, the voters.

According to the Center for Responsive Politics, in 2018, both sides of the Congressional aisle received a total of \$134,590,142 in contributions from the health sector (health professionals, device and pharmaceutical manufacturers, hospitals and nursing homes). The health sector was the top spender of lobbying money – some \$562,968,799 spread among 2,810 hired guns. Pharmaceuticals/Health Products topped the list with \$281,872,969.

On the bright side, when given the full picture, people are not that easily bought. A recent Kaiser Family Foundation study found that 70 percent of those polled approved of Medicare for All when told the plan would eliminate insurance premiums (which are sky-high thanks to ObamaCare). But up to 70 percent opposed Medicare for All when told it would lead to treatment delays, tax increases, or loss of their option for pri-

vate insurance.

Perhaps those polled read that private insurance is allowed in all but two countries with universal coverage, and patients in all countries have some out-of-pocket expenses. Perhaps they realized that when the citizen money tree has been picked clean, promised services must be reduced. Perhaps they realized that free stuff can be used as a cudgel to keep the recipients in line and trap them in a system with no escape. Perhaps they were of a certain age where they were warned that the tasty-looking Halloween candy might be laced with razor blades. Or more likely, those infamous words, "If you like your doctor, you can keep your doctor" were flashing before their eyes or echoing in their ears.

Free stuff is an age-old snare, a temptation that can steal one's critical thinking abilities. Despite the old saying, that there is a sucker born every minute, there are always those who will not be fooled. Which will you be? ●

*Dr. Singleton is a board-certified anesthesiologist. She is President of the Association of American Physicians and Surgeons (AAPS). She graduated from Stanford and earned her MD at UCSF Medical School. Dr. Singleton completed two years of Surgery residency at UCSF, then her Anesthesia residency at Harvard's Beth Israel Hospital. While still working in the operating room, she attended UC Berkeley Law School, focusing on constitutional law and administrative law. She interned at the National Health Law Project and practiced insurance and health law. She teaches classes in the recognition of elder abuse and constitutional law for non-lawyers. She lives in Oakland, Ca.*

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The Immigrant's Journal Legal & Educational Fund, Inc. is an organization dedicated to the educational and economic empowerment of all immigrants and immigrant organizations here in the United States. We at the Journal recognize the enormous contribution of immigrants to this country economically, socially and politically. Since September 11, 2001, however, immigrants have increasingly been discriminated against and Congress has passed legislation curtailing the rights of immigrants here in the U.S., broadly claiming that immigrants are a threat to "National Security." We at the Journal believe that these charges are unfounded, unsubstantiated and exaggerated. The Immigrant's Journal Volunteer Intern Program was introduced to give our volunteers the opportunity to work in an immigrant friendly environment while developing the necessary skills for college or law school. They assist our staff in resolving immigration and other legal concerns through personal interviews, radio, email and telephone contact. They also assist the public with citizenship applications and in researching whether or not children of naturalized U.S. citizens have derived citizenship from their parents. Some of our volunteers assist our legal staff by engaging in legal research and writing letters on other legal issues. Volunteer interns are also assigned various other jobs in our Youth Programs.

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# Abuse and Immigrants

Immigrants in the US. have the right to live life free of abuse. Due to the victim's immigration status, abusive partners have additional ways to exert power and control over their victims.

If you are an immigrant or refugee in an abusive relationship, you may face unique issues that make it hard to reach out for help.

According to materials from Futures Without Violence and Casa de Esperanza, abusive partners use the following tactics to abuse immigrant victims:

**Isolation:** Preventing the victim from learning English or communicating with friends, family or others from their home countries.

**Threats:** Threatening deportation or withdrawal of petitions for legal status.

**Intimidation:** Destroying legal documents or papers needed in this country such as passports, resident cards, health insurance or driver's licenses.

**Manipulation Regarding Citizenship or Residency:** Withdrawing or not filing papers for residency; lying by threaten-

ing that the victim will lose their citizenship or residency if they report the violence.

**Economic Abuse:** Getting the victim fired from their job or calling employers and falsely reporting that the victim is undocumented.

**Children:** Threatening to hurt children or take them away if the police are contacted.

**Help:** A specialized immigration attorney should always be your first point of contact when it comes to immigration questions and concerns. You can also listen to *Ask the Lawyer Radio Program* on WVIP 93.5FM on Thursdays, 10pm-11pm and Sundays, 11pm to 12am. The program provides great information and also an opportunity for a FREE, no obligation legal consultation. The number to call is 855-768-8845.

Domestic violence is against the law regardless of your immigration status. Call the hotline for resources in your area that can help. ●

Source: National Domestic Hotline

## Marriage Fraud/

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### What Happens When ICE Does Not Conduct a Criminal Investigation?

If, for whatever reason, ICE chooses not to pursue a criminal investigation against a suspected case of marriage fraud, the case will then be returned to USCIS, who will pursue their own administrative investigation against the suspects in question. This does not mean that the suspects have been exonerated.

Following the conclusion of the investigation, if there is strong evidence to suggest that marriage fraud has taken place, the immigration benefits that have been sought will be denied and USCIS will start removal proceedings (deportation) against the applicant.

### Further Penalties for Marriage Fraud

In addition to a criminal investigation and deportation, those who are involved in marriage fraud and are later convicted for the crime may face a maximum of five years in prison and a fine of up to \$250,000. An illegal immigrant who has been deported and/or faced further penalties will find it difficult to apply for future immigration benefits.

The consequences of marriage fraud are just not worth the stain on your reputation or criminal record. A marriage should be the lifelong union of a couple who are devoted and committed to one another, not a shifty, fraudulent union of those who are simply trying to bypass the legal requirements. Before you decide to take part in marriage fraud, think through the consequences of your actions and reconsider. ●

## Immigration Anxiety/

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You can also listen to *Ask the Lawyer Radio Program* on WVIP 93.5FM on Thursdays, 10pm-11pm and Sundays, 11pm to 12am. The program provides great information and also an opportunity for a FREE, no obligation legal consultation. The number to call is 855-768-8845.

### Turn to Your Family for Support

Your family can help to keep you strong and focused when all you want to do is give up on your immigration plans and stay put. It is easy to take your frustrations and anxieties out on close family members, but this is actually the time to be drawing ever closer together, rather than pulling apart. Your family can provide you with the listening ear and emotional support that you need to keep on going when you are suffering from immigration anxiety.

Immigration anxiety is a common complaint for immigrants, but there are ways to combat this problem if you tackle it head on. Start by mapping out your immigration journey so that you can see an end in sight. Lean on immigration support services to help you navigate immigration successfully and do not forget to turn to your family for the support that you need. ●

## Historic Legislation/

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example, individuals would be able to apply to have the conditions on their permanent residency removed if they demonstrate that they meet further educational requirements, such as earning a degree from an institution of higher education. Dreamers generally struggle in pursuing higher education due to policies that prevent them from being able to pay in-state tuition rates in most states. H.R. 6 seeks to address this issue by allowing states to determine residency for the purpose of higher education benefits.

Dreamers who show that they served honorably in the uniformed services, or those who could demonstrate gainful employment for a period of at least three years, would also qualify to obtain permanent residency without conditions. After five years of permanent residency, beneficiaries would be eligible to apply to become U.S. citizens through the normal process.

H.R. 6 also creates an avenue for nationals of certain countries designated for TPS and DED to adjust their status to permanent residency. In order to qualify, they would have to demonstrate that they had TPS or DED as of September 2016, and have been physically present in

the United States for at least three years prior to the enactment of the bill.

The bill also contains a mechanism to allow TPS and DED beneficiaries who previously departed or were removed from the United States to apply to adjust their status. They would have to show that the sole reason for their departure was the expiration of their DED or their country's TPS designation.

TPS and DED beneficiaries who qualify for permanent residency under the bill and maintain their status successfully would also be eligible to apply to obtain citizenship through the normal process after five years.

The Trump administration has attempted to abruptly terminate protections for all DACA beneficiaries and the vast majority of participants in the TPS program, but these efforts have been delayed by various federal courts. This has offered approximately 1,000,000 participants in both programs a temporary but tenuous lifeline.

Many questions remain about what comes next, and both programs could fall into disarray following a negative decision in their respective appeals. The passage of the American Dream and Promise Act of 2019, however, represents a meaningful step forward in creating a permanent legislative fix. ●

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# While Black in NYC: Protections Against Discrimination for Black New Yorkers

**N**EW YORK—The New York City Commission on Human Rights recently launched a new ad campaign to combat anti-Black racism. The campaign, entitled “While Black,” acknowledges some common forms of discrimination that Black people face while doing everyday activities, affirms the rights of all Black New Yorkers to live their lives free of bias, and provides information on how to report discrimination to the Commission. The NYC Human Rights Law has one of the strongest protections against harassment and discrimination based on race and color in the nation. The Commission received 584 race-based complaints in Fiscal Year 2018 and saw an overall 20% increase in complaints since 2016.

The campaign ads target anyone who identifies as Black, including African American, Afro-Latinx, AfroCaribbean, and African New Yorkers, as well as entities that have responsibilities, and potential liability, under the law, including housing providers, employers, employment agencies and business owners. The launch of this campaign comes on the heels of the release of the Commission’s groundbreaking legal guidance on race discrimination and hair in employment and public accommodations, which identifies discrimination based on natural hair



and hairstyles most commonly associated with Black people as racial discrimination. The release of the guidance in February 2018, resulted in national and international public and media attention and resulted in other jurisdictions developing their own guidances.

“Human rights recognizes the dignity and equality of all people; it is the foundation for democracy and justice. Meaningful and poignant black activism in our city and nation has understood the ever-relevant concept of human rights, especially in difficult political times,” said Deputy Mayor for Strategic Policy Initiatives Phillip Thompson. “This public information campaign captures just that. Building on the struggles of Black

people to achieve equal treatment and access to opportunities requires bold advocacy from government and we are working to make sure Black New Yorkers who have been discriminated against get justice and accountability.”

“In New York City and the nation as a whole, there is a long and painful history of discrimination against Black people, and efforts to limit their rights and activities” said Carmelyn P. Malalis, Commissioner and Chair of the NYC Commission on Human Rights. “This campaign references the deep connections between the fight against anti-Black racism and the fight for human rights. It affirms the experiences of Black people who have been targeted for discrimina-

**Human rights recognizes the dignity and equality of all people; it is the foundation for democracy and justice...**

tion, harassment and intimidation while simply going about their day-to-day lives, and puts those who would seek to discriminate, harass or intimidate Black New Yorkers on notice that bigotry and bias will not be tolerated in our city.”

Because anti-Black racism occurs at the interpersonal, institutional, and structural levels of everyday life, the “While Black” campaign highlights common scenarios in which Black New Yorkers are targeted for harassment and discrimination, including while driving, shopping, working, walking, and renting. These ads seek to establish the Commission as a venue for justice and encourages victims and those who witness harassment to report it by calling 718-722-3131 or dialing 311 and asking for Human Rights. ●

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# The Government Is Expanding Its Social Media Surveillance Capabilities

*But social media monitoring programs and the algorithms that power them aren't effective — and may be discriminatory.*

BY TIM LAU, BRENNAN CENTER

Federal government agencies such as the Department of Homeland Security (DHS) have dramatically expanded their social media monitoring programs in recent years, collecting a vast amount of user information in the process — including political and religious views, data about physical and mental health, and the identity of family and friends. DHS increasingly uses this information for vetting and analysis, including for individuals seeking to enter the United States and for both U.S. and international travelers.

But while the government has justified its expansion in the name of national security, there is little indication that social media monitoring programs — or the algorithms that sometimes power them — are effective in achieving their stated goals. Additionally, there is evidence that DHS is using personal information extracted from social media posts to target protestors and religious and ethnic minorities for increased vetting and surveillance. In a new report, *Social Media Monitoring*, the Brennan Center provides an overview of DHS social media monitoring programs and the new set of challenges that they are surfacing.

The effectiveness of social media monitoring programs is unproven. The recent growth of DHS surveillance systems, including its social media monitoring programs, has been rapid. In *Social Media Monitoring*, the Brennan Center outlines how social media monitoring is used across various arms of DHS, including Customs and Border Protection (CBP), the Transportation Security Administration (TSA), U.S. Immigration and Customs Enforcement (ICE), and U.S. Citizenship and Immigration Services (USCIS).

DHS social media monitoring programs have expanded in parallel with the proliferation of social media information and, consequentially, the growing number of companies creating products that claim to interpret that information. “It’s a coupling of the explosion of information on social media and the emergence of algorithmic tools that purport to be able to analyze it and come up with meaningful results,” said Faiza Patel, Co-director of the Brennan Center’s Liberty and National Security Program.

But despite their expansion, the DHS programs have not proven successful, even based on the department’s own measures. For example, after USCIS piloted five social media monitoring programs in 2016, the agency’s own evaluations found the programs largely ineffec-



tive in identifying threats to public safety or national security. Indeed, for three out of the four programs used to vet refugees, “the information in the accounts did not yield clear, articulable links to national security concerns, even for those applicants who were found to pose a potential national security threat based on other security screening result,” according to a DHS brief.

These DHS pilot programs and their subsequent evaluations highlight several of the central challenges associated with social media monitoring. One major challenge is the difficulty of actually interpreting what’s in the social media messages and connecting them to actual threats. These interpretation problems become even more complex when a non-English language or unfamiliar cultural context is involved. The programs themselves also carry civil liberties risks. “They give the government a pool of information about people’s personal lives and political and religious beliefs that can easily be abused. And research shows that people censor themselves when they know the government is watching,” said Rachel Levinson-Waldman, senior counsel in the Brennan Center’s Liberty and National Security Program.

## Social media monitoring algorithms are unreliable — and could be discriminatory

There is yet another key complicating factor in social media monitoring programs — the increasing use of algorithmic tools to review social media posts. These tools and methods, which include natural language processing and algorithmic tone and sentiment analysis, have high error rates. This makes it questionable that they are actually capable of achieving DHS objectives, particularly because of the open-ended nature of the evaluations they are used for, such as identifying national security threats.

Equally troubling, the algorithms that are deployed for social media monitoring

are susceptible to bias. “Our experience with algorithmic tools shows that they tend to operate in a discriminatory fashion,” said Patel. “They make judgments based on proxies, and when these proxies reflect biases, the results produced by an algorithm simply reproduce those biases. For example, the biases evident in the early versions of the Trump administration’s Muslim ban could be coded into an algorithm, resulting in the flagging of many Muslims as a national security threat.” Since even before the ban, federal agencies such as the FBI and the Department of Defense have used religious beliefs as markers of dangerousness.

## The hard questions that DHS needs to consider

One barrier to addressing DHS’s expansion of its social media monitoring programs is the lack of visibility into the full scope of the department’s surveillance capabilities, a gap this report seeks to address. In addition, there is currently minimal oversight of these programs, including from Congress.

“Congress should look closely at these DHS programs and ask the basic questions,” said Patel. “In what contexts is the Department monitoring social media? How is it verifying the accuracy of accounts being attributed to individuals? What kinds of decisions is it using this data for? How is the information being shared? And how is the effectiveness of these programs being measured?” ●

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## A Message from Michael Blake, Rep, 79th Assembly District



As the Trump White House continues to harm and disrespect immigrants — while sending hateful messages about our communities to the world — it’s more important than ever before to remember that America is, and must remain, a nation of immigrants. We reject the notion that ripping babies from their parents, or proposing unconstitutional travel bans, or trying to build a racist wall, or drawing a blind eye to anti-Semitism and Islamophobic rhetoric is ever acceptable in the 21st century. My Jamaican parents, like generations of immigrants before them, came to this country for the promise of hope and a new beginning — a promise that defines us as a nation and that must be fiercely protected moving forward. Here in The Bronx, one of the world’s greatest melting pots, we know that newcomers grow our economy and enrich our culture. This Immigrant Heritage Month, I pledge to all Bronxites that I’ll work to make sure our voices are heard, respected and empowered. ●

## Cap Reached for Additional H-2B Visas

U.S. Citizenship and Immigration Services (USCIS) has received enough petitions to reach the additional maximum 30,000 visas made available for returning workers under the H-2B numerical limit (also called a cap) for Fiscal Year (FY) 2019.

As previously announced, USCIS began accepting H-2B petitions on May 8, under the temporary final rule increasing the cap by up to 30,000 additional H-2B nonimmigrant visas for returning workers through the end of FY 2019.

USCIS will reject and return any cap-subject petitions received after June 5, together with any accompanying filing fees.

USCIS will continue to accept H-2B petitions that are exempt from the congressionally mandated cap.

This includes petitions for:

Current H-2B workers in the United States petitioning to extend their stay and, if applicable, change the terms of their employment or change their employers;

Fish roe processors, fish roe technicians, and/or supervisors of fish roe processing; and

Workers performing labor or services in the Commonwealth of Northern Mariana Islands and/or Guam from Nov. 28, 2009, until Dec. 31, 2029. ●

# Getting Divorced? Take Time to Write a Parenting Plan

VIA 311DIVORCE.COM

Even an amicable divorce can be busy, stressful, and painful for your children, as well as for you and your spouse. That's why writing a parenting plan is one of the most important things you can do right now to help ease them through this difficult transition. A parenting plan will increase the certainty and improve the care your children receive after the divorce by spelling out exactly how important childcare issues will be dealt with. It will prevent potential conflicts that could arise in the future, and give your children the stability they need.

Your parenting plan should include agreements for:

### Custody

The first thing you have to decide is whether or not you will share custody of your children. If you both do not wish to, you need to decide which one of you will be the primary caregiver, which can be a very difficult decision to make. Your children need you to resolve this issue, though, however difficult the decision is. On a related note, you should also decide if the custody agreement will be an infor-



mal one or a legally binding one.

### Child Visitation

If you decide on a shared custody agreement, the next thing you need to do is work out a visitation schedule. Determine when the children will be with each parent. Will they live with one parent on weekdays and the other on weekends? Do they live with one during the school year and the other during the summer? Whatever you agree to, be sure your agreement has the ability to accommodate any unexpected developments.

You also need to work out which one of you will have your children for which of the holidays and special occasions.

### Childcare

You will also need to come to an agreement about who will be trusted to provide babysitting and daycare services for both parents. Either relatives or professional services could be used but, either way, it is important that both you and your spouse trust whoever is selected.

### Schooling

Will your children go to a public or private school? How will college be paid for? Both you and your spouse need to answer these questions and any other school-related questions, no matter what age your children are while your marriage is coming to an end. It is worth the trouble, though. If you work out an agreement now, your children will quickly be able to find a sense of stability and a sense of the new normal. ●

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# Bad Chicken Wings? Who Do You Sue If You Get Sick

BY JEFFREY CHARLES

It can happen at any time. You go to a bar with some friends to watch your favorite team play their longtime rivals. You order your favorite: Buffalo wings with bleu cheese dressing. After enjoying the night with your friends, you notice that you have the symptoms of salmonella. Obviously, the wings you ate caused you to get sick. Who is to blame? This article will discuss the potential parties that could be liable if you become ill from food prepared by a restaurant.

Figuring out what parties are potentially responsible for your illness can be tricky. Even so, it is essential to your case that you identify each party that may have had a hand in your getting sick.

## The Chain of Distribution

Typically, when you have an injury that is the result of a defective product like bad chicken wings, you need to take a look at every party that is a part of the chain of distribution. The chain of distribution can be defined as the path a product follows from the manufacturer to the customers.

When it comes to wings, the chain of distribution can be as follows:

Manufacturer – the company that manu-



factures the chicken product.

Distributor – the company that sells the product to the retailer, the restaurant.

Retailer – the company that sells the product to you, the consumer.

The manufacturer, distributor, and retailer are all possible defendants in your case. When you have a personal injury that is the result of a bad product, all parties who were involved in getting that product into your hands could be potential defendants.

The manufacturer is the company that is at the very beginning of the chain of distribution. In this case, it is the company that is responsible for processing the chickens that the wings are taken from.

When it comes to chicken wings, there are two ways you can buy them: cooked, or uncooked. If the manufacturer sells and labels the product as “raw,” it is understood by both the distributor and the retailer that the wings are not cooked. This means it is the responsibility of the retailer to make sure they are properly cooked before serving them to the consumer.

If the manufacturer processes the chickens and cooks them, then it is sold to the distributor as a cooked product. This means that when the distributor sells the product to the retailer, they too believe the product to be cooked.

In this instance, if someone gets sick due to undercooked wings, the manufacturer and the retailer could possibly be held liable; the manufacturer because they didn’t cook the meat all the way, and the retailer because they didn’t cook it properly at their facility.

If you happen to get sick from eating food that was not handled properly, it may be the fault of multiple parties. You will need to take a look at the chain of distribution to see which parties should be held responsible. Consult with a personal injury attorney to help you identify the parties that are liable. ●



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# More Immigrants Requesting to Return to Their Countries of Origin Under Threat of Deportation

BY KRISTIN MACLEOD-BALL

**M**ore immigrants facing deportation are requesting “voluntary departure” from the United States instead of fighting their cases in court.

Voluntary departure is a process through which certain immigrants who the government is trying to deport in immigration court leave the United States without receiving a removal order. The number of applications for voluntary departure in fiscal year 2018 doubled from the previous year, according to new U.S. Department of Justice data. The increase in immigrants applying for voluntary departure began shortly after President Trump’s inauguration.

Immigrants who receive voluntary departure orders are required to leave the United States, just like those ordered deported. However, they do not face all the same legal consequences—like bars to returning to the United States and the risk of lengthy criminal sentences if they come back without government authorization. If someone with a voluntary



departure order does not leave the United States in a set time, they automatically receive a removal order.

While the data doesn’t explain why more people are asking for voluntary departure, the increase comes at a time the Trump administration is making it harder to get a fair hearing in immigration court. For example, Department of Justice officials want more people to stay locked up during their immigration court proceedings and have made it more diffi-

cult for people to show they are entitled to asylum.

Faced with more and more obstacles, some immigrants may give up on strong claims to stay in the United States to avoid spending months or years incarcerated in immigration detention while fighting deportation.

Notably, not all immigrants facing deportation are eligible for voluntary departure. Many people who have criminal convictions are barred from receiving voluntary departure orders. For others, it is unaffordable: voluntary departure generally requires individuals to post a bond and pay for their own travel to their countries of origin. Individuals in these situations face an even harsher choice: whether to accept a removal order to get out of immigration detention or stay incarcerated.

The Trump administration’s anti-immigrant rhetoric and actions make life harder for immigrants fighting to stay with their communities in the United States. The increase in people asking for voluntary departure may be yet another consequence of this trend.

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# Saving Your Home from Foreclosure and Predators

BY ERIN TELESFORD

The greatest financial crisis in the United States was the last recession which spanned from December 2007 to June 2009. During this time, unemployment rates were raised by about 6.1% resulting in a loss of consumer spending and business investments. Before the recession, many Americans bought houses using mortgages they couldn't afford, eventually causing them to fall into poverty and their homes into foreclosure. The effects of the Great Recession did not recover once the economy stabilized in 2009. According to *The State of Working America*, "In October 2010, 16 months after the official end of the recession, the economy still had 5.4% fewer jobs than it did before the recession started." The unemployment levels are little to no better in 2019, and speculation that another economic collapse has come into the news.

The devastation of the Great Recession implored many people to take better action with their finances and mortgages in fear of another financial crisis that could cause them to lose their homes. However, many Americans lack knowledge on the options available for them in



lieu of another recession and end up needing to file for bankruptcy when financial hardship arises. Much of the recent financial problems lower-income individuals and families face are a result of their inability to afford or deal with unexpected major expenses such as job loss or medical bills. When these expenses become detrimental, one decision could be to file for bankruptcy.

According to a study published recently, 46 percent of bankruptcies were related to outstanding medical conditions. The major cited reasons in this category included injury or illness, medical expenses not covered by insurance or

losing at least two weeks' worth of work because of illness. Other causes of bankruptcy include reduced income, job loss, credit debt, illness/injury, unexpected expenses and divorce. In the same time period, the percentage of filers age 55 or older more than doubled; those filers now account for about 20 percent of all bankruptcy petitioners. The study also found that 60 percent of bankruptcy filers have salaries of less than \$30,000.

Bankruptcy is not a moral decision. It is a legal choice made when the debt situation is hopeless. Filing for bankruptcy can save your home and also stop wage garnishment. This can be troublesome due to the racial inequality involved with lawyers who specialize in bankruptcy.

In an interview with Brian Figeroux, Esq., on the radio show, *Ask the Lawyer*, he stated that you must "know the motives of the person giving you advice. There have been cases where people of color in America, specifically black Americans, encountered lawyers and investors who claim to want to help them save their homes when, in reality, "10 out of 10 times, they are trying to hoodwink you."

Figeroux also warned about a *New York Times* article which stated that white attorneys were not giving the best advice

to black clients.

According to the *New York Times* article, *Blacks Face Bias in Bankruptcy*, by Tara Siegel Bernard, blacks are about twice as likely as whites to wind up in the more onerous and costly form of consumer bankruptcy as they try to dig out from their debts, a new study has found. The disparity persisted even when the researchers adjusted for income, homeownership, assets and education. The evidence suggested that lawyers were disproportionately steering blacks into a process that was not as good for them financially, in part because of biases, whether conscious or unconscious.

The vast majority of debtors file under Chapter 7 of the bankruptcy code, which typically allows them to erase most debts in a matter of months. It tends to have a higher success rate and is less expensive than the alternative, Chapter 13, which requires debtors to dedicate their disposable income to paying back their debts for several years.

The study of racial differences in bankruptcy filings was written by Robert M. Lawless, a bankruptcy expert and law professor, and Dov Cohen, a psychology professor, both with the University of

*continued on page 17*

## Fire Your Landlord and Become a Home Owner



The Chambers' pre-purchased education program is known as **Fire Your Landlord**. This program is designed to take the mystery out of the home-buying process and prepare first-time homebuyers to make the important choices related to home ownership.

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# Buying a House after Bankruptcy

BY JANET HOWARD

Filing for bankruptcy doesn't have to be the end of the world. As time passes, and if you take steps to rebuild, you can be creditworthy again, even enough to qualify for a mortgage. But repairing your credit isn't the only issue you face. Depending on the type of mortgage you're looking for, the law imposes certain waiting periods.

### Credit Considerations

The first issue is lifting your credit score while you're waiting to be eligible for a mortgage post-bankruptcy. You may be stuck with the bankruptcy appearing on your credit report for up to 10 years, and even longer if you apply for a loan or mortgage of more than \$150,000, but you can take steps during this time to raise your score anyway. You might take out one or two secured credit cards and religiously pay on them every month. If you kept your car in your bankruptcy and redeemed the loan against it, stay cur-



rent with these payments as well. The good news is that if your credit score was shaky before you filed for bankruptcy, it probably didn't have far to fall when your bankruptcy was reported. The difference might not be as bad as you think.

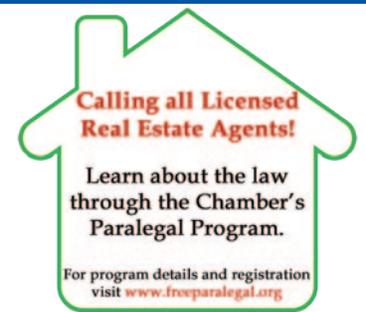
### Federally Insured Loans

Mortgage options exist for those with less-than-perfect credit. FHA-backed loans are usually the easiest to qualify for because they accept lower scores. You're not taking out the mortgage directly from the Federal Housing Authority (FHA). The FHA insures your loan; if you default and go into foreclosure, the FHA pays your lender

the amount of your outstanding balance. The Department of Veterans Affairs also guarantees mortgages for armed forces veterans, service members, and surviving spouses. When you apply for a VA loan, the lender can ignore any bankruptcy discharges that are more than two years old.

### The Waiting Periods

Federal law says you must wait at least two years after your Chapter 7 discharge if you want to apply for an FHA loan. If your bankruptcy came about because of an unanticipated hardship that caused your household income to drop by 20 percent or more, this can reduce the waiting period to one year. If you filed for Chapter 13, you don't have to wait for your discharge before you can get a mortgage. If your credit score is good enough, you can qualify after you've successfully made your Chapter 13 plan payments to the trustee for one year, but you must get approval from the bankruptcy court before you can take on a new debt. Loans that aren't guaranteed by the federal government have the longest waiting periods: four years after Chapter 7 and two years after Chapter 13.



### Extra Efforts

In addition to repairing your credit while you're waiting to be able to qualify for a mortgage, you can take other steps. Even if your income didn't drop by 20 percent or more prior to your bankruptcy, you can still provide proof of whatever happened that led you to file, and this might affect a lender's decision. Both the FHA and the VA typically want some sort of explanation for your bankruptcy in any event, but smaller private banks and credit unions may take your explanation into account, particularly if your income is good. If you can save some money while you're waiting, putting down a larger down payment on a house can tip the odds of approval in your favor.

Help is just a phone call away. Call us at 888-670-6791. ■

# Renting after Bankruptcy

VIA 311BANKRUPTCY.COM

Renting after bankruptcy isn't actually as hard as you might imagine it to be. Bankruptcy has become a lot more common in today's economy. Landlords are well aware that people still need places to live even after going bankrupt. Indeed, in some cases bankruptcy might even improve your credit score, making you a more attractive rental prospect.

However, renting after bankruptcy often requires you to handle the rental process a little bit differently. First, you may not be able to take advantage of rental specials that excuse you from paying deposits. Often, bankruptcy rentals require a full deposit. Sometimes, the landlord will even require you to pay a non-refundable deposit.

You may also want to be careful about taking on new pets if you don't currently have pets. Even though many landlords will be willing to work with you there will still be those for whom a bankruptcy will serve as an automatic denial. Since there are fewer rental units that allow pets than



those that do, you will want to increase your chances of finding a good place by keeping pets out of the equation. Since pets typically cost more in both deposits and monthly rent avoiding Fido and Fluffy might be your best financial move for the time being.

You shouldn't drive all over town before trying to find a rental as this wastes time, money, and gas. Most rental advertisements include a phone number. You can simply call the number and ask if the landlord considers renting to people who have declared bankruptcy in the past. This will allow you to focus your efforts on properties where you have a chance. Don't be too

discouraged if you hear, "It's a total package." This usually means they'll work with you if you have other positive factors but that they are reluctant to say "yes" or "no" because it might be construed as a promise to rent where no such promise exists.

If you're not having much luck with the larger rental companies, try private landlords. The managers of big apartment complexes typically don't have a lot of power: their management companies give them rental guidelines which they must follow. Sometimes the managers aren't even the ones approving or denying the application; instead, they are faxing it to the corporate office for review. Privately owned rental units allow for a lot more person-to-person discretion. You might want to dress nicely when you arrive and be prepared to make a good impression. You might even check around with your friends or family first: they may know someone who will be willing to help you and they may be able to provide an "in" where one might not

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## Become a Live-In Landlord or Host Landlord

Have an unused room in your home? Or do you vacate your property frequently? In either case, it probably occurred to you that the extra space, or even your entire home, could work for you rather than sit empty while you're paying for it.

Depending upon your situation, you might be capable of doing both. If the prospect of either is appealing but confusing, read on. Here's some things to consider if you're thinking about becoming a landlord or host:

### Strategy

Begin with a formula based on your situation. Both long-term rentals and home-sharing services like Airbnb can bring in extra income. If you are seeking a steady flow of income and have a room, apartment or detached living space on your property, becoming a landlord might suit you best. If you're out of town frequently, say for up to a month or less, and would like your home to earn extra money for you while you're away, Airbnb might be the best bet. Both have their pros and cons.

### Long-Term Rentals

You may be more familiar with the idea of a traditional rental. With this option, you'd seek a tenant under contract for at least six months. Some considerations:

Ensure you interview prospective tenants,

get references and do background checks. You'll be living with them for a long time, so you'll want to know more about them.

Make sure the rent meets your financial goals. You can't change it once the contract is signed.

Keep in mind such extra expenses as maintenance, insurance and other upkeep and factor that in when establishing the rent.

Utilities: Ideally your extra space will have its own utility connections for the tenant to pay. If not, add those average expenses into the rent.

Furnishings: Are you offering your space fully or partially furnished or unfurnished? You can add more money to the rent for a furnished apartment or room, but know that there will be a certain amount of wear and tear.

### Short-term Rentals

You've likely at least heard of Airbnb, the platform that acts as meeting place for those with a space to rent for a short-term and guests. It's an imperfect but potentially profitable route to earning extra income from your home that, like long-term rentals, comes with its own concerns. Here are but a few of the main ones:

Renting through Airbnb is easy and a great way to earn quick money, especially if you live in a large, business-focused region or tourism-oriented city. Rentals



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**BRIAN FIGEROUX, ESQ.**

and guests are somewhat vetted through the program, but keep in mind you are renting your home and relying upon your guest to treat it with care.

Listing your home on Airbnb is free. The service earns its money through the booking fees. Like other sharing platforms, such as Uber, guests can and do review your home after visits, so ensure that you're up to keeping your place spic-and-span to keep more reservations coming.

Airbnb can be seasonal, so it's not always a reliable source of rental income.

Do some research. Visit the site and spend some time looking over the properties and guests' reviews. Imagine yourself as a guest and pick up on the elements of a

property you admire to give yourself a starting point. Read the reviews to give you an impression of routine pet peeves and how to avoid them.

Either situation can make a significant impact on positive cash flow, but look before you leap. If you've never rented your home before, giving Airbnb a trial run can provide you with a sense of the pros and cons and help you decide whether you're a natural long-term landlord or a short-termer who can benefit from the rental every once in awhile.

Need assistance? We will be happy to meet with you and share our guidance. Schedule an appointment today. Call us at 888-670-6791. ■

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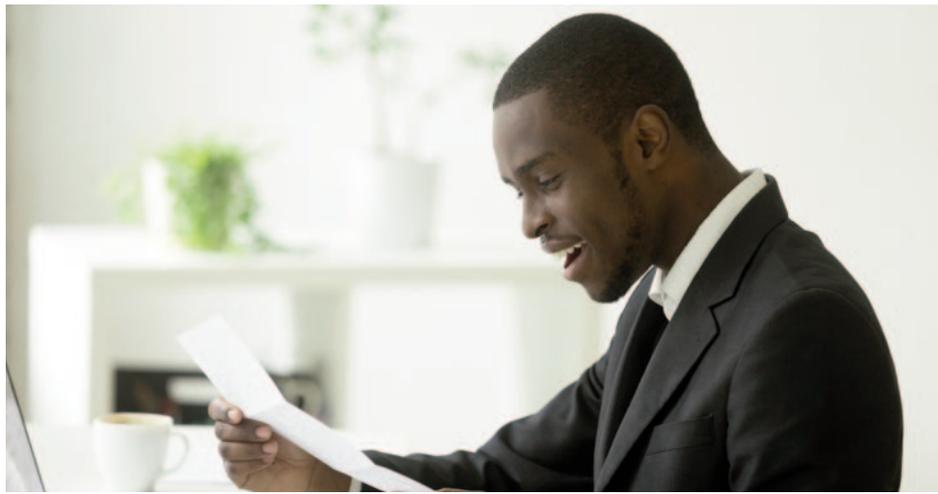
# Bankruptcy and Your Commercial Tenancy

BY JANET HOWARD

Filing bankruptcy is a serious step for any business. Regardless of whether you file under Chapter 7 or 11, it will affect your rights under your lease and your relationship with your landlord. Here are a few of the most serious considerations to keep in mind:

- Your landlord cannot evict you just for going bankrupt. Even if your lease has a clause that specifies filing bankruptcy as a default under the lease, their ability to evict you will be put on hold while you are working out your bankruptcy. However, if they expect you to go bankrupt, they may look for other ways to evict you before you file.

- You still need to pay rent. If you intend to continue occupying the building during and after the bankruptcy, the Bankruptcy Code allows your landlord to stop providing you with access to the building if you stop paying for it. You will, however, have any collection activities for rent that you did not pay before filing bankruptcy put on hold. Bear in mind, though, that if you intend to stay for the long term, you will probably eventually need to pay all of your back rent.



- Your lease's termination date is still valid. Bankruptcy can stop your landlord from evicting you for past non-payment of rents, but it has nothing to do with your lease's pre-existing termination date. If your lease terminates in the middle of your bankruptcy, your landlord is well within his rights to have you move out of the building.

- You have choices. As you go through bankruptcy, you will be able to decide whether or not you want to retain the lease. If you "assume" the lease, you will be able to remain in the building after your bankruptcy, as long as you can pay the rent. If you "reject" the lease, though, you will be able to leave. Whichever option you prefer, ensure that you make your election within

the Bankruptcy Code's deadline, which is usually 120 days for a commercial tenant, although you may be able to get an additional 90 days. You may even be able to assign your lease to a third party. If your lease is at a below-market rent, you might even be able to charge the new tenant more and pocket the difference.

- Rejecting a lease doesn't always eliminate your liability for it. While sanctions vary, it's not uncommon for landlords to recover some compensation for the remaining term of your lease if you reject it. They rarely receive more than the equivalent of one year of rent, though.

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## Is a Career in Real Estate Right for You?

Imagine working for yourself in a flexible career where you can set your own schedule with annual earning potential of \$100,000 or more. There are so many reasons to choose real estate as your career. But there are always two sides to every story, and a real estate career is no different. Below is a straight-forward look at the pros and cons of a real estate agent career:

### Getting Started Is Quick and Painless

**Pros:** In most states, you can complete the required training, become a licensed real estate agent, and start a new career in just a matter of weeks or months (depending on state regulations).

**Cons:** There is an investment in time, money, and effort required. Also, it comes with no guarantees. Passing the state real estate licensing exam is difficult and demands an understanding of complex topics and a varied skill set.

### You Are Your Own Boss

**Pros:** You're an independent contractor and control your own book of business. You make the decisions. Couple together a good attitude and solid work ethic, and there are virtually no limits for the growth of your real estate business.

**Cons:** You're an independent contractor and are on your own to learn the market and the business. You are in charge of building your lead list, maintaining your client's needs, networking relationships, marketing your business, and managing the day-to-day office needs. It's all in your hands. Many new agents fail to recognize how much work it takes to become a successful real estate agent.

### Make a Good Income

**Pros:** Your income isn't limited by an hourly wage or a corporate-dictated salary range. As a real estate salesperson, your income is largely dictated by the time you invest. Grow your real estate business by adding an assistant or get the appropriate license that lets you build your own brokerage. The growth potential is huge.

**Cons:** At first, your cash-flow direction will be out. Most new real estate agents need a nest egg to begin their careers. Getting your first sales to come in will take some time, and it will likely be a couple months or more before you cash your first check. Depending on the market you cover and existing relationships you can form, it can be a feast or famine situation.

### Work Flexible Schedules

**Pros:** You don't work a mundane 9 to 5 job. Real estate agents set a daily work schedule that works for them. Much of a real estate agent's time is spent socializing, meeting people, and building relationships.

**Cons:** Having a flexible schedule in real estate means you have to be flexible to the client's needs. In real estate, you tend to work when everyone else is not. That includes weekends. If a client calls, can you drop everything and be attentive to their needs, even if it's a time that you normally would be spending with your friends or family? ■

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# Millennials Changing the Game

Millennials are known as disrupters, so when it comes to the housing market it's no surprise that generation is upending the conventional process.

Older millennials are flooding the buyer's market seeking homes. But the way they view the market is vastly different than their parents or even the generation that preceded them. Here's some ways millennials are making the market adjust to them:

One big factor: Economics. First-time homebuyers need almost a quarter of their income to afford an entry-level home, up 2 percent from a year ago, according to The Real Deal, a real estate website. And those previously owned homes have reached a record median price of \$264,800. So the barrier is high, especially for younger buyers, the site reports.

It's also no secret that millennials are waiting longer to get married or partner. That results in the lack of a need for a large home, so they're naturally waiting longer to buy. When they are ready, chances are, they've accumulated more wealth, settled in to an area where they plan to stay and have a firmer grasp on what they want — and they may be looking past starter homes.

Unlike previous generations, millennials are also renting longer, biding their



time paying off student debt (now at an all-time high), rising through the ranks in a profession and waiting until they can afford the homes they want. And those homes don't look like they did to previous generations. Some are skipping over starter homes and taking advantage of the delay in buying to purchase a much more luxurious home.

"These people, who may each have 10 years of work under their belts, can afford a first home that is more luxurious than what one thinks of as the typical starter home," according to Fred Cooper, a senior vice president at Toll Brothers, a luxury home builder.

In between, millennials are comfortable renting in the city, according to a recent article in the website Investopedia. A Pew Research last year found that 88 percent

of millennials live in metropolitan areas. And instead of buying a starter home, some millennials are opting for the best of both worlds: city life and a vacation home they can enjoy but also rent out.

"For less than \$350,000 — an amount that barely buys a studio in brownstone Brooklyn these days — they are finding that they can afford homes with three bedrooms or more on several acres of land, sometimes on lakefront property, or with a pool," wrote Michelle Higgins in a *New York Times* story.

If you're currently on the market for a home, you may want to contact one of our mortgage professionals for more information. We will be happy to meet with you and share our guidance. Schedule an appointment today. Call us at 888-670-6791. ■

## Renting after Bankruptcy

*continued from page 1*

ences from past landlords, be sure to include them. Be up front about your problems before the landlord checks your credit. You might want to try bringing a letter of recommendation from your employer, particularly if you've been with the same employer for a long time.

If you're desperate for shelter right now and are having trouble finding a place, you can use weekly rentals to tide you over until you can find someplace better. These places usually don't require any kind of application. You simply pay a deposit and pay your rent each week. This can help you put a buffer of time between you and your bankruptcy: a bankruptcy that is 6 months old, with no other credit issues, is not as large of a bar to rental as a fresh bankruptcy might be.

Do not try to rent from a company that wants to force you to get a co-signer, as asking a friend or family member to co-sign for you will only put undue strain on your relationship. Though it can take a little detective work, you should be able to rent a home or apartment after bankruptcy without resorting to a co-signer.

Resolve not to give up. Though it can be a little bit more challenging to rent after bankruptcy, it can be done.

Need assistance? We will be happy to meet with you and share our guidance. Schedule an appointment today. Call us at 888-670-6791. ■



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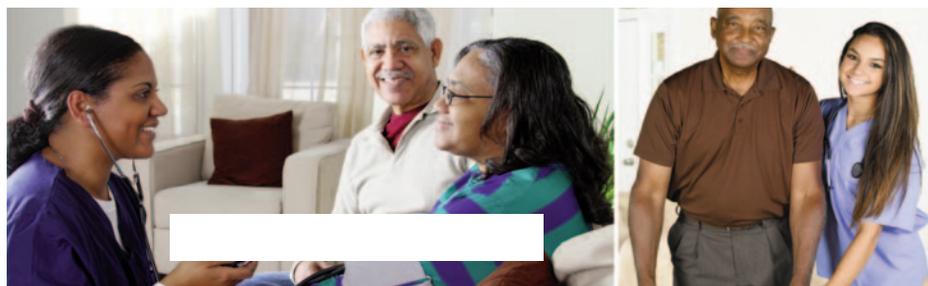
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# Health Department Releases Report on Health of Older Adults in NYC

The Health Department released a report examining the health of older adults in New York City. The report summarizes the current health status of older adults, ages 65 and older, in NYC. The report, developed in collaboration with 12 local government, academic, health care, and community based-organizations, demonstrates the Health Department's commitment to helping make New York City a place where everyone has the opportunity to age in good health and with dignity. Older New Yorkers currently make up 13% of the city's population. The number of older New Yorkers is expected to grow by over 41% from 1,002,000 in 2010 to 1,410,000 by 2040. Life expectancy in New York City is 81.2 years, 2.5 years longer than the national average. About half (49%) of older New Yorkers were born outside the U.S., coming from 130 different countries and speaking over 90 languages. The findings in this report reflect the cumulative health effects of racism, discrimination, and other injustices that have resulted in a lack of access to education, good jobs and the ability to build wealth for older adults of color, with lower incomes, and immigrants.

"Structural barriers based on race and ethnicity affect health over the course of an individual's life," said Health



Commissioner Dr. Oxiris Barbot. "Healthy aging is not a luxury only for those who can afford it. Healthy aging is a right for all New Yorkers."

"New Yorkers are living longer than ever, and while many flourish, others experience a variety of significant health issues," said Department for the Aging Commissioner Lorraine Cortés-Vázquez. "This report helps define the changing needs of older New Yorkers so that in partnership with our sister-City agencies, we can work to meet these needs and best serve this growing demographic."

#### Data Highlights from the Report:

- 40% of older New Yorkers identify as men and 60% as women.
- 3% of older New Yorkers identify as lesbian, gay, or bisexual.
- Older adults who identify as Latino (27%) or Asian/Pacific/Islander (26%)

are more likely to live below the poverty level compared with those who identify as Black (19%) or White (17%).

- 17% of older adults in New York City report being a caregiver and many help raise grandchildren.

- 39% of older New Yorkers engage in 150 minutes or more of moderate exercise per week.

- About one-third of older New Yorkers report having one or more sexual partners in the last year; 52% of older men and 26% of older women report being sexually active in the past year.

- 6% of White older adults reported using a condom the last time they had sex compared to 16% of Black or Latino older adults.

- Although 97% of older New Yorkers are covered by some form of health insurance:

- 6% sometimes go without needed health care.

- 12% are sometimes unable to afford the medications they need.

- Communities and health care providers can support the health of older adults by creating opportunities for safe physical activity and reducing risks for injury inside and outside the home:

- In 2016, falls among older New Yorkers led to 289 deaths, 30,492 emergency department visits, and 16,661 hospital stays.

- Older adults are more likely to die from pedestrian injuries than any other age group in New York City.

Communicable disease among older adults remains an important health challenge:

- Older adults have a higher risk of getting influenza and pneumonia than adults under age 65, and they are more likely to suffer serious consequences from or die from these diseases.

- More than half of Legionella cases in New York City occur among older adults.

- Among people living with HIV/AIDS in New York City, one in ten are older adults.

- Dental problems adversely impact quality of life for many older adults: Four in ten older adults have lost six or more teeth due to tooth decay or gum disease. ●



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- Retinopathy (eye and vision problems)
- Cellulitis and other skin infections
- Hypertension (high blood pressure)
- Heart Disease
- Stroke
- Gastroparesis (a type of nerve damage that interferes with digestion)
- Peripheral arterial disease (reduced blood flow to your limbs)
- Depression

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# Put Your Goals in Pictures

BY CANDACE BAHR

Recently my client Jennifer called me. “I did it!” she exclaimed over the phone. “I bought the vacation home that I visualized.”

That excitement in her voice was a pleasure to hear. Seven years ago she was widowed at age 27 when her husband died in an auto accident near their home in Southern California. Though she received more than \$1 million from a life insurance policy and a lawsuit settlement, she spent years coming to terms with what had happened.

Her newfound wealth was coupled with a great deal of survivor’s guilt, which left her uncomfortable and unable to move forward.

That is not uncommon. For many women, discomfort with money runs deep. As a result, women generally shy away from wealth. In an AARP study, 42 percent of women responding said they didn’t want to be wealthy.

Somewhere along the way, women got it into their heads that wanting money makes them greedy and cold-hearted. Yet building personal wealth is how we can ensure a better future for ourselves and our families.

In addition to the competent money management I was providing, I saw that



Jennifer needed a vehicle to articulate her goals and propel herself forward.

I told her how the power of visualization had helped my husband John and me, and how we periodically create picture-board collages to help us visualize what we would like to accomplish in our lives. We have found that pictures help us envision crystal-clear goals in ways that words simply cannot convey.

It’s no surprise that visualizing goals is far more effective than simply writing them down.

Jennifer agreed to try it, and early last year she created a collage for herself. Still unconvinced of its power, she put it aside until last month, when she decided to update it for this year. That’s when she was shocked to see a picture she had included in the collage. It was a home in a valley surrounded by snow-covered mountains that was nearly identical to the vacation home she had just purchased.

Though she had forgotten about the picture in her collage, apparently it was the clarity of that visualization that made her fall in love with the vacation

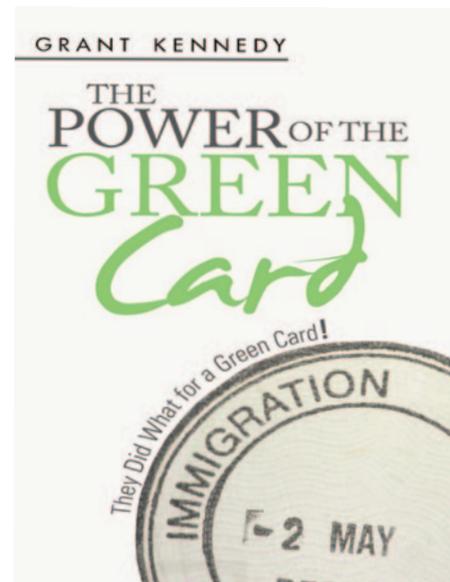
home she purchased as soon as she saw it.

While a pretty picture won’t make your dreams come true, it may help you clarify goals so you can develop an action plan to make those goals a reality. ●

*Candace is the co-founder of the non-profit Women’s Institute for Financial Education, WIFE.org. Reprinted with permission.*

# Book Looks Behind-the-Scenes at the Men and Women Seeking a Green Card

BY MARILYN SILVERMAN



A plethora of governmental statistics document the insufferable plight of our illegal immigrants—charts, columns, tables, numbers, percentages, but we the public don’t see that man working below the minimum wage who is confronted with a brick wall since due to his illegal status is powerless to complain to any governmental body. We don’t see that man toiling away a grueling twelve hours a day at a neighborhood deli. We don’t see that man sharing a cramped room in an apartment.

Grant Kennedy, in *The Power of the Green Card They Did What They Did for a Green Card!* pushes away those cold passionless statistics and lets us see faces and the struggles that confront them as they arrive on our shores with the dream of obtaining a green card.

Kennedy is an immigrant from Jamaica. Unlike the immigrants he writes about in this book, he came to America legally, with a green card. But as someone from the immigrant community, he was privy to and was always very intrigued by the stories of hardship and courage of those around him who came to the United States illegally. Kennedy is a CPA and lives in Westchester County, New York. ▲

To read the full book review, visit [www.workersworldtoday.com](http://www.workersworldtoday.com).

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# 5 Steps to Communicating Needs In Your Relationship

BY SUSAN BUCKLEY, LMFT

**W**e all have needs, but sometimes it can be difficult to convey these needs to our partners. We might struggle with how to communicate our needs or approach our partners. Our partners might misunderstand what we are asking for. Or we might simply fear what happens if our partners refuse to meet our needs. Here are 5 steps to communicating needs:

## 1. Identify Your Need

Many times when we find ourselves getting annoyed or irritated by our partner, there is actually an underlying need not being met. Let's look at a fictional couple, Jack and Jill. Jill gets irritated every time she has to ask Jack to take out the trash. Jill thinks it just has to do with Jack being bad at chores. She also thinks he is lazy. However, if Jill looks beyond the surface issue, she finds that every time she sees the trash full, she feels like she is alone in the relationship. That Jack does not see how much she does and, ultimately, that she does not matter to him. The next time you find yourself feeling deeply frustrated about a seemingly small issue, try and look beyond the issue at hand – you might find there is a deeper need not being met.

## 2. Pick your moment

So you have identified your unmet need in the relationship. Now when do you bring this up to your partner? This is the second important step to communicating needs effectively in the relationship. The next time you and your partner argue, you will likely be reminded of it. However, bringing up anything in the heat of the moment is not the best idea. Once a couple is in a reactive place, it is nearly impossible to absorb what the other is saying. On the other hand, when things are good between you and your partner, you might shy away from discussing your unmet need in order to avoid stirring things up. While the fear of breaking the peace is understandable, it is actually the best time to sit down with your partner and convey your feelings. When we are calm and relaxed, our



defenses are down and we are more inclined to listen with a loving ear.

## 3. How to Begin

In relationships, it is so easy to identify what our partner is doing wrong, is not doing at all, or needs to do more of. In many cases these instances are all valid and true. However, when approached with a handful of shortcomings, places for improvement, etc., your partner is inclined to become defensive. Before you know it, the two of you might quickly jump to that reactive place I mentioned earlier. Instead, try approaching your partner from that space deep down inside of you that is being affected – from that emotional place you find yourself in when you notice that your needs are not being met. Let's go back to Jack and Jill – instead of Jill saying “When you don't take out the trash I feel like you don't care about me at all,” she might try saying, “Lately I have been feeling really sad because I feel like I don't matter to you.”

## 4. Open Arms and Ears

So what happens next? In an ideal world, your partner would respond to your concern with open arms and a dedication to start showing you just how much you matter. Sadly in the real world, a partner will respond by sharing unmet needs of their own, some of which might have contributed to the behaviors that are making you feel like you do not matter. Remember Jack and Jill? Well, there is

always a chance that Jack might not take out the trash because after he experiences so much criticism and anger from Jill. He feels like he can never get anything right and he starts to back away to protect the relationship from even more fighting. When Jill sees him backing up, she gets the message that she does not matter to him. You might feel your defenses popping up in these moments, but the best (and hardest) thing to do is to take a breath and really listen to what your partner has to say. Remember that we hear the most from a calm, relaxed place. If you listen patiently, and keep talking from that vulnerable place, you will learn so much about each other, and ultimately find that your need gets met.

## 5. Seek Support

Sound complicated? That's because it is. Relationships involve such a variety of deep emotions, and your loved one tends to push buttons you did not even know you had. At times, when we experience issues with our partner, it is almost impossible to navigate through the myriad of emotions and communicate needs effectively. When it gets to this point, a therapist can help. Couples counselors are able to help organize what is going on and promote positive shifts in the relationship in order to help couples experience their relationship in an entirely new way. ●

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**Saving Your Home/**  
*continued from page 1*



Illinois; and Jean Braucher, a law professor at the University of Arizona.

A survey conducted as part of their research found that bankruptcy lawyers were much more likely to steer black debtors into a Chapter 13 than white filers even when they had identical financial situations. The lawyers, the survey found, were also more likely to view blacks as having “good values” when they expressed a preference for Chapter 13.

As communities of color, we have to be aware of what is happening. Persons are coming into our communities, offering to purchase our homes for cash. These persons are not trying to help you. Your property is an investment. It is the path to wealth-building and transferring wealth from one generation to another. Do not be fooled.

Figeroux's Real Estate Office, Equity Smart Realty, Inc., was created because he “saw how our people suffered” from these types of scams and wants to be truthful with the black community in order to prevent the wrongful foreclosure of our community's houses through bankruptcy consultation.

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# 5 Great Reasons to Be a Paralegal

A career as paralegal (also known as a legal assistant) can be a wonderfully fulfilling profession. Paralegals perform legal, regulatory and business-related research for lawyers working at their organization. Most of the time paralegals work for law offices, corporations' legal departments or courts. These professionals also provide legal support services to attorneys. They assist lawyers in filing materials such as motions, memoranda, pleadings and briefs in various court systems, as well as accompany lawyers to see clients and/or to go to court. Here are 5 great things about being a paralegal:



**1. Rise in Pay**

Paralegal compensation has risen steadily in the past decade, despite a bump in the road in the depths of the 2009-2010 recessions. As paralegals perform a broader and more complex range of tasks (paralegals even represent clients in court in certain countries and administrative tribunals), paralegal earnings continue to rise. The average paralegal salary hovers at around \$50,000 per year but paralegals often make more through bonuses. Overtime hours can also add significant cash to a paralegal's paycheck.

**2. Explosive Employment Outlook**

The paralegal field is one of the fastest-growing professions on the globe. The U.S. Department of Labor, Bureau of Labor Statistics, predicts the employment of paralegals and legal assistants to grow 28 percent between 2008 and 2018, much faster than the average for all occupations. Among the factors driving this growth is client demand for cheaper, more efficient delivery of legal services. Since hourly rates charged by attorneys are typically double or triple the rates of paralegals for the same task, law firm economics mandates the increased use of paralegals to minimize costs. As a result, a paralegal career is one of the hottest non-lawyer jobs in the legal industry.

**3. Easy Career Entry**

Unlike lawyers who must complete seven years of formal education and pass the bar exam to practice law, you can become a paralegal in as little as a few months of study.

**4. Intellectual Challenge**

Paralegal work is intellectually challeng-

ing and involves a range of high-level skills. The most successful paralegals are problem-solvers and innovative thinkers. Paralegals must become subject matter experts in their specialty area and master legal procedure, research, drafting and other skills. They must stay on top of ever-changing laws and new legal trends and developments while interfacing with attorneys, opposing counsel, vendors, staff members, clients and others. The work is varied and each day brings new challenges.

**5. Rising Prestige**

As paralegals perform more complex and challenging work, paralegal prestige is rising. Paralegals are no longer simply lawyer's assistants; they are assuming management roles in corporations, leadership roles in law firms and entrepreneurial roles in independent paralegal businesses. Over the years, paralegals have transcended the image of glorified legal secretary to become respected members of the legal team.

A career as a paralegal can be rewarding professionally and personally. A career as a paralegal offers a unique opportunity to help others. These opportunities vary, depending on the paralegal's practice area. Paralegals in the public interest sector help poor and disadvantaged segments of the population with legal issues ranging from protection from domestic abuse to assistance preparing wills. Ready to take the leap? Visit [www.freeparalegal.org](http://www.freeparalegal.org) •

# WE SUPPORT

The Chambers' Paralegal Certificate  
Program Legal Clinic



## This Law Firm Supervises the Paralegal Certificate Program Clinic

### Areas of Service

The legal clinics are mainly conducted on Small Business Solutions, US Citizenship, Foreclosure Defenses, Wills & Estate and Worker's Rights. Additional clinical legal services exist in diverse areas such as immigration law, environmental law, intellectual property, housing, criminal defense, criminal prosecution, American Indian law and human rights. In those and other instances we refer participants to other programs after an initial consultation. Remember, legal fees are free when legal fees are allowed by the faulting party, by law, by contract or paid at the end through a contingency arrangement.

### Worker's Rights Defined

Everyday in NYC thousands of workers struggle to make ends meet. Their struggle is made more difficult when they do not have access to competent advice on legal issues, business and financial problems. Our program believes that prevention is always better than last minute cures. We believe that workers' rights are strengthened through preventive measures.

- Wage theft
- Unsafe Conditions & Workplace Injuries
- Workplace Discriminations & Harassment
- Paid Family Leave
- Paid Sick Leave
- Unemployment Insurance
- Workers Compensation and Social Security Consultations & Guidance

## Free Citizenship Drive



The Chamber Coalition Supports the  
Journal's & Caribbean American Weekly's  
"Deportation Inoculation Drive"

### MINIMUM REQUIREMENTS:

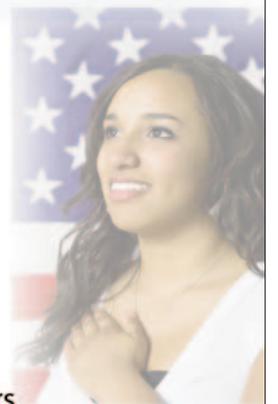
- Be at least 18 years old
- Have a Green Card for 5 years or be married to a U.S. citizen for 3 years
- Be in the U.S. for over 30 months
- Read, write and speak English
- Be of good moral character
- Have no extensive travel or trips outside of the U.S lasting longer than 6 months
- Be able to speak, read, and write in English at basic level unless applicant is 55+ years old and has a Green Card for 15+ years or is 50+ years old and had a Green Card for 20+ years

### YOU MUST BRING:

- Your passport
- Green Card
- Two passport pictures
- A money order or check for \$725.00

### BENEFITS OF CITIZENSHIP:

- Gain the right to vote in U.S elections
- Petition more easily for family members
- Obtain citizenship for children born abroad
- Become eligible for Federal jobs
- Travel with U.S Passport



**Need Help with Workplace Crimes?**  
T (Trafficking victim) visas  
We help survivors of labor trafficking obtain immigration relief

**We Can Help!**  
U (crime witness/victim) visas  
We help survivors of serious workplace crimes who have cooperated with law enforcement apply for immigration relief

**SATURDAYS 9:00am - 1:00pm  
Downtown Brooklyn**

26 Court Street, Suite 701  
Brooklyn, NY 11201  
Tel: 718-722-9217

### DIRECTIONS:

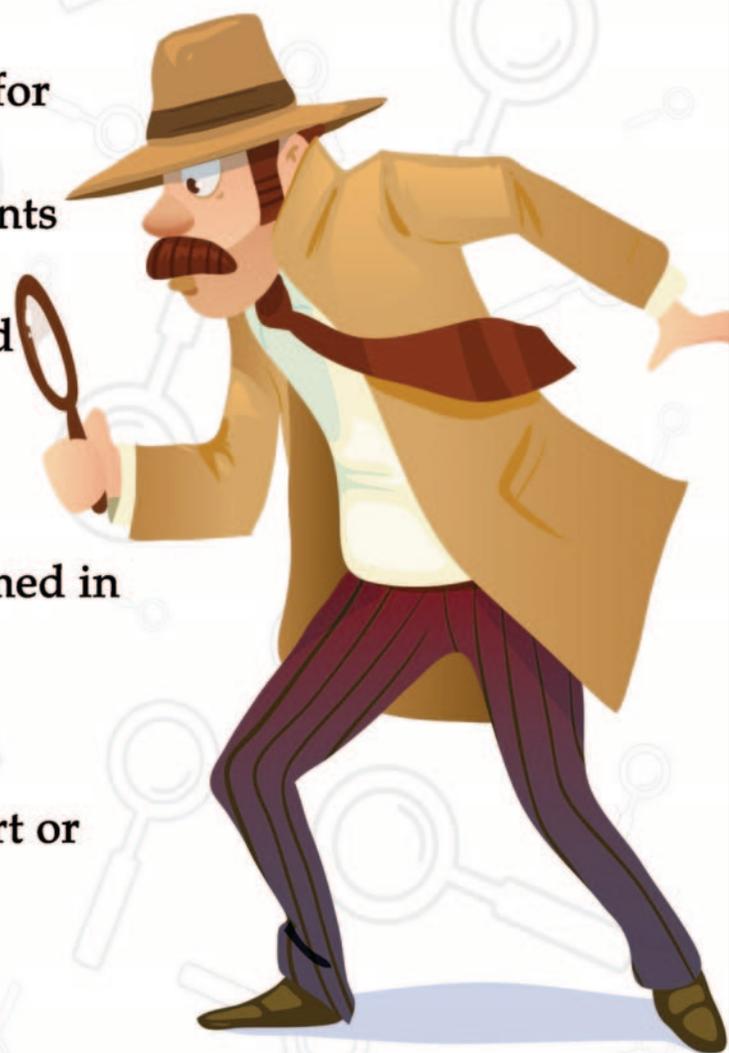
By train: **2, 3, 4 & 5**, to Borough Hall or **A, C & F** to Jay Street/MetroTech.  
By bus: Take the downtown bound B25, B26, B37, B41, B45 or B52 to Court Street.

TO JOIN THE CHAMBERS' PARALEGAL CERTIFICATE PROGRAM VISIT [WWW.FREEPARALEGAL.ORG](http://WWW.FREEPARALEGAL.ORG)  
FOR FREE ASSISTANCE, PLEASE SCHEDULE AN APPOINTMENT BY CALLING 718-722-9217

# Looking for Someone? We Can Find Them!

*If the answer is YES to any of these questions, you need our services?*

- Did someone leave town owing you money?
- Are you getting divorced and can't find an address for serving of the legal documents?
- Were you involved in an accident and legal documents have to be serviced?
- Did you have some work done on your property and the contractor has disappeared?
- Are you looking for a business, or a person within that business, that has closed its doors?
- Are you having trouble finding someone who is named in a "Last Will and Testament"?
- Were you a victim of a scam artist?
- Are you trying to locate bank accounts?
- Are you looking for a spouse that owes child support or alimony?



**Call us now at 855-768-8845**

## After the Celebration Always Comes Taxes! Get More Than a Tax Refund...

### 10 Year-round Benefits for Tax Preparation with us:

- You earned it. We will help you keep it.
- Do you qualify for Schedule C or E? Ask.
- Do you qualify for Earned Income Credit? Ask.
- Tax Preparation is also Financial Planning. Ask.
- Want to purchase or sell a home? Talk to us.
- Have problems with debt? Talk to us.
- New client? Federal & State - \$150.

### Special Offer:

Switch preparers and get 15% OFF PLUS  
Free Legal Consultations for one year.  
Bring your receipt



**Let us take care of your taxes. We are the experts!**

**Get out of Tax Debt Now! We Settle IRS & NY State Debt! Stop IRS Collections Today!**

- Tax Preparation (Individual & Business)
- Business Owner (1120, 1120s, 1065, all LLCs)
- IRS & NY Audit Representation
- Offers in Compromise
- Multiple Year Non-Filers
- Amended Returns
- Later Filings
- Sales Tax Filings
- Tax ID/ FREE W7 Assistance



**All States prepared! Year-round!**



- Wading through tax records
- Fretting about filing your income tax returns
- Making costly mistakes
- Using a tax program in a box that cannot represent you in an audit

*You don't have to go it alone. There's hope: the Professional Tax Law Firm of Figeroux & Associates. Call us now.*

**Se Habla Español**

**Call 855-6taxguy or 855-682-9489**