



2020 Annual Report

Mission Statement

The Asian American Legal Defense and Education Fund (AALDEF), founded in 1974, is a New York-based national organization that protects and promotes the civil rights of Asian Americans. By combining litigation, advocacy, education, and organizing, AALDEF works with Asian American communities across the country to secure human rights for all.

2020 – A Year Like No Other

The coronavirus pandemic shutdowns brought unprecedented challenges to Asian American communities across the country. At the start of the year, while the coronavirus ravaged Asia and before widespread Covid-19 transmission in the United States, anti-Asian hate started rising across the country. Political lead, including the former president, chose to cast a racial lens to a global public health emergency.

Patrons deserted Chinese restaurants, a harbinger of the violence and harassment directed against Asian Americans across the country. Asian immigrant workers struggled to survive and small business owners wondered if they could keep their doors open. In addition to worsening economic hardships, Asian Americans faced racial violence, harassment, and coronavirus-related discrimination. The spike in racially-motivated hate crimes and fearmongering were stark reminders of how race and ethnicity can be used to unfairly target groups for blame.

- We counseled victims of anti-Asian harassment, tracked incidents of hate violence, and gave presentations for Asian American health care workers, corporate employee associations, and community groups responding to the rise in racism and xenophobia during the pandemic.
- We organized virtual immigration clinics to assist Asian Americans seeking to become naturalized U.S. citizens, to renew Deferred Action for Childhood Arrivals (DACA) for immigrant youth, to secure nonimmigrant visas for crime victims, and to provide legal updates on immigration developments.
- In the critical 2020 elections, there was a record turnout of Asian American voters, especially in several battleground states. Despite the pandemic, more than 400 attorneys and volunteers joined AALDEF staff to monitor polling sites on Election Day and ensure that all eligible voters were able to exercise their right to vote.

In the following pages is a short overview of our work in key priority areas:

- Stop Asian Hate Project
- Voting rights
- Immigrant rights,
- Anti-Asian violence,
- educational equity, and
- workers' rights.

Covid-19 Response and AALDEF's Stop Asian Hate Project

Condemning the Racist Use of "Chinese Virus" to Describe Covid-19

At the start of the pandemic, the persistent use of such phrases as "Chinese virus" and "kung flu" by former President Trump, elected officials, and media outlets to describe the coronavirus fueled the rise in hate crimes and violence against Asian Americans. AALDEF condemned the racist use of such terms and worked with community groups to provide legal assistance to victims of anti-Asian harassment, violence, and discrimination related to the Covid-19 pandemic. During March and April 2020, AALDEF attorneys and organizers were quoted in more than 20 news articles on the topic, including major media outlets such as NBC News, Newsweek, Salon, and Marketwatch.

Unfortunately, this recent spike in anti-Asian violence is a grim reminder that falsely blaming Asian immigrants for economic and health crises has been a part of American history since the 1800s. Anti-Chinese violence, including murders, arson, and expulsions, occurred in Los Angeles (1871), San Francisco (1877), Idaho (1879), Colorado (1880), Wyoming (1885), Washington state (1885-86), Oregon (1887), Nevada (1903), and beyond. Filipino Americans were targets of racist attacks and mob violence in the 1920s and 30s. Sikhs and other Indian Americans were expelled from Bellingham, Washington in 1907. Japanese Americans faced blame and mistreatment during World War II and were incarcerated behind barbed wire because of what a government commission later determined was "race prejudice, war hysteria, and a failure of political leadership."

Educational Equity

Asian American students are a myriad of ethnicities, cultures, languages, religions, socioeconomic and family backgrounds, and more. These students have a range of experiences, successes, and challenges, as well as a variety of educational needs. Our work in this priority area is to ensure that parents and students can assert their rights and have access to equal educational opportunities. AALDEF has conducted extensive community education and provided capacity-building support to community-based organizations and student groups nationwide.

In Support of Race-Conscious Admissions Policies

AALDEF and 44 Asian American groups and higher education faculty filed an amicus brief in

May 2020, urging the U.S. Court of Appeals for the First Circuit in Boston to reject the claims that Harvard's admissions policies intentionally discriminate against Asian Americans. The lawsuit, *Students for Fair Admissions (SFFA) v. Harvard*, was filed in 2014 by a conservative activist committed to dismantling affirmative action. This lawsuit was a blatant attempt to use Asian Americans as a wedge to attack diversity in higher education, which benefits all students—including Asian Americans.

Housing and Environmental Justice

AALDEF's Housing and Environmental Justice Project provides legal representation, community education, and organizing support to immigrant communities on land use, anti-gentrification, and environmental justice issues. One of the chief consequences of gentrification is the involuntary displacement of low-income residents and small businesses that cannot afford the rising costs of rent and everyday goods. Gentrification has changed many immigrant neighborhoods from vibrant, residential communities into tourist spots. Our project aims to provide community residents with a greater voice in their neighborhoods.

Lower East Side Organized Neighbors v. The New York City Planning Commission. AALDEF brought this legal challenge in New York Supreme Court on behalf of four community organizations and individuals to prevent developers from tripling the density of the neighborhood by adding almost 3,000 new luxury units, causing an affordability and displacement crisis for thousands of working-class residents. Although a state supreme court justice initially blocked the approval of four luxury towers in the Two Bridges neighborhood of Lower Manhattan, based on violations of the New York City Zoning Resolution, this favorable decision was later reversed on appeal by the Appellate Division, First Department.

Immigrant Rights

AALDEF believes in immigration policies that adhere to basic human rights principles. AALDEF is an active voice on immigration policy and immigrant rights issues on a national level and is also among the few groups that provide both direct legal representation and community education to Asian immigrants and their families.

Throughout 2020, AALDEF condemned the Trump Administration's continuing efforts to attack and instill fear in immigrant communities of color. AALDEF provided analyses of immigration policies and proposals, issued legal guidance for the community, and spoke out forcefully against tactics driven by racism and anti-immigrant sentiments. AALDEF continues to call on Congress to pass immigration legislation that maintains the principle of family reunification and facilitates the development of strong communities.

Condemning the Public Charge Rule Change

AALDEF, together with pro bono counsel Crowell & Moring LLP, filed amicus briefs in five ongoing lawsuits challenging the public charge rule based on racial bias and xenophobia.

This public charge rule denies permanent resident status (“green cards”) to immigrants who use government services such as nutrition programs and housing assistance. It applies a new wealth test by expanding the number of public benefits that would subject an individual to a public charge determination and adds age, health, and employability as factors that immigration and consular officers must use in deciding whether to grant green card status. Although the regulation would directly affect only a small segment of people seeking green card status in the U.S., the chilling effect of the policy change had led to many Asian American families disenrolling from essential benefits for which they qualify.

Amicus briefs were filed in the following lawsuits:

Make the Road New York et al. v. Cuccinelli et al.;

State of New York, et al. v. United States Department of Homeland Security, et al.

City and County of San Francisco, et al. v. United States Citizenship and Immigration Services, et al.

State of California, et al., v. U.S. Department of Homeland Security, et al.

State of Washington, et al., v. U.S. Department of Homeland Security

AALDEF was also an active member of the Protecting Immigrant Families (PIF) coalition, joining other local community-based organizations to provide accurate information to community residents about their rights in accessing services necessary to maintain the health and well-being of their families.

Deferred Action for Childhood Arrivals (DACA)

In a year of both victory and continued uncertainty for immigrant youth under the 2012 Deferred Action for Childhood Arrivals (DACA) program, AALDEF continued to advocate for undocumented youth to continue living and working lawfully in the United States under DACA.

AALDEF welcomed the U.S. Supreme Court’s 5-4 decision in *Department of Homeland Security v. Regents of the University of California*. The Supreme Court ruled in favor of hundreds of thousands of immigrant youth and rejected the Trump Administration’s bid to end the 2012 Deferred Action for Childhood Arrivals (DACA) program, thus allowing immigrant youth to remain lawfully in the United States. The Court found that the administration failed to consider the reliance interests of DACA recipients and the hardships they would face if the program were terminated. The ruling brought relief to more than 120,000 young Asian immigrants eligible for DACA.

The Supreme Court’s ruling allowed several nationwide injunctions that partially blocked the termination of DACA to remain in effect while challenges continue in the lower courts. In

December 2020, the New York federal court's December 4, 2020 order in *Batalla Vidal v. Wolf*, vacated the Department of Homeland Security's July 2020 memorandum ("Wolf memo") and reinstated the 2012 Deferred Action for Childhood Arrivals (DACA) program to its original pre-Sept. 5, 2017 terms. AALDEF hailed the New York federal court's restoration of DACA.

AALDEF, as it has since 2012, was prepared to assist individuals who have never had DACA and will be filing first-time requests, in addition to those who have previously been granted DACA seeking renewals for two years. However, 2020 ended with uncertainty over DACA's future due to the pending challenge led by the State of Texas to the original 2012 DACA program.

Voting Rights & Democracy

AALDEF seeks to ensure that all eligible Asian Americans are able to exercise their constitutional right to vote. In the critical 2020 presidential election year, we focused on ensuring that all registered voters could safely exercise their right to vote in the 2020 elections during the pandemic.

AALDEF monitored polling places in primary and general elections and conducted a nonpartisan exit poll of Asian American voters in several states to get a snapshot of candidate preferences, party enrollment, and issues of significance to Asian American voters. In addition to ensuring that Asian Americans could vote by mail or vote early because of the pandemic, AALDEF staff and volunteers were also at polling places to ensure that Asian American voters were not turned away, intimidated, or discriminated against during the voting process.

In the midst of the pandemic, AALDEF's poll monitoring efforts were especially critical, given the sharp rise in anti-Asian violence and coronavirus-related harassment, threats of armed poll watchers, and other voter intimidation tactics.

June 2, 2020 Primary Elections

AALDEF partnered with Southeast Asian Mutual Assistance Associations Coalition (SEAMAAC) to monitor several poll sites for the June 2 primary elections in South Philadelphia. The elections were conducted amidst uncertainty and heightened anxiety due to the Covid-19 pandemic, questions concerning mail-in ballots, and demonstrations related to the recent police killing of George Floyd. AALDEF poll monitors observed several instances of voters having their provisional ballots rejected by poll workers.

Poll monitors were stationed at six poll sites in South Philadelphia with large numbers of Asian American voters. SEAMAAC staff also covered poll sites that were closed due to site consolidation, in order to direct voters to their correct poll sites and arrange taxi service for voters with difficulty traveling to the new poll site. Many Asian American voters were unfamiliar with absentee ballots and provisional ballots, but they expected poll workers to know the proper procedures to ensure that voters' ballots would be properly counted. We called for better training of poll workers in advance of the November Presidential Election.

November 3, 2020 - Election Day

AALDEF recruited close to 400 attorneys and volunteers to document voter problems and the availability of language assistance on Election Day at 50 poll sites in California, Massachusetts, New Jersey, New York, New Mexico, and Pennsylvania. AALDEF also conducted a nonpartisan multilingual exit poll—the largest of its kind in the nation—to provide a snapshot of voting patterns, candidate preferences, party enrollment, and issues of significance to Asian American voters at 93 poll sites in 13 states and Washington, DC. AALDEF volunteers, including attorneys, law students, community-based organizations, bar associations, student organizations, and community advocates, surveyed more than 5,424 Asian American voters in English and nine Asian languages. Since 1988, AALDEF has conducted multilingual exit polls in Asian American communities on Election Day. Because of the Covid-19 pandemic and the upsurge in voting by mail, AALDEF volunteers approached voters in Nevada and Florida during the early voting period and in all other states on Election Day, November 3, 2020.

AALDEF also dispatched teams of attorneys and law students to monitor poll sites in California (San Jose), Massachusetts (Boston, Dorchester, Lowell, Malden, and Quincy), New Jersey (Bergen and Middlesex Counties), New Mexico (Albuquerque), New York City (Bronx, Brooklyn, Manhattan, and Queens) and Pennsylvania (Bucks County, Delaware County and Philadelphia) for compliance with the language assistance provisions of the Voting Rights Act and to guard against anti-Asian discrimination and intimidation.

A snapshot of Asian American voters polled include:

- Asian Americans favored Joe Biden over Donald Trump by a margin of 68% to 29%.
- There was no gender gap between Asian American men and women, with 67% of women and 66% of men voting for Biden and both groups supporting Trump at 31%.
- The only ethnic group to favor Trump were Vietnamese American voters, by a margin of 57% to 41%.
- 54% were registered Democrats; 16% were registered Republicans; 27% were not enrolled in a party; and 3% were enrolled in another party.
- 27% were first-time voters; 73% were not first-time voters.
- 52.9% were female; 46.7% were male; 0.4% non-binary.

More details on Asian American voters especially in important battleground states can be found [here](#).

CONCLUSION

After the many challenges of 2020, AALDEF looks forward to working with Asian American communities to ensure their public safety and to protect their civil rights in these difficult times.

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American Friends Service Committee
Asian American Federation of New York
Asian Americans United (AAU)
Asian Community Development Corporation (ACDC)
Asian Law Alliance
Asian Pacific American Labor Alliance
Asian Pacific American Legal Resource Center (APALRC)
Asian Pacific Islander American Public Affairs-Austin
Asian Pacific Islander American Vote (APIAVote)
Association of Chinese Americans
Austin Asian Communities Civic Coalition
Austin Asian Complete Count Committee
Cambodian Mutual Assistance Association of Lowell (CMAA)
Center for Pan Asian Community Services
Chinese American Planning Council, Inc
Chinese Progressive Association (CPA) - Boston Chapter
Chinese Progressive Association (CPA) - NY Chapter
Chinese Staff and Workers' Association
Coalition for Asian American Children and Families
Florida Asian Services (FAS)
Homecrest Community Services
MinKwon Center for Community Action
National Asian Pacific American Bar Association (NAPABA)
National Coalition for Asian Pacific American Community Development
Federation of Filipino American Associations (NaFFAA)
National Korean American Service and Education Consortium

National LGBT Bar Association
 National Mobilization Against SweatShops
 National Queer Asian Pacific Islander Alliance (NQAPIA)
 New York Taxi Workers Alliance
 OCA – Asian Pacific American Advocates
 OCA - NY Chapter
 OCA Greater Houston
 Pennsylvania Immigration and Citizenship Coalition (PICC)
 Pilipino American Unity for Progress NY (UniPro NY)
 Q-Wave
 South Asian Network (SAN)
 Southeast Asian Mutual Assistance Associations Coalition, Inc. (SEAMAAC)
 Spotify Asian Community Engagement
 Tipping Point
 VietLEAD
 Vietnamese American Young Leaders Association of New Orleans (VAYLA)

Financial Statement (January 1 to December 31, 2020)

SUPPORT AND REVENUES	
Contributions	489,916
Grants	2,274,543
Legal fee awards	-
Events	370,235
Interest and other	7,289
 TOTAL SUPPORT AND REVENUE	 3,141,982
 EXPENDITURES	
Program services	1,359,941
Management and general	197,027
Fundraising	79,244
 TOTAL EXPENDITURES	 1,636,212
 CHANGE IN NET ASSETS	 1,505,770
 NET ASSETS, BEGINNING OF YEAR	 1,617,847
 NET ASSETS, END OF YEAR	 3,123,617