**Case Study: 3.4** New Immigrant Community Empowerment's Report: Dreams and Schemes in Queens, New York, 2012

**Background on Organization and Issue**

New Immigrant Community Empowerment (NICE) is a community-based, non-profit organization that works to ensure that new immigrants can build social, political and economic power in their communities and beyond.

Every day, immigrants in New York City struggle to find work, support their families, and understand their immigration options. In this process, many seek assistance from a variety of services and businesses targeted at immigrant consumers. Aware of the vulnerability, unfamiliarity and lack of knowledge of their rights that new, primarily undocumented immigrants face, many businesses, networks and individuals target and prey upon this community. Of note are the practices of Immigration Service Providers/Immigration Attorneys and Employment Agencies, services and institutions that defraud the community and in the case of faulty Immigration Service can have adverse effects as serious as deportations.

In the last few years the Attorney General's office has made an attempt to more aggressively prosecute faulty Immigration Service Providers. Likewise the Department of Consumer Affairs has developed some know your rights guides and has provided some oversight. However, a simple walk in an immigrant community reveals that these services are very present throughout the community. In recent years, members of NICE have consistently reported negative experiences with these providers, prompting NICE to investigate, analyze, and develop solutions. In order to gather evidence for NICE's campaign for better regulation and oversight of these predatory services, NICE and UJC developed a participatory action research project to document this problem.

**Below is a description of the NICE Immigrant Consumer Fraud Research Project, based on the Participatory Action Research guiding framework** (see Tools 2.1 and 2.2).

**WHAT…**

**Were the Organizing Goals connected to this research?**
- To document predatory, substandard and fraudulent practices of services targeted at new immigrants in Jackson Heights, Elmhurst and Corona, Queens.
- To highlight the gaps in government enforcement and oversight of services targeted at new immigrants.
- To improve government enforcement and increase regulatory standards for immigrant service providers/immigration attorneys and employment agencies targeted at new immigrants.
- To empower community members to access better services and understand their rights as consumers of these services.
- To improve the lives of low-wage, newly arrived immigrants by curbing predatory, substandard and fraudulent practices and services in their communities.

**Overall questions did NICE want to answer through their research?**

- How are the lives and economic well being of new immigrants impacted by predatory, substandard, and fraudulent services?
- Why do new immigrants use these services?
- What are the current practices of services targeted at new immigrants, such as Immigration Service Providers and employment agencies?
- What are enforcement and regulatory shortfalls for services targeted at this community?

**Information did NICE need to collect to answer these research questions?**

- Relevant laws and regulations governing immigration service providers/immigration attorneys and employment agencies
- Primary data through mystery shopping visits about how businesses present their credentials and services to consumers
- Secondary data about businesses and individual providers to support the data from mystery shopping
- Stories from new immigrants about being the victims of consumer fraud
- Data on the immigrant population in the Jackson Heights, Corona, and Elmhurst neighborhoods of Queens, New York
- Data on the effect of consumer fraud on new immigrants

## WHY…

**Is this research useful or important to NICE?**

- Internally: to develop the leadership of its members through their direct participation in the research; to strengthen their Immigrant Consumer Justice campaign by gathering data and creating a report that can support the campaign goals; to allow NICE members to share their stories and experiences
- Externally: to educate New York City and State government officials about the effect consumer fraud has on the community as a whole, and immigrants in particular; to get media attention towards the need for more regulation and laws governing immigration service providers/immigration attorneys and employment agencies; to pass legislation clearly defining, and more effectively prohibiting, the unauthorized practice of law; to advocate for amending existing law to prohibit the charging of advance fees to only the most vulnerable, low-wage workers

## WHO…

**Are the stakeholders in this issue?**

- Immigrants seeking to adjust their immigration status and find work

**Is NICE trying to influence?**

- Members of the NYS Assembly and Senate, NYS Attorney General, NYC Department of Consumer Affairs, County District Attorneys, NYS Bar, and the Executive Office for Immigration Review

## HOW…

### Did NICE gather information (what methods did they use)?

- NICE used mystery shopping to document how immigration service providers/immigration attorneys and employment agencies routinely violate the law and how this leads to new immigrants being the victims of consumer fraud. The mystery shoppers, predominantly immigrants from Mexico and Ecuador, used assigned scenarios to pose as customers seeking services. Each was paired with an observer who looked for signage and credentials and collected literature and business cards. Upon completion of the visit, each shopper-observer pair documented their interactions on a standardized form designed to evaluate providers' compliance with relevant laws and regulations. NICE also used secondary research, surveys, focus groups, census analysis, and legal research in their data collection process.

### Did research support NICE's organizing efforts?

In 2012, NICE released the final report summarizing the research findings and policy recommendations. The report detailed the extent to which consumer fraud affects immigrants. The release was attended by over 80 people community members, academics, the press, New York City Council member Daniel Dromm, and representatives from various city, state, and national government offices, including: US Senator Kirsten Gillibrand, NYS Senators José Peralta and Jose Serrano, NYS Assembly Member Michael DenDekker, NYC Council Members Leroy Comrie, Julissa Ferreras and Jumaane Williams, the New York Attorney General, the Mayor's Office of Immigrant Affairs, and the Manhattan District Attorney.

### Did research impact policy change?

In December of 2016, Governor Cuomo signed the Justice for Jobseekers Bill into law, after years of advocacy work by the Justice 4 Jobseekers campaign, led by New Immigrant Community Empowerment. The bill seeks to prevent fraud in employment agencies by providing stricter licensing and practice procedures, and avenues for enforcement.

Click here to read the report.