

## **EFFECTS OF IMMIGRATION IN SANTA BARBARA COUNTY**

### **A Balanced Assessment**

#### **SUMMARY**

Immigration is an issue of social and economic concern in Santa Barbara County. There are many people who believe that much of the economy within the county depends on immigrant labor, but there are many others who contend that immigrants are a major drain on resources such as health care, social services, housing, education and law enforcement. In order to ascertain both the benefits and the liabilities created by immigrants, the Grand Jury investigated the effects of immigration in Santa Barbara County.

This Grand Jury is fully aware that a report on the impact of immigrants in Santa Barbara County can potentially engender divisiveness. But, at the same time, there are already many conflicting reports, and it may be difficult for the average citizen to separate facts from opinions in some of those reports. Also, it is often difficult to obtain accurate and comprehensive answers to many important questions concerning immigration. Insofar as possible, within the limits of time and resources available to the Grand Jury, the purpose of this report is to present a balanced assessment of the effects of immigration on county resources.

The Grand Jury found that the county has limited ability to assess the contributions and needs of immigrants and specifically of illegal immigrants. One major problem is the uncertainty about the size of the illegal population. Credible figures range from 25,000 to 75,000 and many of these individuals may not be counted in the census surveys. This large uncertainty presents a major challenge in planning county infrastructure and public services. The Grand Jury recommends that the county explore methods to obtain better data on the illegal immigrant population.

County officials reported that the county as a whole can cope with the present state of immigration, illegal immigration presents different challenges in different parts of the county. If these challenges worsen anywhere in the county, they will create additional burdens on all county public services.

This report on immigration points out, whenever possible, the effects of illegal immigration. The Grand Jury recognizes that even though immigration is a federal government issue, there are many measures which Santa Barbara County can take to improve the situation. Because immigration has a major effect on some parts of the economy as well as on all public services in the county, the Grand Jury recommends that the Board of Supervisors should monitor and report the effects of immigration on the county.

## INTRODUCTION

The investigation was prompted by interviews with officials from federal, state, county and city governments. The Grand Jury interviewed industry representatives, immigration advocates and also analyzed data obtained from these and other sources.

Immigration in the County of Santa Barbara is a natural process which occurs as people from different countries move to this county. The labor and skills of immigrants contribute to several areas of the economy. In Santa Barbara County the preponderance of immigrants work in farming, construction, manufacturing, hospitality industries (hotels, motels, and restaurants) and in home support services (maids, gardeners, handymen). A majority of individuals employed in these industries perform low paying jobs because of their limited skills and their lack of proficiency in the English language. Because of this fact, many of these individuals remain in marginal economic circumstances and use county services for their housing, health, and schooling, swelling the demand for these services.

A small minority of immigrants in Santa Barbara County work in jobs where salaries are higher. In most instances these immigrants integrate into the mainstream and are basically self-sufficient.

This report concentrates on the majority of immigrants, most of whom are either low-skilled or non-professional. Most immigrants in Santa Barbara County arrive from Mexico, Central and South America and do not speak English.

### **Working Premises**

Regarding *Names, Status, Numbers, and Money* several basic premises were adopted and adhered to throughout this report. These are summarized as follows:

#### ***Names***

This Grand Jury made no effort to be either politically correct or politically incorrect. Thus, in this report, no distinctions are made among commonly used names for different groups such as in the following examples:

- White, Caucasian, European ...
- Latino, Hispanic, Latin American...
- African American, Black...
- Undocumented, illegal alien, illegal immigrant, illegally in the country....

For the purposes of this report, legal immigrants are those who have all the proper documentation and have fulfilled all requirements for permanent residency. Illegal immigrants are those individuals who do not have a visa or other authorization to reside in this country or who have overstayed their temporary visa or permit.

### ***Legal status***

Although there may be some confusion about the laws governing services to immigrants, there is no doubt that government agencies supplying those services have the authority to ascertain the citizenship status of anyone receiving services. The immigration status of an individual cannot be used to deny certain government services such as medical care and education. But this prohibition does not preclude the service agencies from using government data bases to check, after the fact, the immigration or citizenship status of all clients receiving public services. It was apparent to this Grand Jury that some agencies do not follow through and verify the citizenship status of their clients.

### ***Numbers***

Because the number of immigrants illegally in Santa Barbara County is simply not known, we chose to proceed by accepting at face value estimates from government agencies and other reliable organizations. This Grand Jury used comparative analyses to establish a range of 25,000 to 75,000 immigrants illegally in Santa Barbara County. This range may not be restated throughout the text of the following report, but the reader is forewarned of this uncertainty.

As with all measurements, determination of the composition of the county population is necessarily uncertain. The accuracy is controlled by the method and the tools used to make the measurements. Furthermore, the uncertainty in current population data, as well as the assumptions made in computer models, can amplify the uncertainty in predicting future population. We are concerned with two types of errors, namely, *random* and *systematic*. Census data provide a relevant example. Random errors can result from simple mistakes; for example, such things as partially or incorrectly completed questionnaires, misunderstood questions, non-uniform polling, and counting mistakes are treated as random errors. Systematic errors are more pernicious and they result when the method or instrument of measurement is not suited to the task (as would occur if one attempted to count the stars in the Milky Way by using a spyglass instead of a large telescope). How can one accurately measure the total population if many immigrants illegally in the county avoid detection and refuse to respond to census surveys? Systematic errors are often revealed by comparing different groups of data, measured in different ways, which have a bearing on the same question. Such comparative analyses can only suggest a range of uncertainty.

### ***Money***

The flow of money among government organizations is controlled by a complex set of regulations. Santa Barbara County residents pay more money in state and federal taxes than is returned to the county. Because many programs are funded with money recycled back to county agencies from the state and federal government, the illusion is created that county taxpayers are not really paying the bill. This impression is false.

Notwithstanding the above remarks, once the taxes have been paid to the state and federal governments, the county must maintain a persistent effort to get back as much of that money as possible. The county has responsibility for many state and federally mandated services. If the money returned to the county from taxes collected by the state and federal governments is insufficient to cover the cost of those services, then the County General Fund (derived primarily from property taxes and sales taxes) must be used to pay for the services.

## **OBSERVATIONS AND ANALYSIS**

In order to analyze the effects of immigration in Santa Barbara County, the Grand Jury selected specific areas where the impact of immigration is the strongest. These include:

- Immigration Status: Compliance and Verification
- Population and Employment
- Housing
- Health Care Services
- Social Services
- Schools
- Illegal Immigration and the Detention System

### **Immigration Status: Compliance and Verification**

There are volumes of laws and regulations governing the activities of immigrants in this country. Similarly, there is a vast body of law governing the practices of private and public organizations that deal with immigrants. These laws obviously differ for legal and illegal immigrants, and also the level of enforcement of or compliance with the laws can vary greatly depending upon circumstances and resources available. Almost every part of Santa Barbara County is affected by immigrants, and model-based projections indicate that the immigrant population is likely to continue to grow although at a slower rate.

All public organizations are authorized by law to inquire into the immigration status of any individual utilizing their services, but it is often the case that the inquiry may not be made directly to the individual and services cannot be denied on the basis that an individual is merely suspected of being an illegal immigrant. The only exception to the last statement occurs within the detention system where citizenship status is checked in multiple ways and suspicious cases are referred directly to Immigration and Customs Enforcement (ICE), a unit of Homeland Security.

The easy availability of forged documents, the absence of strict requirements to verify citizenship status, and the failure to follow through when illegal activity is probable, create considerable uncertainty about the size of the problem caused by immigrants illegally in the county. Nevertheless, all public organizations have authority to access computer data bases to check the immigration status of any individual they serve, as witnessed by the following statute<sup>1</sup>:

*Notwithstanding any other provision of federal, state, or local law, no state or local government entity may be prohibited, or in any way restricted, from sending or receiving from the Immigration and Naturalization Service information regarding the immigration status, lawful or unlawful, of an alien in the United States.*

But it is not clear that this authority is exercised by all government agencies within the county. Some services such as education and public health must be provided regardless of citizenship status, and consequently there is no incentive for checking status and no penalty for not checking status. Nevertheless, it might be useful to require a more vigorous program for checking the status of all individuals receiving services because such a program could provide data helpful to the county planning process.

The Department of Homeland Security (DHS) has a Basic Pilot program designed to expedite easy determination of immigration status. It is called Systematic Alien Verification for Entitlements (SAVE) Program. This is still a pilot program and is therefore not widely used throughout the country. If successful and fully implemented, it could become a much-needed resource for moving beyond speculation towards reliable data. The speed and reliability of the verification is planned to be comparable to that of a credit check. The DHS describes the program as follows<sup>2</sup> (Italics added):

“The SAVE Program enables Federal, state, and local government agencies and licensing bureaus to obtain immigration status information they need in order to determine a non-citizen applicant’s eligibility for many public benefits. *The Program*

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<sup>1</sup> U.S. Immigration and Nationality Act, Title 8, Chapter 14, Subchapter IV, Sec. 1644.

<sup>2</sup> For more information, visit <http://www.uscis.gov>.

*also administers employment verification pilot programs that enable employers to quickly and easily verify the work authorization of their newly hired employees.”*

Private employers face unique challenges and historically they have not been required to verify the status of an employee beyond the superficial level of examining a document. The first level beyond the check of documents by employers occurs when the Social Security Administration identifies a mismatch between the Social Security Number (SSN) and the name associated with it, or in some cases determines that the SSN is invalid. After considerable delay, the employer is informed of the mismatch or the invalidity of the SSN, but no immediate action is required by the employer. The presumption of innocence is granted to both the employer and the employee unless, and until, there is clear evidence of fraud. Fraud is actionable and ICE has demonstrated willingness, when clear evidence exists, to enforce the laws against fraud. Nevertheless, the employers are generally not accountable, apparently because of the “don’t ask, don’t tell” policy prevalent in the country. The employers are damned if they do vigorously evaluate employee status – being accused of discrimination – and damned if they don’t – being accused of benefiting from illegal immigration.

Furthermore, by use of an intermediary, employers are sometimes shielded from direct responsibility for evaluating employees. For example, a large user of seasonal workers, as in the agricultural business, may rely on a contractor to supply workers to harvest crops and assign responsibility to the contractor to verify citizenship status of workers. This practice of using contractors is not restricted to the agricultural business and, in fact, other organizations, including government agencies, may inadvertently be using illegal immigrants to perform work, and thus reinforcing the prevalent “don’t ask, don’t tell” approach.

The real question is “What to do?” Strict enforcement of the law is just as unappealing as the laxity of enforcement we have today.

## **Population and Employment**

### ***Population***

Immigration has had a major effect on the population growth of Santa Barbara County. The population in the county totaled about 400,000 in 2000, up 8% from 1990. Projections by the California Department of Finance call for the county population to rise by approximately 10% from 2000 to 2010; after that the growth will slow (see Table 1).

The majority of immigrants are Hispanic. The Hispanic population was 138,000, a jump of 39% from 1990. In the previous 20 years (1970-1990) the Hispanic population in the county tripled, mostly due to immigration. For Hispanics, substantial growth will continue. By 2020 they are projected to be the largest ethnic group in the county.

**Table 1. Santa Barbara County Population Estimates and Projections  
By Ethnicity 1970 - 2030**

(in thousands)

	1970	1980	1990	2000	2010	2020	2030
Total	265.8	300.0	370.9	400.8	440.3	464.0	467.3
White	216.6	225.9	245.0	228.9	219.0	182.7	135.7
Hispanic	33.0	56.3	99.1	137.9	178.8	229.0	278.9
Others <sup>3</sup>	16.2	17.9	26.8	34.1	42.5	52.4	57.7

Both immigration and fertility rates contribute to the Hispanic population growth. The U.S. Citizenship & Immigration Services and the California Department of Finance reported that between 1990 and 2005, about 27,000 legal immigrants moved into Santa Barbara County, the vast majority of them probably Hispanic. However, projections call for most of the future increase to come from fertility. Between 2000 and 2010, this population is projected to increase by about 40,000 and 80% of this growth will come from natural increase (births exceeding deaths). In this model, net migration is projected to account for a relatively small part of this population increase beyond 2010. If the projected slowing of total population growth and net migration over the next 15 years is realized, it will ease the pressures on county government services.

There are no solid data on the number of illegal immigrants. One estimate from the California Department of Finance (based on statewide estimates from the former

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<sup>3</sup> Other races include Asians, Pacific Islanders, Blacks, American Indians, and those who are multi-race. About half of the total is Asian.

Immigration and Naturalization Services [INS]) found about 38,000 undocumented persons in the county in 2005. Some officials who spoke to the Grand Jury provided much higher estimates, up to 100,000 or more. Other persons suggested lower numbers. After considerable discussion and evaluation of different estimates, the Grand Jury concluded that the number of illegal immigrants in the county is in the 25,000 - 75,000 range.

According to the 2000 census, there were approximately 85,000 foreign-born persons in Santa Barbara County – 21% of the total population. These numbers are the best official estimates of immigrants in the county. However, these numbers may be low due to undercounting. Many people argue that immigrants, especially undocumented ones, do not respond to census surveys. Even if the levels are somewhat low, it is clear that the rate of growth of the immigrant population has slowed. Between 1990 and 2000 the number of immigrants in the county rose by about 36%; the growth rate was more than twice as large (74%) in the previous decade.

### ***Employment (2005 data)***

Services, government, and retail trade are the largest employment sectors in Santa Barbara County; together they account for almost 70% of the county's jobs. Services alone comprise about 40% of the county total; this sector includes education, health care, leisure and hospitality, and professional and technical services. The University of California at Santa Barbara, the largest employer in the county, is included in services.

Immigrants are employed in all sectors, but especially in agriculture, retail trade (including restaurants) and selected services (especially leisure and hospitality, gardening and housekeeping). Agriculture, where immigrants are a major part of the workforce, had a total crop value of about \$1 billion in the county in 2005. Agricultural employment averaged about 16,500 for all of 2005, but the number was perhaps 50% higher during the peak harvest season. Almost all of the agricultural workers at harvest time are immigrants; testimony indicated that two-thirds of these are undocumented.

Most jobs where immigrants are concentrated are low paying. Average yearly salaries in agriculture and retail trade in 2005 were about \$21,000 and \$23,000, respectively, while the average for all workers was \$38,000. At the high end, the average yearly salary was about \$68,000 for workers in finance, insurance and real estate.



**Table 2. Employment by Sector<sup>4</sup> (in thousands)**

	2000	2005	Projected 2010
<b>Agriculture</b>	14.9	16.3	18.5
<b>Construction and Mining</b>	9.3	11.0	12.1
<b>Manufacturing</b>	15.9	13.6	13.6
<b>Services</b>			
Transportation, Warehousing, etc.	2.9	3.0	3.3
Wholesale Trade	5.2	4.7	5.2
Retail Trade	21.0	20.1	22.3
Finance, Insurance & Real Estate	8.4	8.6	9.4
Professional & Technical Services	20.2	23.0	26.7
Education & Health Services	18.4	19.5	22.4
Leisure & Hospitality	20.8	22.3	23.7
Other Services	9.9	9.8	10.5
Government	32.8	36.4	38.4
<b>Total, All Industries</b>	<b>179.5</b>	<b>188.1</b>	<b>206.2</b>

Between 2000 and 2010, the total number of jobs in the county is projected to increase by about 27,000 or 15%. Agriculture and retail trade, where many immigrants work, are projected to add 4,000 and 1,000 jobs, respectively, in this period. Leisure and hospitality services are projected to add about 3,000 jobs. The most rapid growth is projected to come in professional/technical services and education/health services—not sectors which employ large numbers of immigrants.

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<sup>4</sup> California Employment Development Department. Past data are based on surveys of employer payrolls.

The increase in the total population of working age adults is estimated to be 27,000 in this decade.

## **Housing**

Immigration in Santa Barbara County provides a large workforce to the agricultural and service industries and to a lesser extent to the construction and manufacturing industries. Immigration increases demand for housing.

The agricultural industry in Santa Barbara County in 2005 employed an estimated 16,500 workers (stated earlier in this report). Immigrants are a major part of this workforce. Wages are low; the estimated median farm worker wage in 2004 was \$7.80 per hour<sup>5</sup>. This places the worker in the U.S. Housing and Urban Development Department (HUD) very low income category (households earning less than 30% of the area median income).

In the South County, where most of the immigrant workers are in the service industry (hotels, restaurants, etc.), the problem of providing adequate housing is even more difficult because of the higher cost of housing there.

The following factors affect immigrant housing:

Lack of Affordable Housing The State of California mandates that within the county there be provisions for housing to accommodate the projected population growth. County officials tell us that the growth is higher than the state projections because of the undercount of illegal immigrants. In spite of attempts to provide affordable housing, the supply consistently lags behind the demand. Officials report a waiting list of 3900 persons (and the waiting list is closed) for HUD Section 8 rental housing in the county. There are a few affordable housing developments designated for agricultural workers (e.g., Los Adobes de Maria in Santa Maria), but these fall far short of the demand. Immigrants with documentation are eligible for affordable housing when it is available; undocumented immigrants are not.

Lack of Alternate Housing Opportunities An estimated 55% of the county's agricultural workers are housed within the Santa Maria city limits.<sup>6</sup> There are various reasons why few farm workers are housed on the farms where they work. There are legal limitations to the amount of housing that can be provided for workers on agricultural land (Uniform Rules for Agricultural Preserves and Farmland Security Zones adopted by the county). There appears to be little incentive for farmers to take

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<sup>5</sup> City of Santa Maria Housing Element, Part III.

<sup>6</sup> City of Santa Maria Housing Element, Part III.

areas out of agricultural production to build worker housing and to incur the expenses of doing this. And finally, workers tend to prefer urban areas where shopping and other service are available.

Other possible housing solutions have drawbacks. Worker housing abandoned at the end of the Bracero program in 1964 is mostly unusable and remote. Housing on military bases does not appear to be viable because the military's reluctance to give up housing that might be required in the future. Mobile homes and trailers are a possibility, but land must be acquired and infrastructure developed and perhaps laws changed. These might be faster to provide than fixed housing, but probably no less expensive than high-density fixed housing.

Crowding and Congestion . Because of the lack of alternatives, most immigrant laborers are housed in high-density neighborhoods in urban areas where overcrowding is typical. When affordable housing is not available, extended families and even unrelated individuals live together. Economic necessity forces immigrants into such crowded conditions. Undocumented immigrants often find safety in living with others where they are not required to show documentation. Crowding can cause traffic congestion, parking saturation, deterioration of the buildings, and children playing on the street under unsafe conditions. The crowding often raises objections from surrounding neighborhoods.

The foregoing is not meant to imply that the adverse impacts are due solely to immigration; they can be expected for any low-income residents. The influx of immigrants willing to work at low wages, however, has encouraged the use of labor-intensive agriculture and has discouraged the use of automated equipment for harvesting and other farming operations. One reason growers elect to raise labor-intensive crops such as strawberries is because of the ready supply of low-wage immigrant labor. Automation such as grape harvesting machines has found little application except on the largest vineyards.<sup>7</sup> A similar situation exists in the service sector where an abundance of low-wage labor has benefited employers and consumers. Industries that thrive on immigrant labor contribute to the county's economy and tax base, but also create demands for low-cost housing which is not available.

### **Health Care Services**

With the large number of immigrants working for low wages and lacking health insurance, the increased demand for public health and emergency services is not surprising.

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<sup>7</sup> *Wine Business Monthly*, November 15, 2006.

Changes in welfare laws in 1996 limited access to most programs for new immigrants. However, undocumented immigrants receive certain restricted medical services. In order to receive these benefits, all applicants can receive a Benefit Identification Card that they may use when they need to see a doctor. These services include prenatal care, breast and cervical cancer treatment, as well as pregnancy and life-threatening emergency care.

There were close to 5700 births in the County in 2006. About one-fourth of all births in the county occur in public clinics; county officials estimate that up to three-fourths of these clients are undocumented. This represents just over 1000 births to undocumented mothers in our public clinics. These restricted services have a total estimated cost of over \$4 million a year. The number of births have gone up every year, and Public Health has responded by adding an obstetrics unit in the Santa Maria and Lompoc clinics and will add one to the Franklin Clinic in Santa Barbara and to the Carpinteria Clinic.

California has had a statewide initiative to reach uninsured and underinsured children in the state, bringing many into the Medi-Cal program. Children born in the United States of immigrant parents are United States citizens and automatically qualify for Medi-Cal and other needs-based services if the family meets the income/resource and other eligibility criteria. Recently arrived undocumented children can receive medical care for certain medical conditions in the public health clinics; they account for less than 10% of the visits, according to Public Health officials.

Santa Barbara County has the second highest percentage of uninsured children in the state: 14%, or over 16,000. The Santa Barbara Regional Health Authority attributes this to the high number of families of agricultural and service workers whose children are not eligible for state programs. Santa Barbara County officials have been working to insure all children through a Healthy Kids program, and the Board of Supervisors recently voted to consider a proposal to insure 600 children in a pilot program for the first year, at a cost of over \$1 million. Another \$1 million would be added to the county's contribution every year – up to \$6.7 million. Documentation of legal residency is not required.

Santa Barbara County Public Health system is designated as a Federally Qualified Health Center. With this designation, the County PHD is reimbursed costs based on a health care index for each clinic visit by Medi-Cal patients. Santa Barbara County Public Health Department (PHD) clinics must accept all those who come in need of care regardless of immigration status.

There are seven public clinics in the county that provide primary care to more than 30,000 individuals each year, of which approximately one third are undocumented. They are low-income, uninsured and underinsured patients, most of whom are non-English-speaking. Unlike private hospitals and clinics, public health workers cannot

ask about means of payment until after services are rendered. As in other segments of the medical community, all clients are billed. Yet most are unable to pay for services. The county and other public clinics have sliding scale fees to accommodate low-income clients. Public Health officials estimate that about 28% of its clients, of whom about half are undocumented, willingly pay for services.

Neighborhood clinics and non-profit organizations do outreach to instruct non-English-speaking immigrants about diabetes, women's health, and nutrition. Some non-profit organizations also have programs that serve children for eye care, dental care, and immunizations. These organizations do not inquire about immigrant status.

There are certain health risks particularly found among immigrants. Tuberculosis (TB) is a highly publicized disease among immigrants. In Santa Barbara County there were 15 cases of active TB in 2006, down from 26 cases in 2005. Of the 15 cases reported by Public Health in 2006, 11 cases were in foreign-born residents. Hepatitis C became an issue with farmworkers in California in 2006. Screening for hepatitis is the responsibility of employers, but Public Health has no jurisdiction over them. Regardless of immigration status, Santa Barbara County Public Health officials see it as their responsibility to safeguard the health of all county residents.

### **Social Services**

All applicants for social services such as Food Stamps, General Relief or CalWORKS (formerly AFDC) must be U.S. citizens or immigrants "lawfully admitted for permanent residence." They must provide a birth certificate or a resident alien card. Documents are sent to the U.S. Citizenship and Immigration Services (USCIS) and verified within a few days, before the application process is completed. Taxpayer Identification Numbers are not accepted, and a Social Security Number in itself is not sufficient to verify legal status. Cases of Social Security card mismatches, as well as documents that appear altered, are referred to the Welfare Fraud Unit of the District Attorney's office. Few cases have had to be referred.

The County Social Services Department is now using a computerized system called Systematic Alien Verification for Entitlements (SAVE) to validate identification offered. County staff estimate that only one case a year occurs in which an applicant for social services was granted aid but then denied because of immigration status. Officials at the County Department of Social Services (DSS) report that few undocumented persons apply and that those who do often withdraw their applications because of this verification process.

Children born in the United States to immigrant parents have the right to receive aid. Any calculation of family benefits such as food stamps would consider only the legal children of the family and not their undocumented parents. In California, the

Department of Social Services is obligated by law to help abused children regardless of immigrant status.

In a few cases, there is another issue with legal immigrants who apply for aid. Their legal status may permit them to apply, but receiving government money for needs-based services before a 10-year period in the United States may jeopardize their application for citizenship in the future. Social workers forewarn them of the consequences. If these applicants do receive aid, they may have to repay it.

In Santa Barbara County, those helped are citizens or immigrants legally admitted for permanent residence. Low economic status is more of a factor than immigration status at the Department of Social Services.

## Schools

Schools have had additional demands placed on them by the influx of children of immigrant families. Schools cannot deny enrollment based on citizenship status (Supreme Court, 1982, *Plyer v. Doe*), but students entering school must show proof of age to allow grade placement.

There are 23 school districts in Santa Barbara County with a reported 67,578 students for the 2005-2006 school year. Of these, about 18,000 have been identified as English Learners, meaning those students who have not passed the California English Language Development Test (CELDT)<sup>8</sup>. This represents 27% of the student population. Of these, the great majority (95%) speak Spanish.<sup>9</sup> The total number of English language learners has dropped from the peak of 19,691 students in 2002.

Within the county some districts are especially challenged by a high percentage of English learners. At the elementary level in the City of Santa Barbara, the percentage of English learners was 41%. Discussions regarding closing campuses have occurred in Goleta, Santa Barbara and Carpinteria in face of the overall enrollment drop. In North County, the percentage of English learners is 46% in both the Santa Maria-Bonita School District and Guadalupe School District. Santa Maria has added four

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<sup>8</sup> Education Code Section 60810(b) states that the California English Language Development Test (CELDT) shall assess pupils in English reading, speaking and writing skills. Language ability is tested when entering school and throughout the school program. Those students who do not pass the test are considered "English Learners."

<sup>9</sup> Other languages by the numbers of students who speak them are Mixteco (334), Filipino (89), Hmong (77), Korean (54), Vietnamese (43), Ilocano, (34), Mandarin (28), Russian (28), Cantonese (22), Japanese (19), Farsai, (18), French (17), Arabic (15), Thai (15), Portuguese (11), Punjabi (11), German (10), all other non-English languages (113).

new schools and remodeled three in years past because of population gains. However, school officials in North County are beginning to see a slight decline.

The number of Spanish-speaking students meeting the State Board of Education criterion for English language proficiency class by grade level for Santa Barbara County is seen in Table 3 below:

**Table 3. Percentage of Spanish-Speakers Who Are English Proficient  
in Santa Barbara County by Grade Level for 2005-2006  
(California Department of Education Data Base)**

Grade	K	1	2	3	4	5	6	7	8	9	10	11	12	Total
<b>Number Proficient</b>	16	597	373	290	656	817	563	688	691	664	598	550	483	6956
<b>% Proficiency</b>	14%	29%	20%	16%	39%	59%	47%	62%	68%	60%	59%	67%	69%	44%
<b>Number Tested</b>	111	1931	1878	1861	1664	1387	1204	1107	1023	1114	1014	825	700	15,819

Overall, a low percentage of Spanish-speaking students enters our school system with English language proficiency at kindergarten or first grade level. Progress is made until junior high or middle school, after which the level of students gaining English proficiency remains about 60%-70%. The great majority of the students entering our schools were born in the United States; however, many of them are not proficient in English when they enter school. Cultural as well as academic integration is needed to fully support new language learning. Administrators see poverty and social environment as other challenges to academic success.

Table 4 lists the Academic Performance Index (API) scores for the 12 largest school districts in the county. The API scores combine several standardized test results into a single number; it is a weighted average of student scores across content areas and grade levels. The API began in 1999; its numeric index ranges from 200 to 1,000. The State of California lists 800 as the target score. Socio-economically disadvantaged students are defined as students whose parents have not received a high school diploma or whose low family income qualifies them for free or reduced cost lunch programs. To be redesignated as English proficient, students must demonstrate proficiency in the CELDT test and the English Language Arts Standards Test, be evaluated by teachers and have their parents or guardians agree to the change.

**Table 4. School District API Scores for Various Groups for 2006**

(California Department of Education Data Base)

School District	Percentage Hispanic Students	Percentage English Learners	Percentage Socio-Economically Disadvantaged	Percentage Redesignated English Proficient	API Score 2006
<b>ELEMENTARY</b>					
Solvang	37.8%	31.4%	34.1%	16.7%	834
Buellton	37.6%	23.7%	38.4%	31.8%	831
Orcutt	31.7%	7.0%	28.5%	5.8%	813
Goleta Union	46.3%	25.1%	35.3%	20.0%	803
Santa Barbara Elementary	68.9%	41.2%	67.1%	2.0%	744
Santa Maria - Bonita	86.1%	46.5%	76.6%	14.8%	698
Guadalupe	94.9%	46.2%	100%	9.1%	654
<b>UNIFIED</b>					
Carpinteria Unified	65.1%	37.3%	50.1%	9.9%	731
Lompoc Unified	47.7%	21.0%	50.8%	6.3%	729
<b>HIGH</b>					
Santa Ynez High School	28.2%	8.0%	16.2%	33.3%	765
Santa Barbara HSD	45.2%	14.5%	30.5%	5.6%	760
Santa Maria Joint HSD	62.8%	21.4%	39.6%	11.7%	666
<b>County Total</b>	56.6%	26.8%	48.9%	10.6%	N/A
<b>State Total</b>	47.6%	24.9%	51.2%	9.6%	720



There can be variation of API scores and percentages of English Learners at the various school sites; one single number does not capture the variation within each district.

In general, the higher the percentage of socio-economically disadvantaged students, English learners and Hispanic students, the lower the API score. In the elementary districts, only those schools with less than 50% socio-economically disadvantaged students and less than 32% English Learners reached the desired score of 800. All three high school districts struggle with lower scores even though the concentration of both categories is less.

All public school students in California must pass the California High School Exit Exam (CAHSEE) before they can be granted a diploma. As seen in the Table 5 below for 2006 in Santa Barbara County, the passing rates of Hispanic students in general were lower than the county passing rate for all students on both parts of the exam. The passing rate for English Learners was even lower. Yet once redesignated as fluent in English, English Learners in Santa Barbara County did well in the math and English language arts testing (85% and 89% respectively).

**Table 5. California High School Exit Exam (CAHSEE) Results for Math and English Language Arts for Santa Barbara County, All Grades for 2006**

(California Department of Education Data Base)

	All Students in the County	Socio-economically Disadvantaged	Hispanic Students	English Learners	Redesignated Fluent-English Proficient
<b>Math - # tested</b>	8,086	3,892	4,770	2,343	1,032
Passing (%)	5,172 (64%)	2,040 (52%)	2,526 (53%)	817 (35%)	876 (85%)
<b>English Skills -# Tested</b>	8,267	4,179	5,008	2,718	986
Passing (%)	5,207 (63%)	2,009 (48%)	2,512 (50%)	742 (27%)	882 (89%)

With teaching English language skills now necessary at all levels of school, teacher training has been modified to adapt to the changing demands. A total of 16,160 students in Santa Barbara County schools receive instructional enhancements to learn English. There are 2,024 certified teachers providing some sort of language adaptation program in county schools. In addition to a valid California Teaching

Certificate, teachers must have a special certificate or certificates for the teaching of various classifications of English Learners.

Officials at school districts have stated that all children are seen as their charge, no matter their language or origin. A large number of the English-learner students are born here; hence they are United States citizens. One of the biggest challenges is to help these students acquire the English language skills needed to make progress in the school system. This involves more than English language teaching. Schools are at the forefront of immigrant assimilation. As Santa Barbara County schools continue to meet the challenges of English learners, they are expected to make progress.

### **ILLEGAL IMMIGRATION AND THE DETENTION SYSTEM**

All inmates and detainees incarcerated in county detention facilities are there because they committed a crime, not because they might be in the country illegally. The population of illegal immigrants in Santa Barbara County contributes to inmate overcrowding and incarceration costs in county detention facilities. In fiscal year 2005-2006 illegal immigrants constituted 10%-20% of the detention population and the cost of their incarceration was in the range \$277,000-\$477,000. After serving appropriate time in jail, these immigrants are released to Immigration and Customs Enforcement (ICE) for processing through an immigration court. The county has no further jurisdiction in the matter and there is no direct cost recovery from the federal government. This Grand Jury urges county officials to seek reimbursement from the federal government for costs incurred for incarceration of illegal immigrants.

The Grand Jury found that there is no schedule for Immigration and Customs Enforcement (ICE) officers to regularly or completely review inmates on immigration hold at the County Main Jail. Such inaction likely results in the release of some illegal immigrants upon completion of sentence. The Grand Jury prepared a special report on "Illegal Immigration and the Detention System": the details are available at [www.sbcgj.org](http://www.sbcgj.org).

### **FINAL OBSERVATIONS**

The Grand Jury realizes that immigration is one of the social issues of major concern in Santa Barbara County. Immigrants are a valuable asset and contribute in a positive way to the economy, but also have a marked effect on schools and all social and medical services. In addition, the large uncertainty about the number of illegal immigrants in the county makes it difficult to plan for needed infrastructure to

support the population. In order to assimilate new immigrants in a productive way, the county must have a realistic method for estimating future needs.

This report includes a number of recommendations which can benefit both the county residents and recent immigrants. The Grand Jury has written this report to show the need for further discussion on the effects of immigration in the county. Future inquiries by commissions or Grand Juries may reach conclusions beneficial to all parties.

In summary, there is no doubt that immigration has benefits but also will remain a problem for the county into the foreseeable future.

## **FINDINGS**

### **Finding 1**

In Santa Barbara County, there is no effective system to measure the effects of immigration and, more specifically, illegal immigration.

### **Finding 2**

The absence of comprehensive baseline data on immigration makes it difficult to plan for future demands on county infrastructure and public services.

### **Finding 3**

County agencies have the tools to ascertain the immigration status of those who apply for services.

### **Finding 4**

Housing is limited for immigrant workers, especially illegal immigrants.

## **RECOMMENDATIONS**

### **Recommendation 1**

The County Board of Supervisors should measure and report on the effects of immigration on the county.

### **Recommendation 2**

County Board of Supervisors should consult with experts and develop techniques to obtain better data on the illegal immigrant population.

### **Recommendation 3a**

The County Board of Supervisors should direct county agencies to use all existing government databases to monitor the status of immigrants applying for public services.

### **Recommendation 3b**

The Board of Supervisors should require all county agencies to test the Systematic Alien Verification for Entitlement (SAVE) program to perform employment eligibility checks. The Board should also encourage private employers to do the same.

### **Recommendation 4**

County government should investigate housing alternatives for immigrant workers.

**REQUEST FOR RESPONSE**

In accordance with Section 933(c) of the California Penal Code, each agency and government body affected by or named in this report is requested to respond in writing to the findings and recommendations in a timely manner. The following are the affected agencies for this report, with the mandated response period for each:

**Santa Barbara County Board of Supervisors – 90 days**

Findings	All
Recommendations	All

**INFORMATION ONLY**

**Santa Barbara County Sheriff’s Department**

**Santa Barbara County Superintendent of Education**

**Santa Barbara County Director of Housing and Community Development**

**Santa Barbara County Director of Public Health**

**Santa Barbara County Director of Social Services**

**Representative Lois Capps**

**Representative Elton Gallegly**