



Annual Report 2022-2023

INTRODUCTION

The Asian American Legal Defense and Education Fund (AALDEF), a New York-based national organization founded in 1974, protects and promotes the civil rights of Asian Americans. By combining litigation, advocacy, education, and organizing, AALDEF works with Asian American groups across the country to secure human rights for all. Current program priorities include economic justice, immigrants' rights, educational equity, housing and environmental justice, the elimination of anti-Asian violence, and voting rights and democracy.

PROGRAMMATIC UPDATES

Anti-Asian Violence

For 50 years, AALDEF has been focused on economic justice, immigrant rights, housing and environmental justice, educational equity, and voting rights. Across all these program areas, however, one issue has come up repeatedly throughout our history: hate violence against Asian Americans.

Since 2020, AALDEF has been providing assistance to Asian Americans of all immigrant backgrounds who have been blamed for Covid-19 and targeted by hate crimes, harassment, and discrimination. We have also spoken at events and conferences about the rise in anti-Asian violence and its historical roots.

Program Priorities:

- Providing legal advice and direct assistance to victims of anti-Asian violence and harassment.
- Mobilizing a network of pro bono attorneys and interpreters to assist victims.
- Collaborating with community groups to respond to future incidents of hate violence, call for police accountability, and push for changes that will create a safe environment for all.

Recent highlights:

- In July 2023, AALDEF launched its [anti-Asian violence toolkit](#). This toolkit includes guidance on evaluating policies and demands related to public safety and anti-Asian sentiment. It also includes an overview of issues to look for when supporting people who have been targeted or discriminated against.
- In March 2023, AALDEF sent a [letter](#) to the United States Commission on Civil Rights for its consideration at a public hearing on the federal government's response to anti-Asian racism in all its forms.
- In 2022, AALDEF's #StopAsianHate Project won the Bronze Award for Best Community Outreach in Human and Civil Rights in the Inaugural Anthem Awards.

Our approach involves supporting individuals targeted by anti-Asian violence and addressing the root causes of racism. AALDEF provides community education and training, helps victims secure justice, urges people to report hate crimes, and works for structural changes so that all of us can live in a world without hate, violence, or discrimination.

Economic Justice

AALDEF's Economic Justice Program provides legal representation, legal advocacy, and community education to Asian communities on workers' rights and economic justice issues. Despite their pivotal role in the U.S. economy, immigrant workers confront daily challenges in the labor force: language barriers, exploitative working conditions, immigration-related vulnerabilities, and restrictions to accessing public services and benefits.

For the last 50 years, AALDEF has employed innovative legal strategies to protect immigrant workers and enforce labor and employment laws. We have won millions of dollars in back wages and overtime pay for low-wage immigrant workers and have advocated for the rights of workers to hold employers accountable for labor law violations.

Program Priorities:

- Litigation, in partnership with worker centers, to enforce labor and employment laws.
- Advocacy, in coalition with community groups and other advocates, to improve laws that impact low-wage immigrant workers.
- Know Your Rights workshops and legal clinics to educate workers about their rights and empower them to fight for fair and just labor standards and working conditions.
- Legal advice and services for workers subjected to severe workplace exploitation.
- Wage theft cases, including collective actions on behalf of Chinese, Korean, and Latino home health aides; and other cases on behalf of Asian workers in the restaurant and other low-wage industries.
- Support for members of Red Canary Song in the massage and sex worker industries seeking to change licensing structures in NY, MA, and NJ that create multiple barriers for immigrants.
- Support nail salon workers and owners in changing workplace conditions and standards, primarily in NY and MA and with Southeast and South Asian workers.
- Securing deferred action relief for immigrant workers who have faced labor law violations.

Recent highlights:

- In May 2023, AALDEF submitted a memo in strong support of A46/S1977, a New York bill that will help workers collect stolen wages. The proposed legislation will provide workers with legal tools to ensure that their employers will pay them once they are awarded a legal judgment.
- In June 2023, AALDEF submitted another memo in strong support of the Wage Theft Attachment Act (WTAA), A07752/S07539, a bill that will help workers collect stolen wages..
- Since the spring of 2022, AALDEF has been doing community legal education work on Deferred Action for Workers, a process that protects noncitizen workers from threats of immigration-related retaliation from exploitative employers and grants temporary protection from deportation and a work permit. In June 2023, we held a Know Your Rights Workshop in collaboration with Red Canary Song to help workers assert their rights in the workplace.

Education Equity

Everyone—regardless of immigration status—has a right to public education. For immigrants seeking a better life in this country, this is critical. Meaningful access to education requires addressing language and cultural barriers that immigrant students and their families encounter. For Asian Americans, having full access to education also means combatting the harmful model minority stereotype.

AALDEF provides legal assistance, community education, and organizing support to students and their families asserting their rights to equal educational opportunities. Our educational equity work is conducted in tandem with local community groups whom we partner with to build capacity and help us

keep abreast of local developments and movements for social change. The areas we focus on reflect the diversity of Asian American communities and the broad range of issues affecting them.

Program Priorities:

- Advancing race-conscious admissions policies and affirmative action.
- Advocating for education equity in K-12 and higher education spaces.
- Ensuring language access for students and families.
- Combatting anti-Asian harassment.

Recent highlights:

- AALDEF is co-counsel to a multi-racial coalition of organizations and families intervening in a lawsuit in support of Boston Public Schools’ shift in exam policy. This case is currently on appeal at the First Circuit.
- In 2018, AALDEF [filed](#) an amicus brief in the United States District Court in Massachusetts opposing Students for Fair Admissions’ (SFFA) challenge to Harvard’s race-conscious admissions policy and later [filed another](#) amicus brief in the First Circuit. In August 2022, AALDEF submitted an amicus brief to the Supreme Court on behalf of 121 Asian American groups and educators in support of race-conscious admissions at Harvard University and the University of North Carolina.
 - Now, [in 2023](#), following the Supreme Court’s ruling that the universities’ race-conscious admissions programs were unconstitutional, AALDEF, with the Legal Defense Fund, Lawyers’ Committee for Civil Rights Under Law, Asian Americans Advancing Justice—AAJC, the ACLU, and LatinoJustice PRLDEF, released a [comprehensive report](#) that offers guidance for advancing educational equity. This report provides key recommendations that can increase access to equitable and diverse education.

Housing and Environmental Justice

AALDEF’s Housing and Environmental Justice Program provides legal representation, community education, and organizing 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. The introduction of sports complexes and unfettered luxury development can destroy neighborhoods if community input and local ordinances are not considered. At the heart of our work is the principle that every community should have a meaningful voice in the future of their neighborhoods. We collaborate with tenants, small businesses, and local community groups to sustain neighborhoods where immigrants live and work.

Program Priorities:

- Advocacy for equitable zoning that protects tenants and small businesses in local Chinatown neighborhoods.
- Building coalitions to support community organizing efforts to protect low-income immigrant neighborhoods.
- Litigation, in partnership with community groups, to ensure compliance with local zoning laws, environmental review procedures, and non-discrimination provisions.
 - Litigation on an environmental case in New York’s Chinatown and Lower East Side to challenge three luxury high-rise towers affecting low-income public housing tenants.
 - Legal support for Philadelphia Chinatown coalition to oppose the new Philadelphia 76ers arena.
 - Zoning litigation in Boston’s Chinatown to preserve housing in the city’s last affordable residential district.

- Draft ordinance for zoning changes to protect affordable housing in Boston’s Chinatown.
- Document gentrification and displacement in neighborhoods with significant low-income immigrants, residents of color, and small businesses.
- Counter policies that result in environmental racism.

Recent highlights:

- [In April 2023](#), the Massachusetts Appeals Court issued a decision in favor of Wendy and John Lee, whom AALDEF represented in their lawsuit against a developer in Boston’s Chinatown. The decision helps keep Chinatown’s row house district safe and affordable.
- [In October 2022](#), AALDEF filed a lawsuit on behalf of plaintiffs from Manhattan’s Lower East Side and Chinatown neighborhoods, whose rights to health, welfare, and safety were infringed upon by the Two Bridges Large Scale Residential Development project.
- In 2023, AALDEF organized hundreds of volunteers to conduct local land use surveys to update our 2013 [report](#) on gentrification in three East Coast Chinatowns in Boston, New York, and Philadelphia. The resulting comparative reports—10-years apart—will greatly enhance our understanding of how Chinatowns have fared in the last decade and the solutions necessary to ensure their survival in the future.

Immigrant Rights

AALDEF’s Immigrant Rights Program involves legal representation, litigation, policy advocacy, community education, and organizing to support Asian immigrants and families of all backgrounds. We are committed to advocating for humane and dynamic immigration laws and policies where the dignity of all migrants is realized. AALDEF is an active voice on immigrant rights issues on both the national and local levels and is among the few organizations that provide legal representation and community education to marginalized Asian immigrants, including undocumented residents and noncitizens with criminal convictions.

Program Priorities:

- Providing a combination of legal representation and community education to Asian immigrants and their families to close the ever-widening gap in substantive and procedural rights between immigrant Americans and U.S.-born Americans.
- Working with community groups, through litigation and policy work, to advocate for Asian immigrants facing deportation as a result of criminal convictions.
- Creating safe spaces for undocumented Asian American youth and advocating for just and humane immigration policies in partnership with the youth group RAISE (Revolutionizing Asian American Immigrant Stories on the East Coast).

Recent highlights:

- AALDEF assisted its community partners at the Southeast Asian Freedom Network with drafting the text of the Southeast Asian Deportation Relief Act of 2023, which was introduced in Congress on August 22, 2023. This bill would prevent the deportation and detention of Southeast Asian noncitizens with final orders of removal because of a criminal conviction and provide a pathway to deported Southeast Asians to return to the United States.
- AALDEF worked with its community partner Adhikaar to organize immigration clinics from in 2023 to assist Nepali Temporary Protected Status (TPS) holders to re-register for TPS.
- AALDEF organized informational workshops on the new Department of Homeland Security program “Deferred Action for Workers,” which we continue to host with community partners while also serving as a legal resource for noncitizens interested in applying for the program.

Voting Rights & Democracy

Asian Americans are the fastest growing racial group in the United States, however the community's political strength has yet to be fully realized. Throughout U.S. history, Asian Americans have been disenfranchised by discriminatory laws that denied citizenship to Asian immigrants and rendered them ineligible to vote. Chinese Americans were not permitted to become citizens until 1943; for Asian Indians, 1946; and for Japanese and other Asian Americans, 1952. Despite the inroads Asian Americans have made as elected officials, the legacy of these discriminatory policies and the notion of Asian Americans as foreigners are still strongly felt today, impeding Asian American political participation. AALDEF blends community education and organizing, election reform advocacy, litigation, and technical assistance to community-based organizations to promote civic participation among Asian Americans—immigrants and new citizens—across the country. We are proud to have been a part of increasing Asian American voter turnout by 47% from the 2016 presidential election to the 2020 presidential election.

Program Priorities:

- Advocacy and organizing for fair and equitable redistricting that enables the community to elect candidates of their choice by recognizing and protecting Asian American communities of interest at all legislative levels.
- Litigation, in partnership with community groups as well as other national legal organizations, to oppose discriminatory voting laws, procedures, redistricting, and restrictions to language access.
- Documenting primary and general elections through poll monitoring and creating complaint letters and post-election reports.
- Collecting and reporting demographic and electoral data for Asian American voters through AALDEF's nonpartisan, multistate exit poll.

Recent highlights:

- [In August 2023](#), a federal court ruled in favor of AALDEF, Texas Civil Rights Project, the ACLU, the ACLU of Texas, Disability Rights Texas, and Jenner & Block LLP, stating that mail-in ballot ID matching provisions of Senate Bill 1 in Texas violate federal law. The [remainder of this case](#) went to trial in September, after nearly six weeks of testimony from dozens of witness. Closing arguments are set for January 2024, and the judge will issue his final ruling at a future date.
- [In June 2023](#), the United States Supreme Court affirmed a lower court's ruling that Alabama's 2021 congressional map likely violated the federal Voting Rights Act by packing Black voters into one district and dividing others across six districts. [AALDEF submitted an amicus brief in the case.](#)

[In June 2022](#), a state judge in New York ruled that a move to allow noncitizens to vote would first require voters to pass a referendum. The Our City Our Vote law would have allowed more than 800,000 legal permanent residents and immigrants authorized to work in the United States to vote in local elections. AALDEF and our partners continue to fight on behalf of all New Yorkers who will be enfranchised by this legislation. In 2023, we are awaiting a decision from the New York appeals court.

Anti-Trafficking

AALDEF's Anti-Trafficking Initiative, launched in October 2005, provides free legal representation to trafficked and exploited women and youth workers. In addition to the protections that exist for all workers in the U.S., federal and state laws protect and support survivors of trafficking. According to the federal government, hundreds of thousands of victims are trafficked across international borders as well as into the U.S. each year. As many as one-third of these individuals are from Asia and the Pacific Islands.

Human trafficking involves the use of force, fraud, or threats against persons in order to make them work against their will. Trafficking may occur in a commercial industry (such as agriculture, manufacturing, construction, restaurants, or domestic work) or in a private setting (such as a forced marriage). Trafficking survivors often live in extreme isolation and fear while being forced to work for very little or no pay and with restricted access to the outside world. AALDEF's Anti-Trafficking Initiative currently has educational resources available in 12 languages: English, Bangla, Chinese, Hindi, Khmer, Korean, Lao, Punjabi, Tagalog, Thai, Urdu, Vietnamese. Brochures and quarter-sheet palm cards are available for download below:

Anti-Trafficking Legal Rights

Brochure [English](#), [Bangla](#), [Chinese](#), [Hindi](#), [Khmer](#), [Korean](#), [Lao](#), [Punjabi](#), [Tagalog](#), [Thai](#), [Urdu](#), [Vietnamese](#)

Anti-Trafficking Legal Rights Palm

Cards [English](#), [Bangla](#), [Chinese](#), [Hindi](#), [Khmer](#), [Korean](#), [Lao](#), [Punjabi](#), [Tagalog](#), [Thai](#), [Urdu](#), [Vietnamese](#)

Recent highlights:

AALDEF represents trafficking survivors from a variety of industries, including domestic work. In February 2010, AALDEF submitted an *amicus* brief to the U.S. Court of Appeals for the Second Circuit in support of a domestic worker who filed a suit, *Swarna v. Al-Awadi*, with claims of abuse and employment violations against a former Kuwaiti diplomat, his wife, and the state of Kuwait. Ms. Swarna appealed the district court's decision to dismiss the case against the state of Kuwait under the Foreign Sovereign Immunities Act, and supported the lower court's decision to deny the former diplomat and his wife diplomatic immunity under the Vienna Convention on Diplomatic Relations. AALDEF, the ACLU Women's Rights Project, and 11 other organizations argued the defendants were not entitled to diplomatic immunity because Ms. Swarna filed her lawsuit against them after the defendant left his diplomatic post and engaging in human trafficking would deprive him of immunity. In the [June 2009 decision in the case, Baoanan v. Baja](#), AALDEF overcame the defense of diplomatic immunity claimed by a former Philippine diplomat and his wife.

ORGANIZATIONAL AND FINANCIAL UPDATES

Over the last year, AALDEF has continued to grow in response to the demand for its programs. Our staff size increased from 16 to 24, including expanding our in-house attorneys from 9 to 14. Our annual budget increased to \$5,125,000 this year, and we are continuing to diversify and expand our revenue to include more new multi-year foundation grants and more individual and corporate donors nationwide. Details on our last fiscal year can be found at the end of this report. We recently hired a seasoned Development Director with over 30 years of experience, in addition to bolstering our operational infrastructure to support our growing organization. As AALDEF approaches its 50th anniversary in 2024, we are heartened by the real impact we have been able to achieve both internally and externally.

CONCLUSION

It has been a challenging year for Asian Americans, as the post-pandemic world unfolds and the rise in anti-Asian violence and harassment continues. A promising sign was the growth in Asian American civic participation, especially by new citizens and first-time voters, reflecting our community's intention to have their voices heard in all aspects of American society. Looking forward, and as we enter our 50th year in 2024, AALDEF remains committed—now more than ever—to promoting and protecting the civil rights of Asian Americans for future generations.

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Financial Report (July 1, 2022 – June 30, 2023)

Revenues

Contributions	667,964
Grants	2,038,150
Events	717,119
Interest/Other	<u>80,240</u>

3,503,473

Expenditures

Program services	2,551,286
Administration	269,961
Fundraising	<u>120,618</u>

2,941,865

Increase in net assets	561,608
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Net assets, end of year.	13,214,355	*
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