



# Blueprint

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TO SECURE A JUST RECOVERY

NEW JERSEY   
POLICY PERSPECTIVE 

New Jersey Policy Perspective (NJPP) is a nonpartisan think tank that drives policy change to advance economic, social, and racial justice through evidence-based, independent research, analysis, and strategic communication.

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# Acknowledgements

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New Jersey Policy Perspective is grateful to the many individuals, organizations, and foundations who share our vision for a fairer Garden State. The production and dissemination of this *Blueprint to Secure a Just Recovery* is made possible through generous support from the Center on Budget and Policy Priorities and the Robert Wood Johnson Foundation.

We are deeply appreciative of the many colleagues, advocates, and allies who served as contributors, collaborators, and thought-partners in the development of this *Blueprint*:

- Advocates for Children of New Jersey
- American Civil Liberties Union of New Jersey
- American Friends Service Committee
- Anti-Poverty Network of New Jersey
- Blue Wave New Jersey
- Center on Budget and Policy Priorities
- Cherry Hill Women's Center
- Clean Water Action
- Education Law Center
- Energy Foundation
- Environment New Jersey
- Fair Share Housing Center
- Faith in New Jersey
- Janice Fine, Professor, Rutgers School of Management and Labor Relations
- Good Government Coalition of New Jersey
- Housing and Community Development Network of New Jersey
- Hunger Free New Jersey, a Program of Center for Food Action
- Laundry Workers Center
- League of Women Voters of New Jersey
- Make the Road New Jersey
- National Domestic Workers Alliance
- New Jersey Alliance for Immigrant Justice
- New Jersey Citizen Action
- New Jersey Community Schools Coalition
- New Jersey Education Association
- New Jersey Harm Reduction Coalition
- New Jersey Health Care Quality Institute
- New Jersey Institute for Social Justice
- New Jersey Work Environment Council
- New Jersey Working Families
- New Labor
- Planned Parenthood Action Fund of New Jersey
- Regional Plan Association
- Julia Sass Rubin, Associate Professor, Rutgers Edward J. Bloustein School
- Raisa Rubin-Stankiewicz, Vote16USA Youth Advisory Board Member
- Salvation and Social Justice
- Service Employees International Union, Local 32BJ
- United Way of Northern New Jersey
- Wind of the Spirit Immigrant Resource Center

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# Message from the President

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In 2017, New Jersey Policy Perspective released the *Blueprint for Economic Justice and Shared Prosperity*. It charted a course forward for the state after decades of short-sighted policymaking that exacerbated racial disparities, spread economic inequality, and weakened our ability to address emergent problems. Now, as we begin to recover from the COVID-19 pandemic and recession, New Jersey is at a transitional moment — a moment of sterling opportunity to build a better future for all residents. Returning to the economy we had before the pandemic is not an option. To move forward, we must affirm our commitment to justice and prosperity for all, and implement policies that ensure all New Jerseyans can thrive.

This new Blueprint is more than a pathway out of the pandemic and recession — it is also a new vision for NJPP. Produced in close collaboration with dozens of partners, the Blueprint encompasses both the issue areas that have long been the backbone of our work, as well as new priorities which NJPP identified as critical to securing just and equitable outcomes. The needs of our state are great and we can no longer afford to silo our policy concerns; we must recognize the inextricable links that tie housing to school funding to transportation and beyond. To avoid robbing Peter to pay Paul, we must grow the pie and be forthright about the level of investment that our communities truly need.

The past few years have been encouraging: New Jersey implemented a bevy of policies that benefit the needs of the many over those of a select few. Policies like a \$15 minimum wage, paid sick leave, higher quality and more affordable health care, pay equity, and so much more will help ensure a swifter, more robust, and inclusive economic recovery. But there remains much more to accomplish before we can assert that the Garden State is a place where anyone can succeed regardless of their background. Drastic disparities along the lines of race, ethnicity, gender, sexual orientation, and immigration status continue to weaken our economy and our communities. We must aggressively work to eliminate poverty, close the racial wealth gap, and pursue restorative justice to build a stronger and fairer future for all.

This requires significant changes. Changes to the way we operate our elections to ensure that marginalized communities are truly engaged in shaping public policy decisions. Changes to the assets in which we invest — like education, transportation, and housing — so every resident has a real shot at success. Changes to how we mitigate the crisis of climate change. And we must do all of this within an anti-racist framework

so we do not worsen existing disparities. Failing to address the harms of history will only allow these inequities to fester. The challenges we face are numerous, and they are great, but with challenge comes opportunity. New Jersey has a historic opportunity to rebound in a manner that provides a blueprint for the rest of the nation.

We hope you will find the ideas and policies in this document worthwhile and inspiring. Some are big on hope and will be transformational. Others may seem more modest, but can immediately and tangibly improve people's lives. While this document does not include every policy imaginable, it speaks to our vision for the future of the state. Taken as a whole, this Blueprint focuses on the goals of reducing the racial wealth gap, eliminating poverty, and realizing equity in every community. That means being inclusive. Longtime partners will see that there is no section focused specifically on immigrants' rights to follow — rather, these issues are deeply embedded throughout the document. Immigrants' rights are human rights, and their challenges affect every community. Indeed, if we have learned anything across this project, it is that all of these issues are interconnected, and we must view them — and our efforts to solve them — as related. We must end the austerity mindset that drives the underfunding and budget cuts which harm communities of color first and foremost, and move into a new era of justice for all.

It is an incredible pleasure and privilege to pursue this work in partnership with you. We know these efforts will be difficult, but we are equally assured that they are rooted in a vision of justice and equity. Only together can we find our way to freedom; only together can we realize a better day. In the spirit of togetherness, let's get to work.

Sincerely,

A handwritten signature in white ink that reads "Brandon McKoy". The script is fluid and cursive, with the first name "Brandon" and last name "McKoy" clearly legible.

Brandon McKoy  
President  
New Jersey Policy Perspective

## Tax and Budget

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The budget is much more than just numbers and line items — it is a moral document that represents the priorities and values of the state. This isn't just an abstract vision statement: the budget profoundly shapes the lives and the futures of our communities, funding public schools and colleges, highways, mass transit, public-health infrastructure, the social safety net, and much more.

Implementing a robust, resilient, and reliable state budget requires lawmakers to strike a fine balance between short-term prudence and long-term vision. Too often, New Jersey has prioritized political expediency over future planning, ultimately hampering our ability to make lasting investments in our assets and address emerging challenges.<sup>1</sup> To achieve a stronger and more sustainable future, it is critical that lawmakers rally greater resources to raise more revenue. By making our tax code more progressive, we can help realize a more reliable budget that centers racial equity, economic justice, and improved health and welfare for all residents.

### Restore Fair Taxation of Inherited Wealth

For decades, New Jersey addressed the widening wealth gap by levying both an estate tax and an inheritance tax, investing the revenue in community building blocks like public schools and colleges, mass transit, and public health infrastructure. In 2016, however, state lawmakers gave a big gift to New Jersey's wealthiest families — who are overwhelmingly white — by completely phasing out the estate tax. That change, which benefited a tiny percentage of estates large enough to owe the tax, now costs New Jersey approximately \$550 million a year.<sup>2</sup>

Lawmakers can restore fair taxation of inherited wealth by bringing back the estate tax with a higher threshold than before. Reinstating the tax on estates worth more than \$1 million would raise substantial revenue from fewer, and much wealthier, residents. Alternatively, lawmakers could reform the inheritance tax to generate more revenue from the state's wealthiest heirs. This could be accomplished by expanding the tax to direct heirs while raising the threshold so it no longer applies to lower- and middle-income families. Creating an exemption of up to \$1 million would make the inheritance tax more progressive and help guard against the deepening trend of concentrated wealth and racial inequity.



## Reform the “Mansion Tax”

New Jersey’s tax code provides unearned advantages to wealthy families through low taxes on high-value homes and assets. As it stands, taxes on property are one of the state’s most regressive. Households in the top 1 percent pay the lowest share of their family income towards property taxes, at 2.2 percent, while those who make less than \$24,000, pay 5.7 percent of their income towards them.<sup>3</sup> Similarly, many of the assets of the extremely wealthy — stocks and bonds, real estate, and personal items like jewelry — are taxed at either low rates or not at all. Given the extreme concentration of wealth in New Jersey, taxing high-value homes is an ideal way to make the tax code fairer.

Currently, New Jersey applies a 1 percent real estate transfer tax on homes sold over \$1 million, with the revenue earmarked for the state’s Affordable Housing Trust Fund. But given the demand for housing, this tax funds less than half of what is needed for affordable home production. By supplementing the mansion tax with a new, second bracket of 2 percent on sales over \$3 million, New Jersey can make the overall tax code fairer and generate additional revenue for housing.

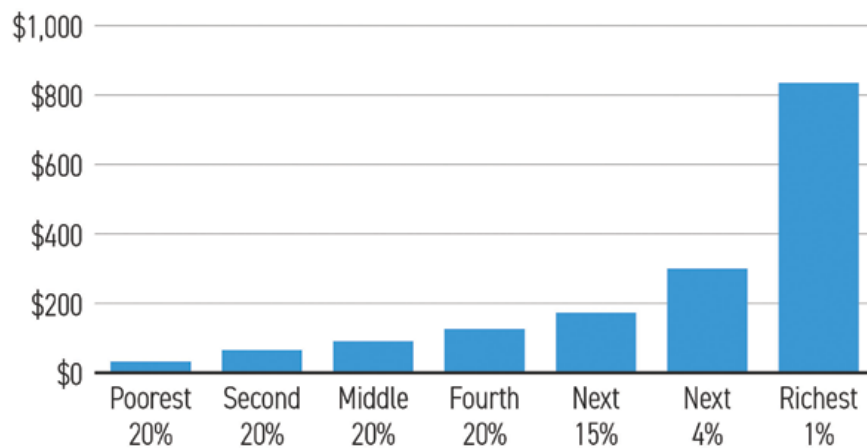
## Modernize the Sales Tax

In 2016, as part of a deal to raise New Jersey’s gas tax to fund essential transportation projects, lawmakers cut the state sales tax from 7 percent to 6.625 percent. This change, which provides only nominal savings to the vast majority of New Jersey families, now costs the state close to \$650 million every year.<sup>4</sup>

On average, the state’s wealthiest 1 percent of households see a tax cut of \$835.18 per year while the poorest 20 percent save an average \$32.44 per year — or approximately 62 cents per week.<sup>5</sup> Families in the middle experience an average savings of \$90.74 annually, or \$1.74 per week.<sup>6</sup> By 2026, the annual cost of this change to the tax code is expected to reach \$738 million.<sup>7</sup>

### Wealthy Families Benefit Most from Sales Tax Cut

Average annual benefit of 2016 sales tax cut, by income group.



Source: Institute on Taxation and Economic Policy, January 2021.

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Reversing this gimmicky tax policy would restore a critical source of funding for higher education, mass transit, health care, and other important public services that a thriving economy requires. The state should also modernize the sales tax to apply to more services — especially those used by higher-income households — including chartered flights, limousine rides, private club memberships, and interior decorating services.

## Close the Combined Reporting Loophole

The state's tax code currently allows large, multistate corporations to shift profits they make in New Jersey to other states that have either a lower or no corporate tax rate. In 2018, state lawmakers successfully enacted combined reporting legislation to stop this practice, but, due to a faulty policy structure, a significant loophole remains. This erodes New Jersey's corporate business tax revenue and ability to fund critically important investments, disproportionately burdening small, in-state businesses that do not have the means to move taxable income. New Jersey must get a handle on large multistate corporations that brazenly exploit tax loopholes by strengthening the state's combined reporting law.

## Adopt a Throwback Rule

In 2011, state lawmakers gave large multistate corporations a significant tax break by scrapping the “apportionment formula” in the corporate business tax code. Previously, New Jersey relied on three factors to determine the share of taxable income of a multistate corporation's profits: property, sales, and payroll. Now, under the “single sales factor” formula, the state only accounts for one factor: sales. This change costs New Jersey well over \$100 million every year and stands as a stark example of how the tax code prioritizes large corporations over small businesses.<sup>8</sup>

New Jersey can rein in this tax break and recoup lost revenue by enacting a “throwback rule.” Adopted by the majority of states with corporate taxation, a throwback rule would remove accounting tricks that reduce large corporations' state tax bills at the expense of vitally important public investments that all businesses depend on, like mass transit.

## Decouple From Federal “Opportunity Zone” Tax Breaks

The 2017 federal tax law created a new tax break to encourage real estate and business investment in economically distressed communities known as “Opportunity Zones” (OZ). The policy has delivered windfall gains to wealthy individuals and big corporations, but lacks the necessary safeguards to ensure that local residents and workers benefit from these investments. Because New Jersey conforms to this federal policy, tax breaks carry across to the state level regardless of the location of the OZ; when multistate corporations take advantage of these benefits, the state can lose revenue, inadvertently subsidizing development outside of New Jersey. This is on top of the generous tax breaks the state offers to OZ projects under the state's new corporate tax incentive program.<sup>9</sup>

New Jersey should “decouple” their own income taxes from the OZ tax breaks, leaving it to the federal government to subsidize OZ investments.<sup>10</sup> Doing so will help create a more just tax system, rein in excessive corporate tax breaks, and free up resources to fund critical components of strong local communities.

## Improve the Budget Process

It's difficult to pass a state budget that prioritizes New Jersey's long-term needs when the process incentivizes politically convenient decision-making. Over the last decade alone, short-sighted tax and budget policies resulted in an astonishing 11 credit downgrades — a new record for downgrades under any one governor in the nation's history. More recently, New Jersey got its second credit downgrade since the beginning of the pandemic, after legislators approved \$4 billion in borrowing to shore up the state's finances among fears of a second wave and cratering tax revenues. Restoring New Jersey's credit outlook should be prioritized to bring down borrowing costs for major investment projects like road improvement and school construction.

One way to reverse course is to reframe the budget-making process as a collaborative, multi-year exercise that centers fiscal responsibility. Lawmakers should: 1) adopt consensus revenue forecasting by a joint advisory board with representatives from the executive branch, legislative branch, and a mutually agreed-upon third party; 2) require New Jersey to estimate revenues at least three years into the future; 3) require New Jersey to project the next three years of costs in major spending areas like state contributions to the pension system, education aid, municipal aid, and direct property tax relief; 4) strengthen the state's "Rainy Day Fund"; and 5) incorporate budget "stress tests" into the revenue and spending forecasting processes.

## Endnotes

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9 *New Jersey Economic Recovery Act*, P.L. 2020, Chapter 156. (2021). [https://www.njleg.state.nj.us/2020/Bills/AL20/156\\_.PDF](https://www.njleg.state.nj.us/2020/Bills/AL20/156_.PDF)

10 New Jersey Treasury Division of Taxation, *Federal Tax Cuts and Jobs Act (TJCA)-Opportunity Zones*. <https://www.state.nj.us/treasury/taxation/federaltaxcuts.shtml> (Updated February 2020)

## Economic Security

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Economic security is not abstract, but a question of whether families have the resources they need to put food on the table, a roof over their head, care for their families, and save for the future. Even in one of the wealthiest states in the nation, poverty is widespread and income inequality is on the rise. Far too many New Jersey residents face significant barriers to making ends meet. Women — especially Black, Hispanic/Latinx, and immigrant women — are more likely to be burdened by economic insecurity because of gender- and race-based pay gaps, and often bear the brunt of unpaid caregiving responsibilities. Targeted state policies can reverse these pervasive barriers to well-being and help families get out, and stay out, of poverty.

### Close the Racial Wealth Gap with Reparations

New Jersey consistently ranks as one of the most affluent states, but this metric fails to tell the full story. The state maintains a dramatic racial wealth gap that harms the ability of non-white workers, families, and communities to care for themselves and invest in their children. According to a 2019 analysis by the New Jersey Institute of Social Justice, the average wealth of New Jersey's white families was over \$309,000, while the average wealth of Black and Hispanic/Latinx families were both under \$8,000.<sup>1</sup> Much of this disparity is due to centuries of discriminatory policies across a variety of issue areas including labor, housing, education, and more. Fixing each issue on its own will take tremendous effort, but New Jersey can help close the racial wealth gap by providing reparations to Black communities harmed by the American slave trade.

Reparations would provide restitution and redress for the tangible harms and horrors of slavery. In 2019, members of the Legislative Black Caucus introduced a bill to create a task force to explore how the state could make reparations to Black residents, but the proposal has yet to pass through a single committee.<sup>2</sup> It is impossible to understand how reparations could be implemented effectively while so many still refuse to even discuss the idea. So long as such efforts languish, New Jersey cannot claim to be a state that cares about realizing racial justice and equity.

## Invest in a More Equitable Future with Baby Bonds

A baby bonds program, in which the government deposits money in a savings account for every newborn, could be a powerful tool to build wealth for those who otherwise wouldn't have any. These early investments in the future of all newborn residents can help offset disadvantages caused by a lack of generational wealth. Governor Murphy proposed a baby bonds program in his FY 2021 budget proposal, but it was not included in the budget that was ultimately passed.<sup>3</sup> While the governor's plan laid out just one deposit into a savings account, the program could be much more effective if investments were to be made every year until children reach the age of 18, similar to the federal baby bonds program proposed by U.S. Senator Cory Booker.<sup>4</sup> This would dramatically reduce the racial wealth gap over the course of a generation.

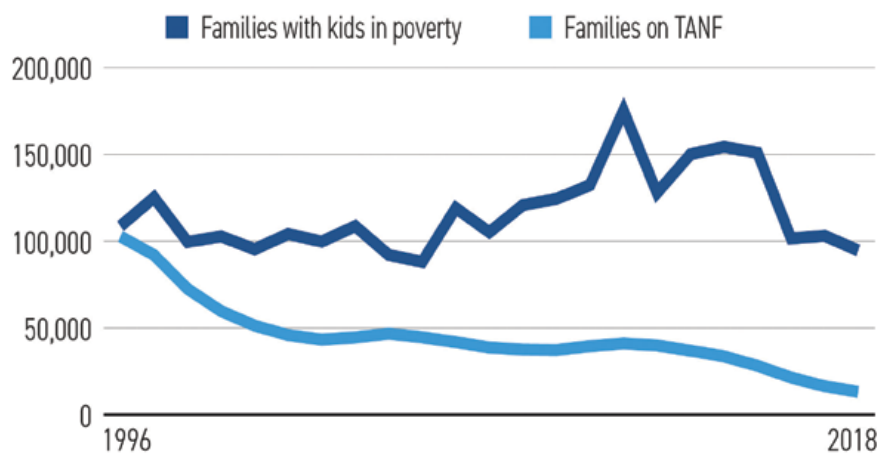
## Increase and Expand Cash Assistance

Cash assistance remains the most direct and impactful way to protect low-income families with children from the harms of deep poverty. But WorkFirst New Jersey (WFNJ) is woefully inadequate at alleviating poverty, as benefit levels are too low and too many families are excluded. This particularly hurts families of color, who are disproportionately represented among New Jerseyans with the lowest incomes, and children, who experience long-term consequences from living in poverty during important years of development.<sup>5</sup>

The current level of cash assistance in New Jersey only equates to one-third of the federal poverty level, guaranteeing that families who receive benefits continue to live in “deep poverty.”<sup>6</sup> WFNJ benefits even trail behind those of states with lower incomes and costs of living.<sup>7</sup> By increasing the cash assistance level to at least 50 percent of the federal poverty level, and adjusting benefits every year for inflation, lawmakers can help more families escape deep poverty.

### Fewer Families in Poverty Receive Cash Assistance Since the Creation of TANF

Families assisted by TANF in New Jersey has decreased 91 percent since 1996.



Source: NJPP analysis of Center on Budget and Policy Priorities data.

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In addition to raising cash assistance levels, state lawmakers should expand the program's eligibility. Currently, all immigrants who have lived in the United States for less than five years are ineligible for benefits — regardless of their immigration status. Expanding benefits to all residents would ensure that no vulnerable residents are left behind in their times of greatest need.

## Fully Fund Public Pensions and Benefits

For decades, New Jersey responsibly managed and funded public pensions and health benefits. Each year, employees and the state alike laid away a certain amount of money so that, as employees retired or needed medical care, there was sufficient funding to cover the promised benefits. This system broke down due to a cycle of short-sighted decisions made by governors and legislators of both political parties that date back to the 1990s. While employees continued to dutifully pay their fair share — and even more after the passage of Chapter 78 reforms in 2011 — political leaders dropped their end of the bargain. They spent the funds earmarked for public employees' pensions and health benefits on other things, leaving future lawmakers and taxpayers to pay back skipped payments with interest.<sup>8</sup>

Fully funding public employee pensions and health benefits is not only the fair thing to do for workers and their families, but it is smart budget policy. By putting one of the nation's worst funded pension systems on a path to solvency, lawmakers would protect the retirement security of more than 800,000 public workers and retirees, help attract and retain a strong public workforce, and improve the state's long-term financial outlook.<sup>9</sup> Furthermore, ensuring solvent and sustainable pension and benefit funds — without harming or revoking the promises made to public workers — is crucial to realizing both racial and intergenerational equity for a large portion of New Jersey's population.<sup>10</sup>

## Expand the Earned Income Tax Credit

The Earned Income Tax Credit (EITC) is a proven tool for addressing poverty and promoting economic security.<sup>11</sup> This critical program boosts the income of low-paid workers, helping them and their families better afford their basic needs, like rent, groceries, and school supplies.

We know that the EITC works, but only for those who qualify. Far too many New Jerseyans are excluded from the EITC or are only eligible for a very small benefit due to narrow eligibility requirements.<sup>12</sup>

New Jersey can make the tax code fairer and improve the quality of life for workers and their families by expanding the EITC to workers who file taxes using an Individual Tax Identification Number (ITIN), eliminating age caps on eligibility, and increasing the income threshold and credit amount for workers without qualifying children.

## Make the Child and Dependent Care Credit Refundable

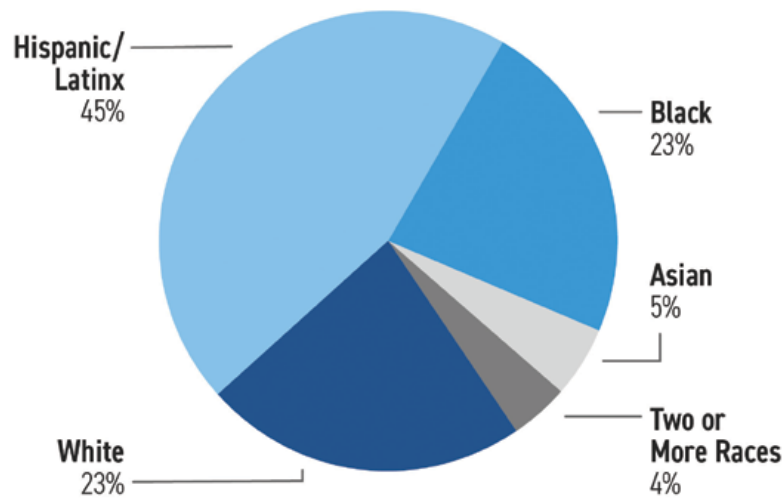
The best investment a state can make is in its children. Yet, in New Jersey, 12 percent of kids live in poverty.<sup>13</sup> While there are many contributing factors, the high costs of child and dependent care place a major financial strain on working families with children or other dependents. The state Child and Dependent Care Credit (CDCC) provides some relief to families with a taxable income of less than \$60,000 by helping offset the costs of child care expenses, but it doesn't go far enough.<sup>14</sup> Because the CDCC is not refundable, this credit is only issued if taxes are owed, leaving out families with the lowest incomes. Making the credit fully refundable would substantially expand the reach of the program and better support New Jersey families with very low or no income.



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## New Jersey's Children of Color Disproportionately Live in Poverty

New Jersey children in poverty, by race.



Source: Kids Count Data Center, 2018.

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## Establish a State Child Tax Credit

To further reduce child poverty and boost the after-tax earnings of families with children, New Jersey should create a state Child Tax Credit (CTC).<sup>15</sup> This credit would supplement the federal CTC, which provides up to \$2,000 to families with children under the age of 17 who are citizens of the United States. State lawmakers should establish a state CTC that is more expansive than the federal credit, with a lower income threshold and eligibility guidelines that include immigrant families. These changes would prioritize families with the greatest needs, and ensure that the policy effectively addresses gaps in existing programs.

## Streamline Safety Net Program Applications

With millions of New Jerseyans one paycheck away from financial catastrophe, safety net programs are critical to ensuring that families can meet their basic needs if they fall on hard times. Unfortunately, many eligible residents do not access the benefits to which they are entitled due to barriers created by overcomplicated and difficult application and enrollment processes. This disadvantages families with low incomes, who often have difficulty acquiring required documents, gaining access to the applications themselves, or finding information about programs. The state should commit funding to update technology; simplify application and redetermination processes; make materials available in more languages; and create streamlined applications and data sharing across programs such as SNAP, Medicaid, and WorkFirst New Jersey. These changes would help to lessen both the burden on residents seeking assistance as well as the state's capacity required to gather and process applications.

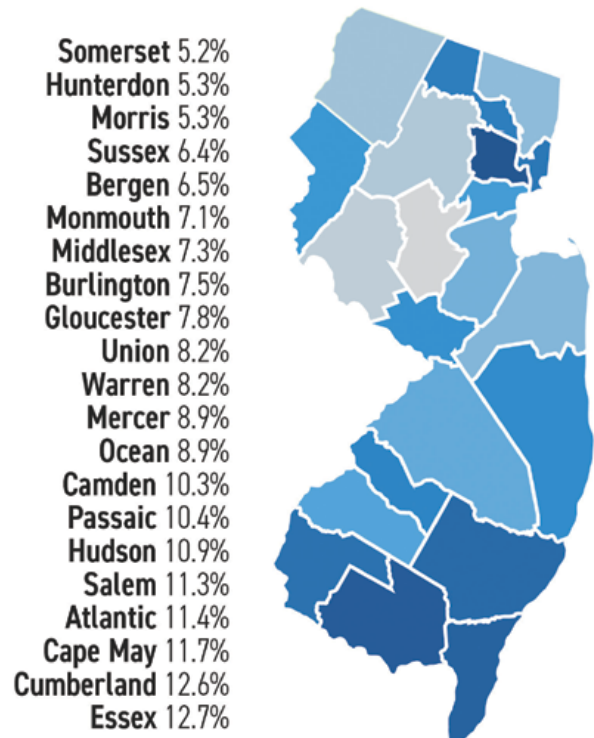
## Boost Food Assistance Enrollment

Despite the bounty implied by the nickname “Garden State,” many residents struggle to get enough to eat. Food insecurity poses immediate and long-term dangers, especially for children, as hunger can have long-lasting effects on a child’s ability to succeed in school, get a college degree, and find work as an adult. The Supplemental Nutrition Assistance Program (SNAP) is incredibly effective at helping families put food on the table — but only when the program is sufficiently funded and administered.<sup>16</sup> For years, New Jersey has lagged behind other states in SNAP participation rates, with the most recent data showing that in six counties (Somerset, Cape May, Morris, Bergen, Sussex, and Hunterdon) the program reached 50 percent or less of the low-income population.<sup>17</sup>

With more state funding for expanding outreach and strategic partnerships with local organizations, New Jersey can reach more residents experiencing hunger, including immigrants, elderly residents, and college students.<sup>18</sup> Urgent improvements to SNAP during the COVID-19 pandemic, such as the extension of benefits to online food purchases, show how small administrative changes can provide families greater access to better nutrition.<sup>19</sup>

## Food Insecurity in New Jersey

Percent of residents in food insecure households, by county.



Source: Feeding America, 2018 Update.

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## Endnotes

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## Health

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All people should be able to access the health services they need without suffering financial hardship or discrimination. Healthy people have a better quality of life, can care for their families, and make long and lasting contributions to their communities. Unfortunately, many New Jerseyans lack the resources that they need to lead healthy lives. Without access to affordable and comprehensive coverage, many Garden State residents are forced to choose between paying for medical care or other necessities like rent or groceries. Past policies and continuing racism in health care — the effects of which were on full display during the COVID-19 pandemic — have disproportionately burdened Black, Hispanic/Latinx, and indigenous populations. New Jersey must work to expand access to high-quality and affordable health care programs, advance health equity, and break down barriers to well-being.

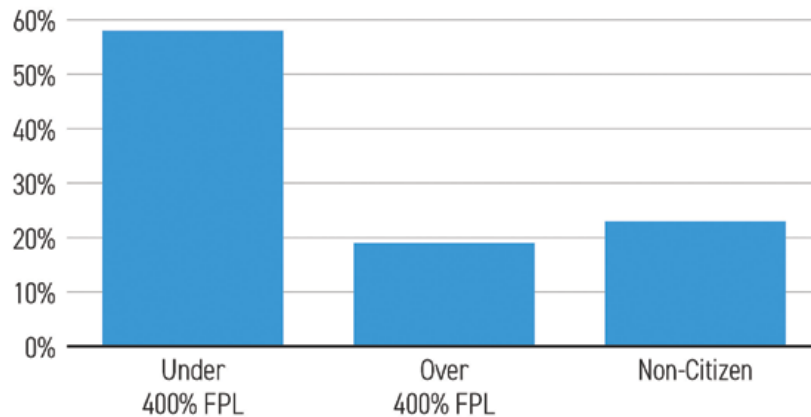
### Provide Universal Coverage for All Kids

New Jersey can cement its status as a national leader in expanding access to affordable health care with universal coverage for all kids. Unheard of only a few years ago, all kids coverage is now within reach thanks to significant enrollment gains made under the Affordable Care Act (ACA). Right now, there are more than 80,000 children in New Jersey who do not have health insurance coverage. A vast majority of these children live in poverty, and more than seven-in-ten (71 percent) are children of color.<sup>1</sup>

New Jersey can cover all kids by: expanding eligibility for NJ FamilyCare to all children under the age of 19, regardless of immigration status; establishing full funding in perpetuity for outreach to enroll already-eligible children; and eliminating Children's Health Insurance Program (CHIP) premiums and waiting periods for families which create administrative barriers to coverage. With childhood health influencing educational, health, and other well-being outcomes well into adulthood, all kids health coverage is a historic goal worth pursuing.

## Most Uninsured Kids are Eligible for NJ FamilyCare

Most uninsured kids live in households below 400% of the Federal Poverty Level.



Source: American Community Survey, 2017. Unauthorized non-citizen estimates from IPUMS ACS.

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## Provide Affordable Health Insurance Options for Immigrants

Immigrant families face significant barriers to accessing many social services, including health insurance. To qualify for Medicaid under NJ FamilyCare, lawful permanent residents (LPRs) must be in the country for at least five years; residents with temporary work or student visas and undocumented immigrants are ineligible. While the ACA marketplaces (including GetCoveredNJ) provide subsidized coverage for qualified documented immigrants, they do not establish a route for undocumented residents — already excluded from Medicaid, CHIP, and other government programs — to gain access to qualified health plans. This leaves them at the mercy of coverage decisions made by their or their spouses' employers, or unsubsidized plans offered directly through insurance companies.

Without eligibility for Medicaid, plan guarantees of the ACA, or financial assistance, many immigrant families remain uninsured. When those who are uninsured need care, it is often done through emergency rooms, with the costs covered through programs like Charity Care or written off by hospitals when they cannot be collected from the patient.<sup>2</sup> Expanded coverage options help to limit these costs and improve health for all of New Jersey's families. New Jersey can lead the way by ending the five year ban for LPRs for Medicaid eligibility, offering qualified health plans to undocumented residents through the exchange, and expanding financial assistance using state dollars to help make coverage affordable.

## Expand Access to Abortion Care

New Jersey has long been a champion of reproductive rights, but barriers still exist for people struggling to make ends meet and those without access to affordable health care. Expanding access to abortion care is not only an issue of reproductive freedom but economic justice: studies show when someone is denied an abortion, the economic stability of that household drops significantly.<sup>3</sup>

As other states race to push reproductive health care further out of reach, New Jersey should ensure that everyone — including transgender and non-binary people — has the right to make their own personal health care decisions about birth control and other pregnancy-related care, including abortion. More importantly, New Jersey should expand access to reproductive health care by breaking down obstacles, such as medically unnecessary restrictions and financial barriers for historically marginalized communities.

## **Make Prescription Drug Costs Affordable and Transparent**

Prescription drug costs continue to climb, making it harder for residents across the Garden State to afford their medication. Rising drug prices especially hurt seniors and people with chronic illnesses who need medicine regularly. By establishing a Prescription Drug Affordability Board and making more data on claims available through a public database, New Jersey can get drug prices under control and improve public health.<sup>4</sup> Greater transparency can also help to identify broader trends in spending and costs in the health care system.<sup>5</sup>

## **Strengthen the Affordable Care Act**

The ACA helps millions of New Jerseyans gain comprehensive health coverage by expanding Medicaid, covering pre-existing conditions, and allowing kids to stay on their parents' insurance until the age of 26. During the COVID-19 pandemic, this has provided a safety net for many who lost their jobs and employer-based health insurance.<sup>6</sup> However, despite the availability and essential nature of these coverage options, many people still struggle to navigate the application process and determine their eligibility for various assistance programs.

New Jersey can demystify the process by strengthening the ACA in two key ways. First, lawmakers should increase funding for the State Navigator Program, which supports local organizations that help residents to enroll in coverage and apply for financial assistance. Second, the state should establish an Easy Enrollment program that would allow residents to check their eligibility for coverage by simply ticking a box on their tax filings. This type of program would: easily connect residents with the affordable health insurance options made available to them through the state's various programs; protect people with low incomes from paying a penalty for not enrolling in coverage; and ultimately boost enrollment.<sup>7</sup>

## **Expand Eligibility Determinations for Medicaid**

Medicaid plays an essential role in New Jersey's health care system, providing coverage to low-income families and individuals, including children, parents, pregnant women, seniors, and people with disabilities. But for those who lack internet access, do not speak English as their first language, or have time constraints created by hourly jobs and family care obligations, navigating the enrollment process can be daunting.<sup>8</sup> This proves particularly harmful when health care is needed immediately.

By expanding both Medicaid eligibility and the number of entities able to make eligibility assessments, state lawmakers can lower administrative and information barriers to care for the most vulnerable.<sup>9</sup> In response to the COVID-19 pandemic, New Jersey has temporarily implemented some of these reforms by increasing the number of presumptive eligibility periods to two per year per person, and expanding the list of entities qualified to conduct presumptive eligibility assessments so residents can access their coverage prior to the full processing of their application.<sup>10</sup> Making these changes permanent, as well as expanding 12-month continuous eligibility to adults, will help more New Jersey families access care and lead healthy lives.

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# Labor

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New Jersey is stronger when all residents earn enough to afford their basic needs, feel safe in their workplace, and receive support when they are unable to work. Simply put: economic security depends on good-paying jobs that allow workers and their families to share in the benefits of economic growth. Due to overall changes in our economy, however, wages no longer keep pace with productivity, and many low-paid working families are unable to raise their standards of living, despite their best efforts. Compounding the problem, workers of color often earn less than their white counterparts, even when they perform the same work. To improve the well-being of all New Jerseyans, public policies must protect workers and provide them with the stability, support, and dignity we all deserve.

## Enhance Access to Paid Sick Days

The premise is simple: no worker should have to choose between going to work sick and missing out on a day's pay. Fortunately, in 2018, New Jersey required employers to provide paid sick leave to full- and part-time employees, benefitting more than 1 million people. But even with this law on the books, taking time off is not always possible, underscoring the need to strengthen New Jersey's Earned Sick Leave Law.

Employers in New Jersey are only required to provide workers up to 40 hours of paid sick leave per year, which isn't nearly enough.<sup>1</sup> Further, the existing law has many gaps and shortfalls, as public employees and per diem health care workers are carved out entirely. Even those workers who are covered may face barriers and delays in accessing their paid sick time. Many of these barriers, including waiting periods to use accrued sick time and employers' ability to require doctor notes, are especially harmful during a public health emergency, and should be eliminated. By strengthening New Jersey's Earned Sick Leave Law, workers will no longer have to risk their family's economic stability and well-being when someone falls ill.

## Make Paid Leave Programs Fairer and Stronger

Ensuring that all of New Jersey's workers can take leave from work when facing an illness or injury or when they need to care for a loved one is critical to employees' ability to stay in the workforce. Lawmakers



have substantially reformed the state's paid leave programs in recent years, but improvements are still needed to make both Family Leave Insurance (FLI) and Temporary Disability Insurance (TDI) more equitable. For example, most workers are eligible to take paid leave, but many do not for fear of retaliation, discrimination, or job termination. Workers' access to job protection depends on several factors, including the size of their employer and length of their tenure. Expanding access to job protection will allow more New Jersey workers to care for themselves and their loved ones without risking their jobs. In addition, New Jersey's TDI and FLI programs could be made more inclusive by addressing barriers to eligibility, including reducing the minimum earnings needed to qualify.

## Strengthen Wage Standards and Enact One Fair Wage

In 2019, New Jersey took a historic step by raising the minimum wage to \$15 an hour — for most workers — by 2024 and tying it to inflation for every year after. However, not all workers are covered by minimum wage laws, and the phase-in schedule varies across sectors.<sup>2</sup> Farm workers' wages, for example, will rise at a slower pace than the general workforce and will not reach \$15 per hour until 2027. For tipped workers, the minimum wage will only rise to \$5.13 by 2022, where it will remain until 2024. Under current laws, the minimum wage for tipped workers will remain almost \$10 lower than the general minimum wage in perpetuity.

### New Jersey's Path Towards a \$15 Minimum Wage

Year*	General Workforce	Secondary Schedule**	Farm Workers***	Tipped Wage
2019	\$10.00	\$8.85	\$8.85	\$2.63
2020	\$11.00	\$10.30	\$10.30	\$3.13
2021	\$12.00	\$11.10	\$10.30	\$4.13
2022	\$13.00	\$11.90	\$10.90	\$5.13
2023	\$14.00	\$12.70	\$11.70	\$5.13
2024	<b>\$15.00</b>	\$13.50	\$12.50	\$5.13
2025	\$15.45	\$14.30	\$13.40	\$5.58
2026	\$15.91	<b>\$15.00</b>	\$14.20	\$6.04
2027	\$16.39	\$15.94	<b>\$15.00</b>	\$6.52
2028	\$16.88	\$16.88	\$15.96	\$7.01
2029	\$17.39	\$17.39	\$16.93	\$7.52
2030	\$17.91	\$17.91	\$17.91	\$8.04

Note: Assumes 3% inflation per year after the minimum wage reaches \$15.00 an hour.

Note\*: 2019 increase of the general minimum wage begins on July 1. Following increases occur on January 1.

Note\*\*: Secondary Schedule includes seasonal workers and workers at small businesses with 5 or fewer employees.

Note\*\*\*: Farm workers rate will be studied in 2014 and Departments of Labor and Agriculture will determine if further increases are necessary.

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By eliminating subminimum and tipped wages, New Jersey can create one fair wage, reducing income inequality and improving the quality of life for workers and their families. Lawmakers can further bolster these efforts by expanding prevailing wage laws to ensure that government spending supports high-quality jobs. Additionally, New Jersey can convene wage boards composed of representatives from labor, government, and employers to establish fair wage standards in their sector.

## Strengthen Worker Protections

People who face unsafe work conditions often have little recourse and are forced to choose between their well-being and their income. Workers should be able to advocate for their rights without fear of retaliation and discrimination so nobody has to make this impossible choice. Lawmakers can strengthen workers' rights by establishing “just cause” protections that place the burden of proof of wrongdoing or cause for disciplinary action on the employer. This would be of particular value in sectors that are rife with retaliation. In addition, workers should have the right to refuse unsafe work, with full legal protections extended to those who leave their employment due to health and safety concerns. Lawmakers can ensure this by providing these workers with access to unemployment insurance and requiring employers to extend them the right of first refusal for subsequent openings.

## Improve Enforcement of Labor Laws

Labor standards and health and safety laws can only be effective with vigorous enforcement. New Jersey's capacity to enforce labor laws, however, has not kept pace with the increasing size of the workforce, hampering the state's ability to protect its workers from wage theft and safety hazards. Increased investment in labor law enforcement and the adoption of strategic enforcement practices would greatly improve conditions for workers. For example, the state should increase targeting of enforcement resources to high-violation industries; strengthen anti-retaliation protections; and expand collaboration with — and center the knowledge of — workers through sustained partnerships with trusted organizations.

## Require Predictable and Stable Scheduling

Far too many New Jerseyans have little control over their work schedules, as many low-paid workers are at the mercy of inflexible, unpredictable, and unstable scheduling practices. Hourly workers often cover a different number of hours from week to week, and many receive limited advance notice of their shifts or are forced to keep their schedule open in case they are called in on short notice.<sup>3</sup>

This unpredictability is associated with higher levels of stress and makes it harder to plan caregiving responsibilities — ultimately harming the well-being of workers and their families.<sup>4</sup> When combined with low wages, irregular work hours leave many families struggling to make ends meet. New Jersey lawmakers can improve working conditions by regulating scheduling practices to ensure that workers have advanced notice of their schedule, fair compensation, flexibility when they need it, and sustainable hours.

## Improve Protections for Domestic Workers

Domestic workers provide essential services including cooking, cleaning, and caring for loved ones. Despite the importance of these services, domestic work is one of the most unregulated industries in the country, with workers who are excluded from many employment and labor laws.<sup>5</sup> Because wages and work conditions are negotiated separately by each household, conditions and compensation vary widely. Moreover, the isolated nature of domestic work makes it difficult to enforce the labor protections that do exist. Domestic workers frequently suffer from wage theft, worker misclassification, low wages, lack of affordable health care, inconsistent and unpredictable work schedules, lack of paid time off, and unsafe work conditions — all without access to legal recourse.<sup>6</sup>

By closing gaps in New Jersey's labor laws with a Domestic Workers Bill of Rights, state lawmakers can protect and improve working conditions, and ultimately raise the quality of life for these critical workers



and their families. To be effective, this type of legislation should eliminate legal exclusions to wage and hour laws and other workplace protections for domestic workers. It should also establish industry standards that address the unique conditions of domestic work.

## Improve Conditions for Temporary Workers

A growing number of New Jersey workers are now employed by temporary help service firms, also known as temp agencies.<sup>7</sup> The use of temp agencies often shields host companies from employer responsibilities, creating conditions where workers are especially vulnerable to exploitation. Disproportionately people of color, workers employed through these firms typically receive lower wages and fewer benefits relative to their counterparts in direct-hire, permanent jobs.<sup>8</sup> The lack of job protections means temporary workers also face a higher risk of wage theft and work-related injuries.<sup>9</sup>

To improve these conditions, New Jersey should require temporary help service firms to provide workers with written notice of the terms and conditions of each assignment. Temporary help service firms should also be prohibited from charging fees to employees, a common practice that robs workers of wages they are rightfully owed.<sup>10</sup> New Jersey should hold client employers jointly liable for temporary help service firms' violations to ensure state labor laws are followed. These changes would help stop the erosion of labor standards and shift power back to workers.

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## Education

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Strong public schools are an essential building block of our communities, providing children with safe places to learn and grow during their most formative years. Thanks to decades of strong investments in education, New Jersey enjoys the highest-ranked public school system in the nation and, as a result, boasts a well-educated workforce. Despite this, our education system is also among the most segregated, leaving behind many low-income students and students of color. Thousands of children struggle to complete high school with a lack of adequate support, and those who succeed are then faced with a daunting transition to institutions of higher education for which they are often ill-prepared. Regardless of whether or not they earn a degree, many students enter the workforce saddled with college tuition debt that threatens their long-term economic stability. New Jersey must do a better job of supporting students in every corner of the state, regardless of their ZIP code or district, so that we can build a strong economy where all kids can thrive and pursue lives filled with success and joy.

### Fully Fund Public Schools

From 2019 through 2021, New Jersey's public schools were ranked number one in the nation, thanks to high levels of funding.<sup>1</sup> However, the state was also ranked near the bottom regarding finance equity, meaning the level of support that schools and districts receive varies dramatically. This unequal funding has fueled significant disparities in educational achievement across the state, especially along lines of race and income.<sup>2</sup>

In 1985, the New Jersey Supreme Court ruled in the case of *Abbott v. Burke* that the state must ensure equalized funding for poor and urban school districts to address educational disparities and inequities. Since then, the state has implemented a formula to determine funding for each district, but has struggled to fully fund it. Since 2009, approximately one-third of school districts — and as many as 46 percent — have received funding below determined adequacy levels.<sup>3</sup>

To ensure that all students receive a high-quality education, New Jersey must fully fund the School Funding Reform Act (SFRA) and work with districts to prevent inadequate support. Only then will all districts have the necessary resources to meet the needs of their students and help mitigate the harmful effects of poverty.

## Successfully Reopen Schools Post-Pandemic

The challenges presented to educators during the pandemic have been tremendous, making it difficult to effectively deliver a curriculum and ensure students are learning at the necessary level to keep on-grade. Ultimately, when students and teachers are able to fully return to the classroom, they will need to address more than issues of instruction and learning.

There are two major barriers to a successful reopening. Decades of underinvestment in capital resources have created significant disparities in the environmental safety of schools. This can be addressed by disbursing personal protective equipment for everyone, fixing subpar ventilation systems, shoring up internet access and speeds to finally close the digital divide, and providing students with modern resources to reduce learning inequities.

Beyond capital resources, New Jersey must also invest in support for students and teachers, as they readjust to in-person learning and grapple with trauma from the pandemic. That means greater investments in counselors, mental health professionals, and other support staff.

## Expand Access to Early Education and Child Care

Affordable, high-quality early education and child care are critical for children's healthy development and families' economic security. Yet, far too many families lack access or are unable to afford licensed, quality care for their children. This challenge is particularly severe for parents of young children. By properly funding child care providers, improving access for vulnerable communities, and helping parents afford the costs through a mix of tax credits and subsidies, New Jersey can improve the well-being of children, their families, and child care workers.

## Increase Funding for Pre-K Expansion

Pre-K is vital to improving students' literacy, educational attainment, and future earnings. After the state Supreme Court mandated the establishment of preschool programs in New Jersey's poorest communities at the turn of the century, lawmakers recognized the positive student outcomes generated by early education and expanded the program across the state. In 2008, lawmakers officially included pre-K expansion in the school funding formula, increasing the level of state aid in 2017. In the FY 2021 budget, this nationally-recognized program received \$874 million in funding, and has expanded into more than 100 districts, serving over 56,000 three- and four-year-olds.<sup>4</sup>

Despite these increases, more than 100 eligible districts have yet to apply for the funding and, among those that have, enrollment levels frequently lag behind the number of qualifying children. To reach the state's ultimate goal of providing pre-K for all students, more funding must be dedicated to expand pre-K into every corner of the state.

## Support Community Schools

Community schools are public schools that serve as hubs of their communities, identifying the needs of students and their families and bringing in additional services to address them. Utilizing a more collaborative leadership structure, the most successful community schools have administrators work alongside teachers, families, and students to identify the services, schedules, and calendars that will best meet their needs. This framework explicitly focuses on students and families who are facing the greatest barriers, making community schools an effective, locally-driven equity strategy. Multiple academic studies

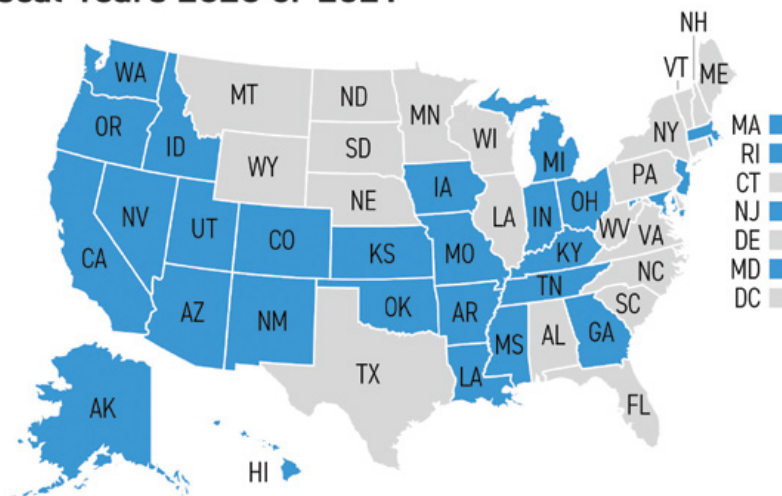
have confirmed the benefits of community schools, finding that they provide between \$10 and \$14 of social value for every dollar invested, as well as positive impacts on student attendance, on-time grade progression, and reductions in disciplinary incidents.<sup>5</sup>

New Jersey has three large-scale community school initiatives in Orange, Paterson, and Trenton, which are funded through federal Full Service Community School grants. Smaller-scale, locally-funded community schools can be found in urban, suburban, and rural districts across the state. But, unlike other states, New Jersey lacks a dedicated source of state funding for sustainable community school expansion. To pilot a program that better evaluates efficacy, lawmakers should expand the program by hiring site coordinators for at least 50 additional public schools.

## Increase Funding for Public Higher Education

A quality, public higher education system is critical to the economic security and growth of any state, but its value is greatly diminished when tuition costs are so prohibitive that securing a degree often means taking on substantial debt. Since the Great Recession, a majority of states have cut funding for higher education, and New Jersey is no exception. In 2019, New Jersey spent \$2,006 less per student than it did in 2008 — a 20 percent decrease. Increased tuition costs place a greater burden on low-income students and families, particularly those of color. On average, New Jersey's public tuitions cost Black households 31 percent of their incomes and Hispanic/Latinx households 29 percent of theirs. For white households, the state's public tuitions cost an average of 18 percent of their income.<sup>6</sup>

### Most States Cut Higher Education Funding in Fiscal Years 2020 or 2021



Source: National Association of State Budget Officers, Fiscal Survey of the States, Fall 2020.

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An equitable economic recovery cannot be fully secured without a well-educated workforce that isn't drowning in student debt. Lawmakers should restore investments in public colleges, universities, and community colleges to pre-Great Recession levels, at the very least, to reduce tuition costs that prevent so many young residents from obtaining a secondary education.

# Eliminate School Resource Officers

School resource officers (SRO) are meant to keep students safe, but their increased presence in schools creates unintended consequences. A growing body of research ties the proliferation of SROs to the school-to-prison pipeline, leading to more arrests and contact with the criminal justice system for children, especially children of color.<sup>7</sup> Further, when SROs are used to manage student disciplinary issues, it can result in excessive uses of force that injure and traumatize kids.<sup>8</sup> Children need support, and when their behavior interferes with a teacher's ability to teach, they need trained and compassionate professionals, not police intervention. Unfortunately, some school districts in New Jersey spend more money on SROs than school nurses or counselors.<sup>9</sup> By eliminating SROs and increasing the number of counselors, nurses, and other resources at public schools, New Jersey can create institutions of learning that support the whole student, allowing our most vulnerable children to seek opportunities not otherwise afforded to them.

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## Public Safety

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Rooted in racism and premised on punishment, today's criminal legal and immigration systems are neither designed to protect public safety nor to increase the well-being of New Jersey's communities. Instead, they target Black and immigrant residents and low-paid workers, destabilizing families in every corner of the state.

Decades of evidence show that state-enacted violence in the name of public safety — like over-policing, mass incarceration, deportation, and the War on Drugs — is harmful to mental health, social well-being, and economic security, especially for residents of color.<sup>1</sup> That is why New Jersey must divest from punitive systems and invest directly in community-led initiatives; increase transparency and accountability in law enforcement; and create new, equitable policies for public safety that center anti-racism.

### Close Youth Prisons

Rather than making young people and their communities safer, youth incarceration is a cruel and disruptive punishment with traumatic consequences. New Jersey lawmakers should not accept incarceration playing any role in the welfare or development of children and young adults. Yet, New Jersey operates three youth prisons almost identically to adult prisons — including the use of solitary confinement which has been deemed torture by the United Nations. A recent report from the Office of the Attorney General shows that significant numbers of children, some as young as 14, are committed to youth detention facilities.<sup>2</sup>

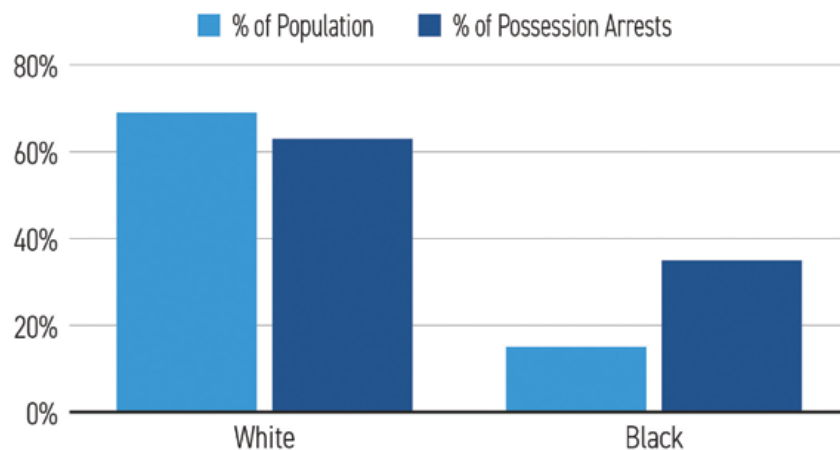
To protect its youth and communities from the far-reaching grasp of the prison industrial complex, the state should immediately restructure the youth incarceration system. First, lawmakers should close all three youth prisons operating in the state. Second, they should invest in community-centered services, support, and restorative justice options for youth who have been convicted of a criminal violation. Finally, the sentencing structure for youth must be re-evaluated by utilizing best practices in childhood development and community-based, restorative justice. Only then can the state continue to build on recent progress in lowering incarceration rates for youth and implementing alternatives to detention.<sup>3</sup>

## Decriminalize Drug Use and Possession

It has been more than 50 years since President Richard Nixon declared a War on Drugs. Since then, the nation has not come any closer to solving the purported goals of the drug war — neither rates of drug use nor availability of drug supply have decreased, though the price of criminalized drugs has dropped. At the same time, drug war policies are shown to increase homicide rates, make it harder for people to access drug treatment, and increase the risk of death from overdose.<sup>4</sup> The drug war criminalized substances that vast numbers of people use, but selective enforcement indefensibly targets Black and brown communities.<sup>5</sup>

### Black Residents More Likely to be Arrested for Drug Possession

Drug possession arrests in New Jersey, by race, 2010-2019.



Source: New Jersey State Police Uniform Crime Reports.

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Aptly described as the “new Jim Crow,” drug war policies have pushed residents of color, their families, and their communities farther behind.<sup>6</sup> They have done egregious harm, creating punishments in the criminal legal, housing, education, public benefits, health, child welfare, and immigration systems.<sup>7</sup> In 2021, Governor Murphy signed legislation to legalize and decriminalize cannabis in New Jersey.<sup>8</sup> This is a great first step, but much more needs to be done. New Jersey should commit to acknowledging and repairing five decades of harm; decriminalize all drug possession and low-level drug sales; remove drug war punishments from state agency policies; and invest substantial funding in harm reduction, healing, and economic development in communities most harmed by the drug war.

## End Unnecessary Use of Force

Being stopped by the police should not be a death sentence or result in preventable bodily harm. Unfortunately, the excessive use of force by police officers is all too common in New Jersey — sometimes resulting in the killing of unarmed civilians — with low justification thresholds and little accountability. When viewed through a racial lens, the disproportionate deployment of force is staggering: a Black person is 224 times more likely to experience police brutality than a white person.<sup>9</sup> New Jersey must listen to communities and advocates and rein in this violence by raising the bar for use of force, making it acceptable only if the officer’s life is in immediate and imminent danger.

Lawmakers must also increase accountability for law enforcement by ending qualified immunity and requiring independent prosecutors in cases of police brutality. Ending qualified immunity, which shields police officers from lawsuits filed against them, would discourage use of force, prevent residents from being injured and killed, and allow survivors to seek justice. Requiring independent investigations of all serious injuries resulting from police violence would limit conflicts of interest when use of force cases are heard. These policy changes are essential to the overall safety of communities, because they help residents better engage with and trust law enforcement when true threats to public safety arise.

## **Increase Transparency and Oversight of Police**

Decades of increasingly militarized police tactics and laws — along with inadequate transparency, oversight, and accountability — compromise public safety.<sup>10</sup> New Jersey can begin to address these harms by increasing transparency of police records and creating civilian complaint review boards (CCRBs). Easily accessible police misconduct records will make communities more confident that those enforcing the laws are held accountable for their actions and will ensure that police officers with a history of infractions do not transfer from one department to another with impunity. With the creation of CCRBs, New Jersey can empower citizens to hold police accountable when they violate the civil rights of those they are sworn to protect. To be effective, these boards must be given broad investigatory authority, adequate funding, and the power to suspend or remove officers who violate the standards of duty. Newark has already laid the groundwork through Newark Communities United for Accountable Policing (N-CAP) — now it is time for the rest of New Jersey to follow suit.<sup>11</sup>

## **Explore Alternative Models to Policing**

The murders of George Floyd, Breonna Taylor, Maurice Gordon, and countless other Black individuals at the hands of the police have accelerated calls to reimagine the role of law enforcement. Currently, police work covers a wide array of tasks, including many — like addressing mental health crises, performing first aid, and intervening during drug overdose — for which police are not the best equipped responders.<sup>12</sup> By exploring alternatives to policing, New Jersey can approach public safety with the recognition that not all “criminal” problems require criminal justice solutions. Instead, the state can address the root causes of the problems police deal with through proactive and targeted community investments, stronger non-police institutions, decriminalization, and restorative justice.

Alternatives to policing can take many forms, from increased investments in areas like affordable housing, to the creation of unarmed mediation and intervention teams of social workers and mental health professionals, to the decriminalization of all drugs and other non-violent crimes. Exploring restorative models that center crisis intervention, mental health treatment, and harm reduction is a critical step in making New Jersey a safer and healthier place to live.

## **Replace Civil Forfeiture with Criminal Forfeiture**

Civil forfeiture (also known as asset forfeiture) is the process through which law enforcement agencies confiscate cash or property belonging to people who are suspected of involvement in criminal activity — regardless of whether or not they are charged with a crime. In New Jersey, police departments are allowed to keep, and later sell, up to 100 percent of any seized cash or property. Moreover, New Jersey has some of the lowest conviction thresholds for civil forfeiture in the country.<sup>13</sup> Anything over \$1,000 in cash or \$10,000 in property can be kept by police departments without any convictions, and even if the assets fall below that threshold, one must file a claim for the property, a costly process.



New Jersey's civil forfeiture policies create the potential for abuses of power and conflicts of interest, and disproportionately harm people of color.<sup>14</sup> By replacing civil forfeiture with criminal forfeiture, New Jersey could place the burden on the state rather than the person who has lost their property and require a conviction in all cases. Additionally, placing revenue generated through asset forfeiture in the state's general fund, rather than in the control of local police departments, would reduce conflicts of interest. Thirteen states and the District of Columbia require the state to bear the burden of proof, and fifteen require a criminal conviction for the forfeiture of most property.<sup>15</sup> New Jersey can reduce abuses in the criminal justice system by doing the same.

## Create Fair and Welcoming Immigration Policies

Everyone deserves to feel safe in their community, regardless of where they were born or their immigration status. Currently, immigrants and their families face unique threats to their safety and well-being; with the criminal legal and immigration systems so deeply entwined, immigrants often face a double punishment if charged with a crime. Further, aggressive immigration enforcement tactics force thousands of New Jersey residents to face detention or deportation each year.

These harmful policies separate families, worsen public health, and further entrench racial injustice. Because immigration proceedings are civil, people facing detention and deportation are not guaranteed access to legal representation and are denied due process. This culture of fear is exacerbated by the notorious reputation for substandard conditions and civil rights violations at Immigration and Customs Enforcement (ICE) facilities in New Jersey. These practices have had a chilling effect on immigrant communities, compromising trust in government and restricting access to resources and opportunity.

New Jersey does not have to be complicit in the cruel practices of federal immigration enforcement. By banning new public and private detention agreements, preventing the expansion of existing agreements, and ending state and local governments' cooperation with federal immigration authorities, lawmakers can take a step toward ending inhumane conditions for immigrants. In addition, by increasing funding for legal representation for those facing detention and deportation, New Jersey can expand access to due process, keep more families together, and better protect public health and safety.<sup>16</sup>

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# Housing

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Safe and affordable housing is a necessary foundation for healthy families and thriving communities. Housing policies can also play a major role in dismantling or, as has often been the case, maintaining systemic racism. From redlining to exclusionary zoning, public policies have worsened the damaging cycle of wealth inequality and helped fuel racial disparities, pushing families of color behind. Today, many New Jerseyans pay more than they can afford in housing costs, making it difficult to make ends meet. Policy solutions can help reverse these pervasive effects by building long-term well-being for families.<sup>1</sup> The Mount Laurel Doctrine, which stems from the state Supreme Court's landmark 1975 decision, prevents municipalities from discriminating against the poor by requiring that they provide affordable homes. This constitutional protection has been enforced by local court cases to require affordable housing development, but its impact would be greater if the state invested more deeply in the construction of new homes.<sup>2</sup>

## Stop Raiding the Affordable Housing Trust Fund

For decades, the supply of affordable homes has not kept pace with increased demand, resulting in an affordable housing shortage of more than 200,000 units across the Garden State.<sup>3</sup> This makes it difficult for many families to call New Jersey home, forcing residents to make impossible decisions between rent and groceries. Meanwhile, housing costs are soaring. Families must earn at least \$61,000 a year to rent a two-bedroom home at market rate.<sup>4</sup> This is unsustainable, even with recent increases in the minimum wage. Building more homes can reduce the high cost of housing throughout New Jersey and ensure more workers and families can afford to put a roof over their head.

The Affordable Housing Trust Fund (AHTF) helps municipalities and developers finance the construction of affordable homes across the state.<sup>5</sup> However, for years, the fund has been habitually raided by lawmakers to help balance the state budget.<sup>6</sup> Lawmakers must fully fund and improve New Jersey's AHTF to better assist community development corporations, non- and for-profit developers, and municipalities. With adequate funding and more streamlined processes, New Jersey can provide housing for, and improve the economic security of, hundreds of thousands of families.

## Prevent Evictions and Foreclosures

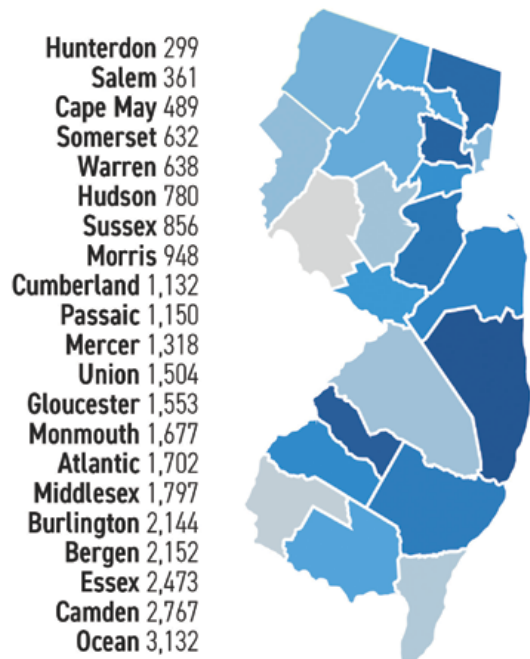
Evictions and foreclosures are destabilizing events with devastating consequences that can send families into a cycle of financial hardship and homelessness.

Even before the COVID-19 pandemic hit, the rate of foreclosures in New Jersey was far too high, sitting at 1.61 percent of all properties in 2017 — the highest in the nation at the time.<sup>7</sup> During the pandemic, lawmakers implemented a moratorium on foreclosures and evictions, but those protections will eventually expire, threatening a new wave of evictions that will harm families, disrupt communities, and weaken our economy.<sup>8</sup>

To keep families in their homes during the pandemic and beyond, New Jersey should support homeowners and renters by extending the moratorium on evictions, providing mortgage payment relief, and strengthening consumer protections for households participating in repayment and forbearance programs. To help get foreclosed properties back on the market and occupied, the state should direct departments to assist municipalities in cataloguing their foreclosures, applying fines to delinquent landlords, and administering auctions to attract new investors and long-term residents.

### Foreclosures in New Jersey

Properties in foreclosure in New Jersey, by county, in 2019.



Source: ATOM Data Solutions, 2019 foreclosure rates.

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## Expand the State Rental Assistance Program

For many families, rental assistance makes the difference between secure housing and homelessness. While New Jersey's rental assistance program is a lifeline for participating families, the need — which has exploded during the pandemic — far outweighs current funding levels.<sup>9</sup> Pandemic relief funds from the federal government have helped families in the interim, but these resources are temporary, underscoring the need for New Jersey to boost funding for rental assistance and expand eligibility to more families struggling to make ends meet.

## Reduce Barriers to Housing

New Jersey residents are often excluded from housing options due to their criminal record or history of incarceration. These restrictions, which proliferated during the ill-advised War on Drugs, doubly punish people and fuel a cycle of poverty and instability. And due to the nation's legacy of slavery and institutionalized racism in the criminal legal system, these restrictions disproportionately harm Black and brown communities. To help fully reintegrate and support people with criminal records, New Jersey should remove barriers to safe and secure housing. This can be achieved in part by banning inquiries about criminal records on housing applications, preventing landlords from screening out the formerly incarcerated in their search for safe housing. By reducing barriers to housing for people exiting incarceration, lawmakers can help advance racial equity and provide homes to families who need them.

## Expand and Affirm Tenants' Rights

New Jersey is known for its sprawling suburbs, but being a suburban state does not mean every family owns their home. Renters account for nearly four in ten households in New Jersey, and they face unique barriers to safe, stable, and affordable housing options.<sup>10</sup> For example, renters are more likely to have unaddressed lead contamination in their homes; they are also more likely to be denied housing due to policies that enable racial segregation and economic exclusion. Expanding and affirming tenants' rights is crucial to reducing discriminatory practices and ensuring that landlords act responsibly and follow the law. New Jersey can accomplish this by implementing and funding a right to counsel for lower-income renters to prevent evictions, ending tenant blacklisting, banning the use of credit scores to screen out housing applicants, and requiring lead paint inspections prior to home purchases and tenant turnovers.<sup>11</sup>

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# Climate and Environment

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As a coastal state, New Jersey faces daunting environmental, health, and economic challenges from climate change. Harmful and damaging effects from flooding, increasing temperatures, and extreme weather events will stress the state's various systems and assets. There are hundreds of anticipated outcomes for which we must prepare: migration of climate refugees, tanking property values and tax revenues in flood zones, damage to our transportation infrastructure, and more that cannot be predicted. Regardless of what we face, having a healthy and resilient state budget to support necessary action is vital. Climate change is the biggest threat to New Jersey's short- and long-term health and prosperity, and all lawmakers and civic leaders must immediately prioritize efforts to adapt and mitigate. The cost of inaction is far too great.

## Build an Inclusive Green Economy

New Jersey has already committed to 100 percent clean energy by 2050, but a long path to an equitable, green economy lies ahead.<sup>1</sup> The state must utilize all available tools to prioritize clean energy and green jobs — especially for the state's most vulnerable communities who are disproportionately harmed by pollution and climate change.

To build on investments in offshore wind energy and community solar programs, New Jersey should fund and support a Green Bank, as outlined in the Regional Greenhouse Gas Initiative (RGGI) Strategic Funding Plan.<sup>2</sup> Such a bank could sustainably fund the development of a green economy that benefits all residents. Additionally, prioritizing the training and employment of workers from vulnerable communities will help to ensure that the green economy better protects and corrects the injustices of past economic development.

## Sustainably Fund NJ Transit

NJ Transit was once a crown jewel of the state and a model transit agency for the rest of the nation. But after years of disinvestment, NJ Transit has earned a new reputation for delays, cancellations, and overcrowding.<sup>3</sup> Shortchanging mass transit has not only harmed commuters — who are disproportionately people of color and low-paid workers — but also the state's environment. Without reliable transit options, residents become more dependent on cars, which in turn leads to more air pollution.



Making matters worse, underfunding mass transit has contributed to the underfunding of green energy initiatives. In the absence of sufficient state funding for NJ Transit, lawmakers have propped up the agency by raiding the Clean Energy Fund, taking critical resources away from renewable energy and energy conservation projects.<sup>4</sup> This underscores the need for securing dedicated and sustainable funding for NJ Transit, as it would provide stability for public transportation, improve service for commuters, and protect resources for clean energy programs.

## Reduce Air and Ground-Level Diesel Pollution

Air pollution is a major threat to public health, claiming up to 2,420 lives each year in New Jersey due to particulate matter (PM2.5) from roads alone.<sup>5</sup> Currently, New Jersey ranks among the worst states in the nation for air quality, with motor vehicles producing significant amounts of carbon monoxide, particulate matter, and other pollution.<sup>6</sup> This problem is particularly acute in New Jersey's urban centers, where buses are more prevalent and spend more time idling.<sup>7</sup> Fortunately, cleaner public bus fleets can help reduce toxic emissions, especially in Black and brown communities.<sup>8</sup> State lawmakers have recently required NJ Transit to replace diesel buses with cleaner electric buses, but the rollout does not include a dedicated source of funding.<sup>9</sup> It's imperative, both for the environment and public health, that lawmakers adequately fund the electrification of New Jersey's public bus fleets.

## Remediate Lead Contamination

While the nation is familiar with lead poisoning in Flint, Michigan, states with aging infrastructure like New Jersey have similar, though less well-known, challenges with lead. In 2018, eleven cities and five counties in New Jersey had a greater percentage of children below the age of six with elevated blood lead levels than Flint at the height of its water crisis.<sup>10</sup> These same areas are home to some of New Jersey's most racially diverse communities, resulting in disparate impacts of chronic lead dangers along lines of race and class.<sup>11</sup> In addition to the hazards of lead service lines, lead-based paint in homes can lead to asthma and other health issues, causing children to miss school and parents to miss work.

It is vital that lawmakers protect the dedicated funding for both remediation and public education that is part of the Lead Hazard Control Assistance Fund. Additionally, they should create a system of accountability for landlords that includes regular inspections and testing — particularly at the point of sale or when certificates of occupancy need to be renewed — and mandates the remediation of lead in properties where it is found.

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## Democracy & Public Processes

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While democracy has been a stated principle of the United States since its founding, the sad reality is that, for many, the right to vote has rarely been assured. Robust democratic practices have only been in place since President Lyndon B. Johnson signed the Voting Rights Act of 1965, legally prohibiting racial discrimination in voting explicitly extending the franchise to Black Americans into law. Since then, states all across the nation have pushed laws to limit voting access, for non-white communities in particular. In 2013, the United States Supreme Court gutted the Voting Rights Act, making it easier for discriminatory policies to proliferate. In response to increasing attacks against voting rights, New Jersey must do all it can to not only affirm the sanctity of voting but extend the franchise to even more residents. This will require a mixture of policies that make voting easier, include more New Jerseyans in the process, and encourage more competitive elections.

### Expand Early Voting

For democracy to flourish and government to truly represent the will of the people, voting must be free, fair, and accessible. With far too many residents struggling to balance work, family, and caregiving responsibilities, obstacles to voting are threats to democracy itself. New Jersey must create many pathways to voting and make it as easy as possible for residents in every corner of the state. Lawmakers can accomplish this by expanding early voting and ensuring that there are ample, easily-accessible early voting sites — a change that is incredibly popular among New Jerseyans.<sup>1</sup> Strong early voting legislation would incorporate at least ten days of early voting options, including multiple weekends, for general elections; six days, including a weekend, for presidential primaries; and four days, including a weekend, for non-presidential primaries. The number and location of voting sites in each county should be determined by geographic size and population density.

### Establish Same-Day Voter Registration

Almost every adult in New Jersey is eligible to vote, yet not every adult is registered to do so. Arbitrary voter registration deadlines, like New Jersey's deadline of 21 days before an election, are a big reason why.

For many people — especially low-paid workers, people juggling multiple jobs, and parents or caregivers — there is little time to engage in civic life. And for young adults who are more mobile and thus have to register to vote more often than their older peers, voter registration deadlines act as a barrier to having their voices heard. New Jersey should join the 21 states, along with the District of Columbia, that register voters on the same day as an election.<sup>2</sup> This will strengthen New Jersey's democracy and ensure that everyone who is eligible, even those who don't have much spare time, can participate in choosing their representatives.

## **Restore the Right to Vote to People Who are Incarcerated**

The right to vote is far from universal: millions of people across the nation are disenfranchised due to a criminal record.<sup>3</sup> These voting restrictions have a racially disproportionate impact due to systemic racism in the criminal legal system — and this isn't accidental, as disenfranchisement laws proliferated during the Jim Crow era.<sup>4</sup> In 2019, New Jersey restored voting rights to more than 80,000 people who were on probation, but more must be done to break down barriers to voting.<sup>5</sup> Extending the right to vote to people who are currently incarcerated, as Maine and Vermont already do, is an important step toward a more robust and representative democracy.

## **Lower the Voting Age**

Lowering the voting age to 16 would lift up the voices of younger New Jerseyans, allowing them to weigh in on political decisions that impact their education, livelihoods, and safety.<sup>6</sup> It would also encourage new voters to establish regular voting as a habit. Numerous studies indicate that there is a high correlation between starting to vote from a young age and higher rates of continued voting later in life. Young people aged 16 and 17 are more likely to live with their families and still be in school, both of which are factors that increase the likelihood of voting. In contrast, 18 tends to be a year of transition to college or other opportunities; many 18-year-olds move across state lines, disrupting the voting habit. Austria provides an interesting case study, as the nation adopted a 16-year-old voting age in 2007. Over the last decade, 16- and 17-year-old voters were more likely to turn out than their 18- to 20-year old peers, with gaps in turnout of up to 10 percentage points.<sup>7</sup> New Jersey should enact both a 16-year-old voting age for state and local elections, as well as the New Voter Empowerment Act, which would allow 17-year-olds to vote in primaries if they turn 18 by the general election.

## **Adopt Ranked Choice Voting**

In many ways, the United States electoral system permits a minority of the population to impose their will over the majority. This manifests through institutions like the Electoral College and the U.S. Senate, as well as “first-past-the-post” single-member districts where the candidate with the most votes wins even if they did not receive a majority of votes cast. Under this plurality voting system, voters may not choose the candidate that best represents their interests if they do not believe they can win. This dynamic is responsible for the current two-party system, increased polarization, and voter apathy.<sup>8</sup> Ranked-Choice Voting (RCV) is a reform tailored to directly address these problems.

Also known as Instant Run-Off Voting, RCV allows voters to rank the candidates on the ballot in order of preference, requiring that candidates secure a majority of votes cast in order to win, and eliminating the notion of “wasting” a vote on a candidate that is not associated with one of the two major political parties. Whether for federal, state, or local office, RCV makes elections more competitive and fairer by encouraging the participation of more candidates and parties, ensuring that all voices are heard.<sup>9</sup>

## Abolish “The Line” on Primary Election Ballots

New Jersey’s unique primary ballot design has helped shape electoral outcomes for more than two decades, shifting the power of choosing general election candidates away from voters and towards party insiders. Organized around a structure known as “the line,” ballots in almost every New Jersey county group candidates together by association rather than by the office they seek. This means that the slate of candidates endorsed by the county Democratic or Republican Party are presented together as a vertical or horizontal line of names, while candidates not on the line are placed in other columns or rows, often far away from one another. This design choice has a pernicious effect on elections, confusing voters and providing county parties and political insiders with far too much influence over primary election outcomes. By making elections less competitive, “the line” also makes it incredibly difficult for outsiders to successfully run for office. Because New Jersey’s political parties do not reflect the full diversity of the state, “the line” makes it ever harder for women and people of color to run competitive campaigns.<sup>10</sup>

New Jersey is the only state to design its ballots in this manner — but it doesn’t have to be this way. By getting rid of “the line” and structuring our ballots the way other states do, New Jersey can help ensure more competitive elections and, therefore, a collection of elected officials who more accurately represent the state’s diverse population.

## Publicly Fund Elections

Citizens United and other court rulings on campaign finance have stacked the deck in favor of wealthy individuals and corporate special interests, allowing them to dominate political spending and have outsized influence over the interests and priorities of elected officials. This system disempowers ordinary voters and contributes to a growing divide between lawmakers and the people they represent.<sup>11</sup> Strengthening the ties between lawmakers and voters will help rebuild trust in government and mitigate forces that undermine the public good. To that end, limiting the influence of special interests in politics is critical and would be helped along by expanding public financing of campaigns.

Currently, only gubernatorial candidates are allowed to apply for public campaign funds in New Jersey; this should be extended to candidates seeking state legislative seats. This would not be a ground-breaking change: of the 12 states that allow gubernatorial candidates to utilize public financing for campaigns, five also extend that option to state legislative candidates.<sup>12</sup> Public campaign financing would encourage candidates to seek greater connection with voters and better prioritize the issues that all New Jerseyans face.

## Bring Transparency to the Legislature

Crafting high-quality and effective public policy requires input from experts, stakeholders, and the public. For far too long, the New Jersey Legislature has operated under opaque processes that lock out public engagement, prioritizing insiders and the already privileged. Major pieces of legislation are frequently voted on without publicly available bill language, debated without critical information or related documents being broadly shared, and introduced and passed on to the Governor in mere days. It is not uncommon for these rushed bills to be followed by “clean up” legislation to fix errors or remove provisions of which lawmakers were unaware.<sup>13</sup> Sometimes, even the clean up bills require clean up.

To avoid unnecessary errors and mistakes, improvements to the legislative process must be made. Basic fixes include requiring at least five business days between the introduction of bill language and when said bill is heard or voted on in committee, and ensuring the Office of Legislative Services has the necessary time to provide fiscal impact statements for applicable bills before they are voted on.

## Require Racial Equity Impact Statements for All Bills

Structural racism and the nation's history of anti-Black policies — from enslavement, to Jim Crow, to the War on Drugs, and beyond — mean that, even with the best of intentions, New Jersey's policies and institutions will replicate racial injustice without intentional strategies to do otherwise. Racial equity impact assessments (REIAs) play an essential role in navigating this process, analyzing and making public how proposed legislation may impact different ethnic and racial groups. New Jersey recently required REIAs for all criminal legal bills and should now take the necessary next step of requiring them for all proposed legislation. This would allow lawmakers and the public alike to see who benefits from new policies, from changes in the tax code to expansions of the social safety net. In addition to requiring REIAs, New Jersey should increase staffing at the Office of Legislative Services to allow for frequent and robust REIAs that utilize nationally-established best practices.

## Increase Diversity on State Boards and Commissions

New Jersey has nearly 500 state boards and commissions that oversee critical aspects of governance, ranging from the State Board of Education to the Turnpike Authority.<sup>14</sup> Most members of these boards and commissions are appointed by the governor, either directly or with approval by the Senate Judiciary Committee. Some are also appointed by the Senate President or Assembly Speaker.

This system encourages patronage as well as horse-trading between the governor and legislative leadership, who have the power to hold up the governor's appointments. The current system also limits the diversity of representation. A study by the Rutgers Center for American Women and Politics found that, as of January 2018, women held only 18 percent of the positions on the 58 most powerful boards and commissions and some of those bodies had no women at all.<sup>15</sup> While this number has thankfully increased during the Murphy administration, more work needs to be done.

New Jersey needs a more transparent process to ensure diverse representation and minimize the politicization of the appointment process. That could be accomplished by replacing the current system with nominating panels composed of members of relevant nonprofit organizations who would accept, vet, and recommend potential candidates with special attention given to diversity by race, gender, ethnicity, and income. The governor, Senate President, and Assembly Speaker would then select individuals they wished to appoint from among those nominees.

## Improve Language Access in Public Programs

All New Jersey residents deserve equal opportunity and access to public services and the electoral process, regardless of the language they speak or their level of literacy. New Jersey's immigrant population is among the most diverse in the nation, with approximately one-third of the state's residents speaking a language other than English at home.<sup>16</sup> New Jersey should ensure that language is not a barrier to learning about or accessing public programs or exercising the right to vote. Requiring public agencies to provide quality interpretation and translation services to individuals with limited English proficiency would make New Jersey a more inclusive place to live and ensure families have the resources to which they are entitled.

## Adopt Equitable Data Collection and Reporting Practices

New Jersey's state agencies make decisions and run programs that have measurable impacts on people's lives. High-quality data collection and reporting are essential to ensuring that state agencies are fairly



targeting resources to residents who need them the most. Currently, available data lacks the level of detail necessary to evaluate and make decisions accordingly — for example, intersectional data is often not available by race and gender, or race and ethnicity. To meaningfully understand and address structural inequities, New Jersey should update state agency data collection and reporting in partnership with community-based organizations. These partnerships would help ensure that data policies balance the need to understand and address disparities with the privacy and rights of some of New Jersey's most vulnerable residents. Data should determine policy decisions.

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# Introducing the State of Opportunity Index

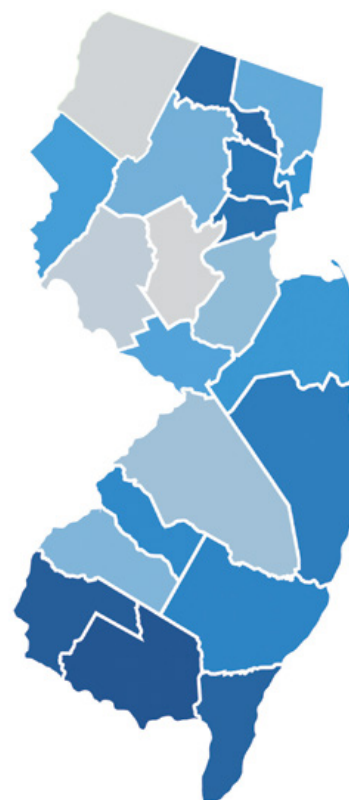
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This *Blueprint* is a vision for the future of New Jersey. But to understand where we want to go, and map out how we can get there, we first need to understand where we currently are.




That is why NJPP developed the State of Opportunity Index, a new interactive tool that provides an intersectional view on key factors contributing to health and well-being in the Garden State.

The State of Opportunity Index features eight overarching categories: Economic Security, Education, Employment & Earnings, Health, Housing, Immigrants, Police Use of Force, and Transportation, and breaks down data indicators within those categories at the county and state level. The indicators also include race and ethnicity breakdowns, when available.

To learn more about the State of Opportunity Index, please visit: [njpp.org/state-of-opportunity-index/](https://njpp.org/state-of-opportunity-index/)





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