COMMUNITY DATA SPOTLIGHT
NEW BREATH FOUNDATION

By Eddy Zheng, President and Founder of NBF

TOPICS Criminal Justice, Immigration

ABOUT

New Breath Foundation (NBF) is a public foundation and philanthropic intermediary that grants crucial resources to frontline organizations supporting Asian Americans, Native Hawaiians, and Pacific Islanders (AANHPI) affected by unjust aspects of the U.S. immigration and criminal legal systems. NBF invests in culturally relevant healing interventions, addresses family separation and advocates for systemic change.

Founded in 2017 by Eddy Zheng, New Breath Foundation is part of the AANHPI grassroots movement striving to prevent community violence, end mass incarceration and mass deportation, and advance cross-racial solidarity and racial justice. Despite the need for support, resources for AANHPI organizations are severely underfunded. NBF has added significant resources to the AANHPI movement and seeks to amplify its influence and educate philanthropic organizations and individuals, as well as the public, about these often-invisible communities.

DATA NEEDS

New Breath Foundation and its community partners have identified immediate need for national data on Asian Americans, Native Hawaiians and Pacific Islanders who are incarcerated, including data on the share of incarcerated individuals who are deported, on parole, or awaiting review of their court cases. Organizations invested in their welfare accordingly must have access to disaggregated data on warrants for arrest, probation and parole in order to discern the broader trend of AANHPI individuals who are engaged with the justice system.

Supporting organizations urgently need to assess the number and percentage of justice system-involved AANHPIs at national and state levels. Many AAPI individuals who are involved in the justice system may be especially vulnerable to deportation, which is of concern in the context of a recent wave of deportations of Cambodian, Vietnamese and other individuals with refugee status. Deporting or changing the immigration status of these individuals — many of whom fled to the United States as the result of U.S. foreign policy — is unjust.

Current criminal justice data and disaggregated ethnicity-specific data have excluded specificity to Asian Americans, Native Hawaiians and Pacific Islanders. **NBF and their community partners call on the Department of Justice and the Bureau of Justice Statistics to collect and publish disaggregated justice data for Asian Americans, Native Hawaiians and Pacific Islanders.**

To better understand and serve these individuals, data must be tabulated on their socioeconomic status, language needs, gender identity, sexual orientation and housing status. Each of these elements could help provide insight into incarceration trends and potential

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community resources to prevent additional or repeat offenders. These data points are needed to answer important questions such as:

- **Which factors prompt justice system involvement?**
  - To what extent do state and federal laws prioritize keeping families together and helping individuals heal from the traumas they've experienced?
  - Do language barriers tend to increase criminalization?
  - Do relationships exist between stress factors, such as ACEs (adverse childhood experiences), mental health, trauma, and disability for immigrants and/or refugees who are incarcerated?
  - What is the relationship for AANHPIs between being unhoused or otherwise criminalized and being incarcerated? Is this different or the same as other populations?

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  - How are AANHPIs LGBTQ+ people affected? Are they subject to any trends in which they are disproportionately and adversely affected as a population group?
- **What is the severity of consequences?**
  - Does the data indicate any reasons why AANHPI youth who are prosecuted as adults tend to have longer average sentences and longer average probation periods compared to other populations?[1]
  - What is the prevalence of double-punishment incarceration and deportation for East Asians, Southeast Asians, South Asians and Pacific Islanders?
  - How commonly do AANHPIs experience a change of immigration status as a consequence of incarceration?

Incarcerated and formerly incarcerated individuals are overlooked and rendered invisible, without attention, resources, nor remedies for their marginalization and continued deportation. Without data, these injustices will continue to be unseen and unremedied.

1 Human Rights for Kids (2023, May 9). "Crimes Against Humanity — The Mass Incarceration of Children in the United States." https://humanrightsforkids.org/publication/crimes-against-humanity-the-mass-incarceration-of-children-in-the-united-states, p. 35

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