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Critics say letter to 1,300 on list won't mitigate fear

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Trust, once lost, is hard to regain.

That's the concern of advocates for the poor who question whether the Department of Workforce Services (DWS) has done enough to remedy the data breach that gave rise to "the list" outing 1,300 purportedly undocumented immigrants.

DWS, the agency responsible for processing food stamps, Medicaid and other forms of government aid, "needs to be a welcoming and safe place for families in need," said Lincoln Nehring, Medicaid policy director at the Utah Health Policy Project. "The list severely undermined the [agency's] ability to provide that type of environment."

DWS officials fired two employees believed to have created the list, which was distributed to law enforcement and media outlets and contained names, addresses, birth dates, and in some cases Social Security numbers. The employees may also face criminal charges for violating state and federal privacy laws.

The agency says it is reviewing its security protocols to determine where improvements are needed.

"We're evaluating everything," said Curt Stewart, a spokesman for the department.

One change went into effect last week: Staff in the imaging division, where personal documents are scanned, will have decreased access to the DWS database. One of the alleged list makers worked in that division.

But advocates for the poor want assurances that the agency is working to rebuild trust with mixed-status and minority households. They'll address the matter today at a meeting with the agency.

"Are they doing cultural competency training with employees? If they are, they're not saying," said Gina Cornia, executive director at Utahns Against Hunger.

DWS sent letters to people on the list expressing "sincere" regret for the security breach. Federal law prevents the state from turning over potential undocumented immigrants' information to "immigration enforcement agencies or law enforcement."

Some critics wonder if the agency's leaders should be held responsible for the alleged data breach.

"I think, if anything, the director of Workforce Services ought to be held accountable," said John Florez, a longtime civil rights organizer. He questioned whether the list, a collection of primarily Latino names, constituted a hate crime.

"If I were on that list I would need reassurance that ... no one is going to come after you," he said. "And they can't give that assurance."

But here's the dilemma: No matter what steps the state takes, nothing may be powerful enough to alleviate people's concerns, several advocates said.

For Sister Suzanne Brennan, executive director of Holy Cross Ministries of Utah, the letter from DWS was a positive gesture.

"I don't know if [the letter] achieved what it meant to in the sense of decreasing fear," said Brennan, whose organization's activities include legal immigration aid. "But I don't know what would."

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