



THE CENTER
at Sierra Health Foundation

**SAN JOAQUIN
VALLEY**

HEALTH FUND

Deeper Dive into SJV Census Advocacy

November 15, 2018



Panelists



Ellen Braff-Guajardo
Senior Program Officer
Sierra Health Foundation



Edward Kissam
Co-trustee
WKF Fund



Jonathan Stein
Head of Voting Rights and
Census Program
Asian Americans Advancing
Justice-Asian Law Caucus



THE CENTER
at Sierra Health Foundation

SAN JOAQUIN
VALLEY
HEALTH FUND

Census 2020: What You Need to Know

What's At Stake?

- Possible loss of:
 - Our share of \$800 billion in federal funding for local and state programs
 - Representation in Congress
 - Majority-minority districts
 - Language access in voting

Citizenship Question

- Added to the Census for the first time since 1950
- No legitimate need – it is well-established that it will cause fear in immigrant communities and creates danger of an undercount
- Our organization is here to answer questions – reach out any time
- May want to create shared messaging with your partner organizations – we're here to support you

Citizenship Question

- Can community members skip the citizenship question?
 - Yes on paper
 - Yes online
 - Yes via enumerator
 - Yes via phone (most likely)

Citizenship Question

- What risk is created if community member skips CQ?
 - Enumerator visit to the home
 - Up to six visits
 - Possibly also phone calls to the home
 - Technically, skipping any question is a crime, but rarely enforced

Citizenship Question

- What risk is created by lying about the CQ?
 - Not clear, but could be quite serious
 - Misrepresentation of yourself as citizen when you are not is a crime
 - Falsifying any official form to benefit your immigration status is a crime
 - Providing false answer to Census is a crime, though rarely enforced
 - These all come with possible criminal and immigration consequences. Deportation possible. Recommendation: Do not lie.

Citizenship Question

- What risk is created by answering the CQ?
 - Extremely strong data privacy in federal law
 - Data cannot be used for any purpose other than statistical analysis
 - Wrongful disclosure = huge fine and/or up to 5 years in prison
 - Created after Japanese internment

Citizenship Question

- If you are considering telling people to not answer, please be careful.
 - If a nonprofit is responsible for the “conduct of illegal activities to a substantial degree,” 501(c)3 status OR 501(c)4 can be scrutinized by IRS

Language Access on the 2020 Census

- Online form in 13 languages:
English, Spanish, Chinese, Vietnamese, Korean, Russian, Arabic, Filipino/Tagalog, Polish, French, Haitian Creole, Portuguese and Japanese
- Paper form in two languages: English and Spanish
- Minor support (e.g. language glossaries) provided in 59 languages
- Communities must work together to supplement what Census Bureau offers

Questionnaire Assistance Centers (QACs)

- In 2010, QACs were set up in local places such as *tienditas*, grocery stores – in 2020, no funding for QAC's
- Important—lots of low-literate and language minorities – it would make sense to advocate for state funding for QAC's
- Local communities will need to decide where they should be and how to staff them
- Plan for QAC's to not only help those who lack Internet access or who have trouble reading/using a mailed form, but also those who got no mailed invitation at all – and as centers to promote census
- Those who got no invitation CAN respond (via a process referred to as NID), but QAC helpers will need to help make sure their response is not considered a duplicate
- May be possible to afford non-family members (typically left off HH census roster) a way to be counted

Innovation May Help: Mobile QACs?

- Solving two problems at once: access to online response modality and literacy/language issues – but lots of steps needed
- “High tech/high touch” – teams of community activists with tablets going door-to-door in HTC communities? Need \$ to get tablets or loaners
- Need advocacy to forestall Census Bureau opposition to approach – Need training on privacy and Census Bureau regulations re: assistance
- Need strategic recruitment (e.g. older local *promotora* with digitally literate teenager) – need local intelligence re: where to go, when, how to offer help, how to earn trust

Need for “Super” Address Listers and Enumerators

- Worries will persist into 2020, even if the citizenship question is removed – enumerators will need to be “super stars” —dedicated, committed, trustable, skilled
- Community organizations can play a key role persuading community activists to apply for and get Census Bureau jobs
- In-field address canvassing will happen around August 2019
- Census enumerators will be working April-August 2020
- Currently, only citizens are eligible for these jobs – advocacy to extend employment eligibility to employment-authorized non-citizens is ongoing and definitely worthwhile.

Data Privacy

- Census Bureau Privacy Principles – Do we need to collect this information? Key issue in CQ litigation
- Individual responses cannot be published or shared (even among government agencies) – fine of up to \$250,000 and five years imprisonment for violations (for anyone, including any government employee). Census Bureau commitment strong!
- However, tabulations are a different story, especially if the citizenship question is included
- Accountability for safeguarding data privacy will be an ongoing issue, given the evidence to date

Accountability for Privacy Protection

- *Ross March 26, Memo--DOJ seeks to obtain CV AP data for census blocks, block groups, counties, towns, and other locations where potential Section 2 violations are alleged or suspected...*
- Privacy is not an abstract/constitutional issue in our communities – key issue will be to communicate to decision-makers how strong feelings are on this topic
- Census Bureau professional staff are allies on this issue, but they've not thought carefully about San Joaquin Valley MSFW communities. Tabulation is bigger issue in rural areas.
- Fresno Co.—19% of census blocks have 5 or fewer HH, Kern Co.—30% of census blocks have 5 or fewer HH. Real-world examples will help!
- *A priori*, advocacy will need to be to prohibit tabulations below the census tract level



THE CENTER
at Sierra Health Foundation

SAN JOAQUIN
VALLEY
HEALTH FUND

Census 2020: What Advocacy Can You Do?

Advocacy on Budget

- State of CA putting \$90.3M into Census
 - \$30M for county and tribal governments, \$30M for CBOs.
 - Allocations to counties are based on Cal-HTC index.
 - To receive the allocated funding, counties must opt-in, i.e. board resolution, establish Complete Count Committee, and submit a plan for state approval.
 - Advocate to your county to opt-in and to supplement state distribution.
- How much in your county? Go to **census.ca.gov**.

Advocacy re: Citizenship Question

- Advocacy needs much more than “education”, it needs “illumination”—bottom-up flow of information
- Whether or not the administration wants an undercount of immigrants, Census Bureau professionals want to do a great job and are our allies
- Every Congressional representative wants their district to get its fair share of federal funds
- Two strands of advocacy—support for litigation and public campaign to influence Congressional representatives. This campaign is and should be non-partisan.
- Business and local government voices will be heard most loudly and clearly. Marches, protests, and sign-on letters mean less. Work your community networks!

Advocacy Fueled by Widespread Grassroots Engagement

- The issue of the CQ will be decided by summer 2019. Pressure is needed now.
- Litigation against the CQ is solid, but the legal march is long and challenging. The public campaign will be crucial.
- Engaging local communities now strengthens authenticity and credibility of advocacy against CQ and means a victory will be a shared “people’s victory”
- Engaging local communities now, even if the campaign fails, provides encouragement for standing up for one’s community
- Unfortunately, we’re used to long, tough campaigns. DREAMers and DACA recipients know it. Advocacy has to include advocacy to engage in advocacy: the *Aqui estamos, no nos vamos* message!

Advocacy for Hiring Non-Citizens

- Two levels of advocacy: hiring policy and procedures. Both will be crucial.
- ***On policy*** —be prepared to explain consequences of Bureau refusing waivers (shortfall in numbers of local hires from HTC communities, need for fluent, communicators, “trusted voices”)
- ***On procedures*** —be prepared to navigate complex, warring sub-bureaucracies within the federal government to find possible solutions
- Lack of waivers to hire non-citizens or only inadequate numbers of waivers sets up Census Bureau Regional Offices for failure. Census Bureau operational staff would like to be allies.
- **Note:** Census Bureau website says only citizens can be hired – do not accept this!

Hiring Non-Citizens

Michael Cook, Census Bureau to Hansi Lo Wang, NPR

The U.S. Census Bureau continues to follow annual appropriations act restrictions regarding the ability to hire and pay residents who are not U.S. citizens. There is not a ban, and we are still pursuing all legal flexibilities provided by Congress to hire the workforce we will need to conduct an accurate 2020 Census. These flexibilities, among other things, would allow the Census Bureau to temporarily employ translators under the excepted service provisions, and to hire permanent legal residents applying for U.S. citizenship, persons admitted as refugees or granted asylum who have filed a declaration of intent to become a permanent resident and then a citizen when eligible, or persons who owes allegiance to the United States when it is determined that positions cannot be filled by U.S. citizens."

Advocacy on Language Access

- Advocacy is already under way!
 - Letter sent to Census Bureau by 130 community-based organizations and advocacy organizations on October 23
 - Message: Do better!
 - Answer expected by November 23
 - We need your help! Have connections to electeds? Contact AAAJ – Asian Law Caucus and we can coordinate

Advocacy on Language Access

- Four asks in the letter:
 1. Make paper questionnaire available in same languages as online form
 2. Provide support (of any kind) for Pacific Islander, Hawaiian and American Indian languages from 2010 not currently on 2020 list
 3. Turn 59 language glossaries into online questionnaires in those languages
 4. Include in-language messaging in household mailers informing people how to get either translated information or a translated questionnaire

Advocacy on ICE

- ICE raids in our communities in Spring/Summer 2020 = huge problem
- Community members will already be hesitant to open door for enumerators – ICE presence makes it that much worse
- DHS paused immigration enforcement operations during Census 2000; not true in Census 2010 but DHS issued letter saying it would be mindful of census operations
- Contact your congressional reps and ask them to advocate to ICE and to Census Bureau for an ICE stand-down



THE CENTER
at Sierra Health Foundation

SAN JOAQUIN
VALLEY

HEALTH FUND

Questions and Answers



THE CENTER
at Sierra Health Foundation

SAN JOAQUIN
VALLEY
HEALTH FUND

Additional Resources

SJVHF Census Funding Opportunities

<https://www.shfcenter.org/sjvhealthfund/funding-opportunities>

SJVHF Census Resources

<https://www.shfcenter.org/sjvhf/census-resources>

Census 2020 Job Opportunities

<https://2020census.gov/jobs>

California Census 2020 Funding Information

<https://census.ca.gov/2018/11/09/funding/>



THE CENTER
at Sierra Health Foundation

SAN JOAQUIN
VALLEY

HEALTH FUND

Thank You!