

TO: 2020 California Citizens Redistricting Commission (CRC)
FROM: Commissioners Sara Sadhwani & Pedro Toledo
DATE: September 3, 2020
RE: **Draft Letter Advocating for a Fair and Accurate Collection of Census Data**

On Wednesday August 26th, the 2020 California Citizens Redistricting Commission (CRC) received a briefing on the current status of the US Census Collection efforts and changes made by the U.S. Census Bureau in the dates and timeline for collection.

It was discussed and agreed upon by the CRC that:

- 1.) Census data is the only data that can be used in the redistricting process and therefore we hold a stake in ensuring the most accurate data be collected;
- 2.) The vast demographic and geographic diversity of the state makes census data collection a difficult process even under the best of circumstances;
- 3.) The COVID-19 pandemic has severely impacted efforts for broad outreach and census data collection;
- 4.) The state of California in the *Legislature v. Padilla* ruling has allowed the CRC an additional four months to complete our task of redistricting to allow greater time for census collection and to accommodate a delay in the release of census data;
- 5.) It is in the interest of the CRC to actively advocate for an accurate census count.

While a number of actions have been considered, including submitting an amicus curiae brief or even joining the litigation brought by the Urban League and others, our initial step would be to form a subcommittee and draft a letter or letters advocating the U.S. Census Bureau honor its April 13th memo, which extended the deadline of data collection due to the COVID-19 pandemic.

This document presents a draft letter for consideration to the CRC. **This letter is only a draft and should be edited with the feedback of the full commission as well as with public commentary.**

Draft letter was crafted by the appointed Census Letter Committee, including Commissioners Sara Sadhwani and Pedro Toledo and with the support of Interim Counsel Mariam Johnson.

Potential targets of the Letter(s):

- Secretary of Commerce Wilbur L. Ross, Jr.
 - Director of the U.S. Census Bureau Steven Dillingham
 - U.S. Department of Commerce
 - U.S. Census Bureau
- (All four above named in law suit brought by National Urban League, et al)*
- Senator Kamala Harris – Author of S. 40487 Fair and Accurate Census Act
 - Representative Carolyn Maloney, Author of H.R. 7034 Fair and Accurate Census Act

Note: Depending to whom we target the letter, we may want to tailor the letter or create slightly different versions.

DRAFT

Wilbur Ross
Secretary, U.S. Department of Commerce
1401 Constitution Avenue NW
Washington DC 2030

Steven Dillingham
Director, U.S. Census Bureau
4600 Silver Hill Road
Suitland, MD 20746

Dear Secretary Ross and Director Dillingham,

As the independent and bipartisan commission tasked with re-establishing the boundaries of congressional and state legislative districts of our state, we recognize the crucial importance of a fair and accurate Census. We write to urge the U.S. Census Bureau to honor its previously announced 2020 census completion date of October 31, 2020, and to continue operations under the modified timeline as detailed in the April 13th announcement by your offices.

The work of California's 2020 Citizens Redistricting Commission will rely heavily on 2020 Census data to make reapportionment decisions. We are concerned that the early end to data collection will impact the quality of the census data, which the 2020 Citizens Redistricting Commission will utilize to draw new legislative districts. A premature end to Census counting will force the California Citizens Redistricting Commission, and similar entities across the country to rely on potentially inaccurate and incomplete data to guide the redistricting processes, which may result in avoidable legal challenges. Now, more than ever before, the Census Bureau must commit to counting everyone, and to give Census Bureau staff the time to conduct more robust non-response follow up, post-processing and other quality assurance controls. That means taking the time to ensure that hard-to-reach communities such as linguistic minorities and rural Americans, who may be disproportionately missed and hurt by the truncated deadline.

An accurate count of the population serves as the basis for fair political representation. Ensuring an accurate count of the people is a challenging yet crucial endeavor. The effort has been further complicated by the COVID-19 pandemic, which has limited the outreach and communication efforts in hard-to-reach communities, including people of color, low-income, and immigrant families. Particularly hard-hit and reporting an undercount are California's rural counties, including tribal lands, as well as counties that have seen significant demographic change over the last ten years such as San Bernardino and Riverside.

Our state is home to immigrant and refugee communities from many countries around the world. Reaching these communities and ensuring an accurate count can be difficult. Members of immigrant and refugee communities speak numerous languages, and may lack access to the internet. Many may be apprehensive about completing their census forms since this may be their first time participating in a census.

Significant efforts to assist in outreach are underway by cities and privately funded community groups, who relied on the original October 31st deadline to develop their outreach plans. Consequently, we believe that it is crucial that the Bureau uphold the original October 31st deadline. This will provide the time needed for the enumeration period for self-response and non-response follow up. We recognize that this may delay our own deadlines for redistricting and may make our own jobs more difficult, but we strongly believe that this is the best option for upholding the confidence and fidelity of the process.

The California Citizens Redistricting Commission is one of the few independent and bipartisan commissions in the United States tasked with redistricting. Our fourteen member panel is comprised of five Republicans, five Democrats and four independents*. Together, we ask that you support our bipartisan efforts by ensuring a fair and accurate count that allows an adequate amount of time for the residents of our state to be counted.

Thank you for your time and consideration.

Sincerely,

List all CRC members alphabetically with partisan affiliation

*How do commissioners who are independents/not affiliated with the two major parties wish to identify?

DRAFT

Representative Carolyn Maloney,
2308 Rayburn House Office Building
Washington, DC 20515

RE: Support for H.R. 7034 the “Fair and Accurate Census Act”

Dear Rep. Maloney,

As the independent and bipartisan commission tasked with re-establishing the boundaries of congressional and state legislative districts of our state, we recognize the crucial importance of a fair and accurate Census. **We write to offer our support for your bill H.R. 7034 the “Fair and Accurate Census Act”.**

The work of California’s 2020 Citizens Redistricting Commission will rely heavily on 2020 Census data to make reapportionment decisions. We are concerned that the early end to data collection will impact the quality of the census data, which the 2020 Citizens Redistricting Commission will utilize to draw new legislative districts. A premature end to Census counting will force the California Citizens Redistricting Commission, and similar entities across the country to rely on potentially inaccurate and incomplete data to guide the redistricting processes, which may result in avoidable legal challenges. Now, more than ever before, the Census Bureau must commit to counting everyone, and to give Census Bureau staff the time to conduct more robust non-response follow up, post-processing and other quality assurance controls. That means taking the time to ensure that hard-to-reach communities such as linguistic minorities and rural Americans, who may be disproportionately missed and hurt by the truncated deadline.

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Thank you for your time and consideration.

Sincerely,

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DRAFT

Senator Kamala Harris
112 Hart Senate Office Building
Washington, DC 20510

RE: Support for S. 4048 the “Fair and Accurate Census Act”

Dear Senator Harris,

As the independent and bipartisan commission tasked with re-establishing the boundaries of congressional and state legislative districts of our state, we recognize the crucial importance of a fair and accurate Census. **We write to offer our support for your bill S.4048 the “Fair and Accurate Census Act”.**

The work of California’s 2020 Citizens Redistricting Commission will rely heavily on 2020 Census data to make reapportionment decisions. We are concerned that the early end to data collection will impact the quality of the census data, which the 2020 Citizens Redistricting Commission will utilize to draw new legislative districts. A premature end to Census counting will force the California Citizens Redistricting Commission, and similar entities across the country to rely on potentially inaccurate and incomplete data to guide the redistricting processes, which may result in avoidable legal challenges. Now, more than ever before, the Census Bureau must commit to counting everyone, and to give Census Bureau staff the time to conduct more robust non-response follow up, post-processing and other quality assurance controls. That means taking the time to ensure that hard-to-reach communities such as linguistic minorities and rural Americans, who may be disproportionately missed and hurt by the truncated deadline.

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Thank you for your time and consideration.

Sincerely,

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DRAFT

Senator Ron Johnson
Chair, U.S. Senate Committee on Homeland Security and Governmental Affairs
340 Dirksen Senate Office Building
Washington, DC 20510

RE: Support for S. 4048 the “Fair and Accurate Census Act”

Dear Senator Johnson,

As the independent and bipartisan commission tasked with re-establishing the boundaries of congressional and state legislative districts of our state, we recognize the crucial importance of a fair and accurate Census. We write to offer our support for S.4048 the “Fair and Accurate Census Act” and **urgently ask you to review and advance this legislation through the Committee on Homeland Security and Governmental Affairs.**

The work of California’s 2020 Citizens Redistricting Commission will rely heavily on 2020 Census data to make reapportionment decisions. We are concerned that the early end to data collection will impact the quality of the census data, which the 2020 Citizens Redistricting Commission will utilize to draw new legislative districts. A premature end to Census counting will force the California Citizens Redistricting Commission, and similar entities across the country to rely on potentially inaccurate and incomplete data to guide the redistricting processes, which may result in avoidable legal challenges. Now, more than ever before, the Census Bureau must commit to counting everyone, and to give Census Bureau staff the time to conduct more robust non-response follow up, post-processing and other quality assurance controls. That means taking the time to ensure that hard-to-reach communities such as linguistic minorities and rural Americans, who may be disproportionately missed and hurt by the truncated deadline.

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