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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NATIONAL URBAN LEAGUE; LEAGUE OF WOMEN VOTERS; BLACK ALLIANCE FOR JUST IMMIGRATION; HARRIS COUNTY, TEXAS; KING COUNTY, WASHINGTON; CITY OF LOS ANGELES, CALIFORNIA; CITY OF SALINAS, CALIFORNIA; CITY OF SAN JOSE, CALIFORNIA; RODNEY ELLIS; and ADRIAN GARCIA, Plaintiffs, v. WILBUR L. ROSS, JR., in his official capacity as Secretary of Commerce; U.S. DEPARTMENT OF COMMERCE; STEVEN DILLINGHAM, in his official capacity as Director of the U.S. Census Bureau; and U.S. CENSUS BUREAU, Defendants.	CASE NO. 20-cv-5799 **DECLARATION OF MARIA DE LA LUZ GARCIA IN SUPPORT OF PLAINTIFFS' MOTION FOR STAY AND PRELIMINARY INJUNCTION**

I, Maria de la Luz Garcia, declare as follows:

1. The facts set forth in this declaration are true and correct based upon my own personal knowledge. If called as a witness, I could and would testify competently to each of the facts set forth herein.

2. I am the Director of the City of Los Angeles's (the "City") Census 2020 Initiative, which is part of the Mayor's Office of Budget and Innovation. I have held my current position since it was created in 2017. Immediately before I assumed my current role, I was City Clerk for the City of Long Beach where I introduced civic engagement initiatives to the office. Prior to serving as City Clerk, I was the Senior Project Coordinator overseeing voter outreach for the Los Angeles City Clerk's office for ten years. I have worked in civic outreach in the City my entire career, spanning almost two decades. I am extremely familiar with the City and its demographics. My job requires that I have a general understanding of the impact an inaccurate census will have on the City of Los Angeles including the potential for under representation at all levels of government and underfunding for programs and services that our residents rely on. Most importantly, it requires that I have a deep understanding of the City's resident populations—particularly communities within the City that have been historically underrepresented and undercounted—and how best to reach them.

3. In my current role, I am responsible for developing and implementing the City's Census 2020 Outreach strategy. The mission of this initiative is to facilitate an accurate count in the City by engaging its hard-to-count populations. Our goal is to ensure a full census count, empowering the most vulnerable members of our communities by connecting them to civic life.

4. To achieve these aims, I helped to organize and currently co-lead the Countywide Outreach Complete Count Committee with the County of Los Angeles. The Countywide Outreach Complete Count Committee formed in January 2018, has met on a bi-monthly basis since then, and includes over 150 organizations that represent a diverse coalition of community stakeholders, such as schools, community-based non-profit organizations, City Council offices, businesses, colleges, and universities within the County of Los Angeles. Our work is closely coordinated with multiple levels of government and governmental agencies, including the U.S.

Census Bureau, the County of Los Angeles, and the State of California. My team also supported the City's Local Update of Census Addresses operation.

5. In short, as the level of government closest to our local population, and because we have so much at stake in a fair and accurate count, the City has been deeply involved and invested in community engagement and outreach related to the 2020 Census. For example, my team has created fact sheets reflecting the hard-to-count populations in each City Council district and recruited and trained volunteers—whom we call Census Goodwill Ambassadors—from hard to count neighborhoods to ensure we had a legion of trusted messengers who could deliver census messages to these communities that have traditionally been hard to reach. Because of this, we have been able to develop outreach strategies based on the particular composition of the hard-to-count population in hard-to-count neighborhoods.

6. The makeup of each neighborhood in Los Angeles can be drastically different—and so can its hard-to-count populations. In some neighborhoods, residents lack broadband internet access; others are home to large concentrations of immigrant populations. Each community that is hard to count presents different outreach and engagement challenges. For example, the approach to a technological impediment to filling out the census is very different from the approach where the impediment is a lack of trust in government. Our strategy was developed to respond to those differences among our local population.

7. The City of Los Angeles, California is home to roughly 4 million people, and is located in the county recognized by the Census as the hardest to count in the nation. The City's diverse population is a large contributor to the County's status; 57 percent of the City's residents live in census block groups that are classified as "hard" or "very hard" to count. More than half of the occupied housing units in the City are renter-occupied. Approximately 19 percent do not have broadband internet service. The City's population is nearly 49 percent Latino, and nearly 15 percent of the City's households have limited English-language proficiency. As of 2017, the City was home to roughly 35,000 individuals experiencing homelessness. City staff estimate that the City is also home to about 1.5 million immigrants, 375,000 of whom are believed to be

undocumented as of 2017—the second-largest population of such community members of any metro area in the nation. Households with even a single undocumented member are far less likely to respond to the census.

8. Unsurprisingly, given its hard-to-count status, census-education campaigns and non-response follow up ("NRFU") are vital to an accurate count in the City of Los Angeles. Currently, the City's self-response rate is a mere 54.5 (as of August 19, 2020) percent—well below the statewide response rate of 65.9 (as of August 19, 2020) percent and even further below its own 2010 self-response rate of 68 percent. In other words, if the Census Bureau follows through with its plan to curtail NRFU on September 30, 2020, instead of October 31, 2020 as it previously had planned, the Census Bureau has just over six weeks to complete enumeration of roughly half of the exceptionally diverse households of the nation's second-most-populous city—in the midst of a once-in-a-lifetime pandemic. The City's experience leads it to expect that this plan will result in extreme inaccuracy—not just because of the numerical challenge, but also because of the unique challenges associated with the City's diverse population.

9. Because of its hard-to-count status, the City has engaged in years of planning and devoted significant resources to developing a strategy for maximizing the count tailored to the City's varied and unique hard-to-count communities. To fund these efforts, the City has overseen distribution of roughly $2 million dollars to community-based organizations and the investment of approximately $1.6 million of both City general fund and grant money in its own efforts.

10. The City and its partners have closely and carefully coordinated on census outreach messaging and planning for the last three years. The COVID crisis required a significant pivot from the group's initial plans, but this adjustment was manageable because the Bureau provided essentially the same amount of time for outreach, just on a different schedule. In contrast, the current threat to terminate self-response and NRFU on September 30, 2020 is a significant threat to the Bureau's ability to obtain anything close to an accurate count in the

City. It compresses outreach operations into an untenable timeframe, with little if any time to adjust. In my view, it will profoundly disrupt the operations of the City and its partners that are necessary to facilitate an accurate count.

11. To highlight just one example, the City has made significant investments in mobile response events, bringing computers and personnel to hard-to-count tracts to answer questions and facilitate census completion. In the City's experience conducting these events, many residents lack the technology or the information (or both) to respond to the census. Outreach to these individuals is both necessary and extremely time-consuming.

12. Other forms of outreach by the City and its partners are also necessary. Information and technological problems are exacerbated by residents' lack of trust in the government. This distrust can arise for a variety of reasons but is widespread and has been amplified by the current federal administration's rhetoric on immigration. Residents fearful or distrustful of the government are unlikely either to self-respond or to engage with an enumerator without support. In the City's experience, community-based organizations often form the bridge between households that distrust the government and census response, convincing residents to self-respond and facilitating that response if, for example, residents do not have access to computers. Our community organizations often participate in events with the Bureau's local office, connecting residents to enumerators. Without contact from these organizations, it is doubtful that the Bureau will be able to reach these residents.

13. The Bureau's decision to cut short the self-response and NRFU period will have a significant impact on the City's and its partners' ability to conduct these vital outreach operations. For example, the City planned mobile outreach events each weekend during the month of October. Community-based organizations likewise planned to conduct outreach to residents during this period. For example, the Latino Equality Alliance planned to do canvassing through the end of October, but will not be able to if the Bureau's operation is cut short. These plans will obviously be useless if the Bureau ends its operations in late September. We anticipate that the Bureau's operations will not reach the population the City and its partners

were likely to reach with these events and outreach.

14. In addition, the City and its community partners have already conducted a public education campaign publicizing the October 31, 2020 date for self-response. For example, the City announced this date in bus shelter posters and social media toolkits that were disseminated to partner organizations. The State of California distributed and developed flyers and post cards with the October 31, 2020 date to its contracted partners across the state including in the City of Los Angeles. The City is deeply concerned that residents have already received information about the October 31, 2020 response date and, as a result, will fail to respond before the newly shortened deadline, especially given the Bureau's own minimal efforts at explanation and outreach around the new date. Census-education efforts are difficult and costly to begin with; reaching an individual more than once to correct previously provided information is especially difficult.

15. Each of these issues is, of course, dramatically magnified by COVID-19, the intensity of which has barely waned in the City. The virus markedly complicates the kind of in-person census outreach crucial to the City's and its partners' efforts—to say nothing of the Bureau's own NRFU operations. The City hopes the rate of COVID-19 spread will decline significantly in the coming month. But it is exceptionally challenging to intensify in-person operations to fill the four-week gap left by a September 30 end-date before it does—and may even be counterproductive because of the public health risk.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Los Angeles, California on August 21, 2020.

Maria de la Luz Garcia

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