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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

CITY OF SAN JOSE, a municipal corporation; and BLACK ALLIANCE FOR JUST IMMIGRATION, a California nonprofit corporation, Plaintiffs,	3:18-cv-02279-RS **DECLARATION OF JEFF RUSTER** Assigned to the Honorable Richard G.

vs.

WILBUR L. ROSS, JR., in his official capacity as Secretary of the U.S. Department of Commerce; U.S. DEPARTMENT OF COMMERCE; RON JARMIN, in his official capacity as Acting Director of the U.S. Census Bureau; U.S. CENSUS BUREAU,

Defendants.

Seeborg

I, Jeff Ruster, declare under penalty of perjury pursuant to 28 U.S.C. § 1747 that the below is true and correct:

1. I am the Assistant Director in the Office of Economic Development of the City of San Jose.

2. I have been in my current position for approximately 5 years.

3. As part of my official duties, I am overseeing the preparations the City of San Jose is taking for the 2020 Decennial Census.

4. These preparations include outreach programs designed to encourage so-called hard-to-count populations to participate in the 2020 Decennial Census.

5. These preparations have also included the Local Update of the Census Area programs aimed to identify so-called "low visibility housing" – including garages, sheds, and trailers.

6. The Local Update of the Census Area programs has included public meetings, community outreach sessions, and identification of low visibility housing units.

7. I assisted in the preparations for a Complete Count Committee meeting in September of 2018 with over 100 representatives from a number of community-based, educational, government, and private sector organizations to discuss the City of San Jose's and

Santa Clara County's outreach efforts for the 2020 Decennial Census. A true and accurate copy of a document I received at the Complete Count Committee meeting, as prepared by the County of Santa Clara is attached hereto as **Exhibit A** and number stamped SJBAJI00011-SJBAJI00026.

8. Many of these representatives shared concerns at this meeting and at other forums that hard-to-count populations, including non-citizens, would not respond to the 2020 Census if it includes a citizenship question.

9. In partnership with the County of Santa Clara and other organizations, the City of San Jose is currently developing outreach programs designed to encourage hard-to-count populations to respond to the 2020 Census.

10. These outreach programs will require the City of San Jose to divert funds and use additional sources of City funding not currently designated for census-related outreach.

11. To date, the City of San Jose has allocated approximately $300,000 preparing for the 2020 Decennial Census.

12. The City of San Jose expects to allocate at least an additional $300,000 in preparing and implementing outreach strategies for the 2020 Decennial Census.

13. If the 2020 Decennial Census includes a citizenship question, some of these resources will be diverted to outreach specifically aimed at increasing participation among groups more likely to resist responding because of the inclusion of a citizenship question.

14. These funds will be diverted and used to encourage participation among groups likely to be affected by the citizenship question before the 2020 Decennial Census takes place.

15. The inclusion of a citizenship question on the 2020 Census will therefore require the City of San Jose to expend funds prior to the date the Census is conducted, regardless of the ultimate impact of the question itself.

16. If the citizenship question were removed from the 2020 Census, the City of San Jose would not have to spend additional time or effort to specifically mitigate the impact of the inclusion of the citizenship question on the 2020 Census.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1747 that the foregoing is true and correct:

October 29, 2018

Jeff Ruster

EXHIBIT 1

Census 2020

Census 101 and the Work of the Complete Count Committee

Freeimages Justine FG

Presentation to the
Santa Clara County CCC Convening
Paul R. Kumar
Policy Consultant to the CEO
September 28, 2018

Census 101

WHAT – United States Census 2020

Purpose:

To conduct a census of population and housing and disseminate the results to the President, the States, and the American People

Apportion representation among states as mandated by Article 1, Section 2 of the U.S. Constitution:

Representatives and direct Taxes shall be apportioned among the several States which may be included within this union, according to their respective Numbers …

The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and ***within every subsequent Term of ten years****, in such Manner as they shall by Law direct.*

WHY – Primary Uses of U.S Census Data

- Draw federal, state, and local political districts
- Distribute federal dollars to the states and their subdivisions
- Inform government planning and policy making
- Inform private sector planning and decision making dependent on population data

WHY – Stakes for Santa Clara County Residents

- Ensure Santa Clara County residents get their fair share of federal resources and fair political representation by ensuring their full participation in the 2020 U.S. Census.

- Ensure residents are counted accurately: once, only once, and in the right place.

WHEN: Phases of 2020 Census Work

Phase 1:	Establish Where to Count	July 2017- June 2018
Phase 2:	**Motivate People to Respond And Create Counting Capacity**	**July 2018-March 2020**
Phase 3:	Count the Population	March-July 2020
Closeout:	Finish Non-Response Follow Up, Results, Report, Wrap Up	July-December 2020

The 2020 Census: A New Design for the 21st Century

Motivate People to Respond

Conduct a nation-wide communications and partnership campaign

Maximize outreach using traditional and new media

Target ads to specific audiences

Work with trusted sources to inspire participation

TELEPHONE AND PAPER SELF-RESPONSE

NONRESPONSE FOLLOWUP

INTERNET SELF-RESPONSE

Count the Population

Collect data from all households, including group and unique living arrangements

Make it easy for people to respond anytime, anywhere

Encourage people to use the new online response option

Use the most cost-effective strategy to contact and count nonrespondents

Knock on doors only when necessary

Streamline in-field census-taking

Establish Where to Count

Identify all addresses where people could live

IN-FIELD

IN-OFFICE

Conduct a 100% review and update of the nation's address list

Minimize field work with in-office updating

Use multiple data sources to identify areas with address changes

Get local government input

Release Census Results

Process and Provide Census Data

Deliver apportionment counts to the President by December 31, 2020

Release counts for redistricting by April 1, 2021

Make it easier for the public to get data

HOW – Focus on Hard to Count Populations (partial list)

- Immigrants
- Individuals with limited English proficiency
- Minority ethnic/national groups
- People with disabilities
- Seniors
- LGBTQ
- Children under 5
- Veterans
- Unemployed individuals
- Non-high school graduates
- Homeless people
- Single parent households
- Renters
- Residents of dense, low-income communities

HOW – Contact, Convince, Count

Ground Game

- Goal: Trusted messengers motivate in targeted locations and door-to-door
- Community-based organizations engage their HTC constituents
- State & local governments conduct outreach at points of contact with HTC groups
- Large workplaces and high traffic public locations have census kiosks and assistance
- Door-to-door canvasses in low response geographies

Air Game

- Goal: Blanket media saturation with messages to encourage response
- Paid Media – multi-lingual, multi-media buys to targeted audiences
- Social Media – promote peer-to-peer contact on appropriate platforms
- Ethnic Media – make use of in-language media outlets
- Digital Ads

HOW: Overcome Obstacles (partial list)

- (Potential) Citizenship Question
  - Immigration enforcement concerns
- First Digital Census with Online Self-Response
  - Internet access, disinformation, cybersecurity
- Sufficient Linguistic and Culturally Appropriate Enumerators
  - Tight job market, language capacity, cultural sensitivity
- Census Bureau's Reduction of Funding and Effort
  - Truncated Tests, Less Office Help, Fewer Door Knocks

Complete Count Committee and Subcommittees

WHO: Complete Count Committee

- Countywide steering committee established to coordinate among the many, diverse subcommittees working on the frontlines to maximize Santa Clara County's census count, which are focused on:
  - Hard to count communities
  - Points of contact with these communities
  - Tools and techniques for reaching these communities
- Appointed by the County Executive Officer from government and stakeholder groups, based on subcommittee nominations
- Consensus seeking process to provide recommendations for the efficient, effective, and equitable allocation of County resources

WHO: Subcommittees

- Some subcommittees have already begun forming, including ones focused on homeless outreach and the enumerator workforce
- Today's main work will be building out more subcommittees with missions focused on but not limited to the categories noted above:
  - Hard to count communities
  - Points of contact with these communities
  - Tools and techniques for reaching these communities
- It is these subcommittees, closest to the grassroots, that will lead the detailed planning and execution to maximize our census count

Show Me the Money:
County Resources for Census 2020

Three-Year Funding Request (FY 19 Approved)

Item	FY19	FY20	FY21	Total
Object 1				
Office of the County Executive				
Program Manager II – U	$130,581	$164,944	$164,944	$460,469
Program Manager I – U	$119,806	$151,334	$113,501	$384,641
Community Outreach Specialist – U	$84,868	$107,202	$80,402	$272,472
Planning Department				
Geographic Information Systems Analyst	$131,960	$131,960	$131,960	$395,880
Technology Services and Solutions				
Geographic Information Systems Analyst	$ -	$102,600	$ -	$102,600
Additional positions	$ -	$405,763	$202,881	$608,644
Object 2				
Research and planning	$175,000	$50,000	$ -	$225,000
Communications	$135,000	$650,000	$100,000	$885,000
Outreach	$200,000	$1,350,000	$ -	$1,550,000
Workforce	$50,000	$300,000	$ -	$350,000
Meeting and engagement expenses	$25,000	$175,000	$50,000	$250,000
Travel, conferences, and equipment	$20,000	$62,000	$20,000	$102,000
Professional services	$200,000	$100,000	$100,000	$400,000
Subtotal	$1,272,215	$3,750,803	$963,687	$5,986,705
Funds Remaining from March 2018 Census Appropriation	$553,672	n/a	n/a	n/a
Appropriation Request August 2018	$718,543	n/a	n/a	n/a

Questions? ☺