

Expert report of Matthew A. Barreto, Ph.D.

I. Background and Qualifications

1. I am currently a Professor of Political Science and Chicana/o Studies at the University of California, Los Angeles.
2. Before I joined UCLA in 2015, I was a professor at the University of Washington for more than nine years, where I was promoted to Associate Professor with tenure, and then Full Professor with tenure. At the University of Washington, I was an affiliated faculty member of the Center for Statistics and the Social Sciences, and an adjunct Professor of Law at the UW School of Law. I am also the co-founder of the research firm Latino Decisions.
3. Throughout my career, I have taught courses on the Voting Rights Act, Racial and Ethnic Politics, Electoral Politics, Public Opinion, Immigration, and Introduction to Statistical Analysis and Advanced Statistical Analysis to Ph.D. students.
4. I earned a Ph.D. in Political Science at the University of California, Irvine in 2005, with an emphasis on racial and ethnic politics in the United States, political behavior, and public opinion. Professor Bernard Grofman, a well-known expert in voting rights research, served as my principal dissertation advisor.
5. I have published multiple peer-reviewed academic research papers on public opinion and survey methodology (among other topics).
6. I have conducted large public opinion surveys in Indiana, Wisconsin, Pennsylvania, Alabama, Texas, and North Dakota in connection with litigation assessing, among other things, how the public responds to, and is affected by, changes in laws and statutes. Courts have accepted these surveys as viable and methodologically accurate instruments to understand how the public responds to changes in state law. In particular, my previous survey research has focused on understanding sub-group analysis to evaluate differential impacts by race and ethnicity. Most recently, the United States District Court for the District of North Dakota stated in *Brakebill v. Jaegger* (No. 1:16-cv-008) that “the Court

gives the findings of the Barreto/Sanchez Survey, and the other studies and data presented by the Plaintiffs, considerable weight.” Previous to this, in 2014 in *Veasey v. Perry* (No. 13-CV-00193), the United States District Court for the Southern District of Texas, and in findings affirmed by the Fifth Circuit Court of Appeals, found that my survey was statistically sound and relied upon my survey findings to evaluate the impact of Texas’s voter ID law. Likewise, in *Frank v. Walker* (No. 2:11-cv-01128), a survey I administered and included as part of my expert report was given full weight by the United States District Court for the Eastern District of Wisconsin in a voter ID case in Wisconsin.

7. In *Fish v. Kobach* (No. 16-2105-JAR-JPO), the plaintiffs retained me as an expert witness to evaluate the methodology of the defendant’s survey, and the United States District Court for Kansas found me to be an expert on best practices of survey research and credible and qualified to discuss survey methodology.
8. My full professional qualifications and activities are set forth in my curriculum vitae, a true and correct copy of which I have attached hereto as Appendix C.

II. Scope of Work

9. Plaintiffs in the above-captioned actions retained me to evaluate whether the inclusion of a citizenship question on the United States’ 2020 decennial census (i) would affect participation in the census, and (ii) would reduce the accuracy of the census. To conduct my evaluation, I reviewed two sources of information. First, I conducted a comprehensive literature review on survey methodology, response rates, sensitive questions and methodology, and census procedures addressing missing data and imputation. Second, I oversaw a large nationwide public opinion survey of 6,309 respondents asking people whether they would participate in the census given the inclusion of a citizenship question.
10. I worked on this project with Mr. Marcel Roman, a Ph.D. student in the department of Political Science at UCLA. Mr. Roman helped me compile sources for the literature review and prepare tables and graphs for this report.

III. Executive Summary

11. Based on the extant literature published in the social sciences, the survey I conducted, and my own experience implementing hundreds of other public opinion surveys, I conclude that the addition of a question about household member's citizenship will significantly reduce participation in the 2020 census, and ultimately will reduce the accuracy of the 2020 census.
12. The published literature is quite clear: a critical component to ensure an accurate response rate on any survey, including the census, is trust between the public and the survey administrator. Without a high degree of trust, the prior published studies conclude that response rates will fall.
13. Trust is particularly important when asking sensitive and private information of any vulnerable population subgroups concerned about the potential misuse of such information. From this perspective, adding the highly sensitive question of citizenship status to the 2020 census will make it much harder to stimulate participation in the census from vulnerable populations such as immigrant¹ and minority communities, if such communities do not trust the census to adequately protect their confidentiality.
14. When sensitive questions are asked on a survey, respondent anonymity is particularly important to ensure higher participation. The census violates anonymity by requiring respondents to list the names of all household members. If respondents do not trust the survey administrator, and there is no anonymity, posing sensitive questions to vulnerable respondents will greatly reduce the accuracy of the survey.
15. If trust is low, attempts to re-interview or re-contact households will not be successful either. Survey respondents must believe that there is no jeopardy or threat of disclosure to ensure their participation in a survey, regardless of how many attempts one might make to prompt their participation.

¹ Here we mean persons who are foreign-born and emigrated to the United States.

16. The survey I conducted shows that levels of trust in immigrant and minority communities in the United States are very low with respect to questions about citizenship. When asked about the protection of sensitive information, including citizenship, of themselves and family members, immigrant respondents were statistically less likely to trust that the Trump administration will protect their information and not share it with other federal agencies (just 35%). Among Latino respondents overall, just 31% trust the Trump administration to protect their personal information, which is statistically lower than among non-Latinos.
17. The survey also shows that large percentages of immigrants and minorities are concerned specifically that the citizenship information reported on the census will be shared with Immigration and Customs Enforcement (ICE). Overall, 41% of immigrants surveyed state they are concerned about this, along with 40% of Latinos, results that represent statistically significant differences from the nation as a whole.
18. Comparing the responses to survey questions about a census *without* a citizenship question and a census *with* a citizenship question, this report calculates the expected drop-off rate - or the expected percentage of those who will not respond to the 2020 census in light of the citizenship question. Nationwide, the survey reports an expected drop-off rate between 7.1% and 9.7% in 2020 due to the citizenship question. For immigrants the drop-off rate is much higher - between 11.3% and 17.8% nationally. For Latinos the drop-off rate is expected to be between 14.1% and 16.6%.²
19. The drop-off rate will be exacerbated by the fact that, overall, those respondents who indicate they will not respond to the 2020 census due to the addition of a citizenship question have larger household sizes (3.30 persons) than respondents who indicated they would participate (2.95 persons). Thus each household that does not participate will represent 3.3 persons not participating, amplifying the expected drop-off rate in 2020.

² I provide two point estimates for the drop-off rate, explained below in Section 5-B, Paragraph 77. The first rate is calculated by comparing answers to question 1 and question 2 on the survey, and the second rate is comparing answers to question 1 and question 8 on the survey. The first number reported of 7.1% is the estimated drop-off rate comparing question 1 and question 2, while the second number reported of 9.7% is for question 1 and question 8. This is explained in greater detail below.

When further broken down by subpopulation, this household size effect is most evident in Latino immigrant households. Among Latino immigrants who stated they will participate in the census, the average household size is 3.80; among Latino immigrants who state they won't participate, the average household size is 4.60.

20. When households do not initially self-respond to the census, the Census relies on nonresponse follow up (NRFU) to re-contact households to encourage them to respond. In simulated re-contact, the survey shows that a majority of non-responders to the 2020 census will not switch and become participants when asked again to do so. Among people who said they won't participate if the citizenship question is asked, even after receiving assurances of census confidentiality, only 45% said upon re-contact that they would switch and respond to the census, and 55% did not agree to participate upon re-contact. For respondents who were told during simulated re-contact that no citizenship question would be asked, 84% switched and said they would respond upon re-contact. For immigrants, re-contact success was even lower, with only 33% stating they would participate in the 2020 census upon re-contact if a citizenship question is present, compared to 80% participation upon re-contact when no citizenship question is present.
21. Larger households will be the most difficult to successfully convert from non-participation to participation if there is a citizenship question, further undermining an accurate count. Among the 33% of immigrants who would take the census upon re-contact, their average household size is 2.91 compared to an average household size of 3.94 for the 67% of immigrants who would not participate upon re-contact, leaving them, and their larger households uncounted.
22. One of the ways Census Bureau officials try to account for people who refuse to respond to the census is to mathematically account for non-responders through statistical methods such as "substitution" or "imputation." Both of these methods use information on responding households to estimate population information on non-responding households. However, non-responding households are statistically different than responding

households on a variety of critical demographics, which violates an important assumption of substitution or imputation. For these methods to serve as viable alternatives, missing units and reported units should be roughly equivalent. However, the survey reveals that non-responding households are more likely to be larger in size, be foreign-born, and have different age and educational outcomes than responding households. This will make substitution and imputation inaccurate and unreliable, and makes it highly likely that there will be a net undercount of households refusing to respond to the census due to the citizenship question.

IV. Literature Review

A. Factors That Impact Survey Response Rates and Accuracy: Trust, Sensitive Questions, and Socio-Political Context

23. The decennial census is a population survey. There have been extensive studies across the social sciences documenting the best practices and potential pitfalls in collecting accurate survey data. With respect to evaluating the 2020 census there are three key takeaways that are quite clear in the published literature. First, trust between the public and the survey administrator is crucial. Without a high degree of trust, prior studies conclude that response rates will fall, leading to a biased survey project because it excludes people from the data and is no longer representative. Second, highly sensitive questions require assurances of anonymity and confidentiality. Third, the social and political context during survey implementation can greatly impact trust, confidence, and participation rates. This is especially the case for vulnerable populations when they perceive an unwelcoming environment or context. Of these key takeaways, the hallmark of cooperation in any survey is trust. Respondents are more likely to participate in a survey, to complete survey items accurately, and respond fully to survey items when they trust the survey administrator. When respondents are suspicious, uncertain, anxious or untrusting, non-response rates significantly increase. An early study on this topic framed the issue as how much threat

potential respondents perceive through the source of the survey as well as the types of questions being asked (Ball 1967; Bradburn et al. 1978). When subjects identify the survey as being implemented on behalf of authorities who they perceive could use their answers against them, they are likely to not-respond, or to respond untruthfully (Ball 1967). By contrast, as Ball (1967) explains, when subjects are asked questions on behalf of an anonymous research study, with trusted confederates who do not represent authorities, they are inclined to participate, and to answer questions honestly. In particular, trust is important when asking sensitive and private information of any vulnerable subgroups of the population that feel at risk. From this perspective, inclusion of a citizenship question on the 2020 census will make securing participation of immigrant communities much harder than if a citizenship question were not included on the decennial census.

24. A research study by the U.S. Government Accountability Office in 2003 (GAO-03-605) laid out the most appropriate approaches to surveying the Latino population specifically. The report was commissioned because prior government surveys, in particular the Census, were noticing high rates of non-response with Latino respondents. The report stated that distrust – especially of those representing the government – was a leading factor in Latino immigrant non-response. To fix this, they recommend increasing trust so that potential survey respondents are not fearful of their participation, and not suspicious of the census questions being asked, or the census enumerators visiting their community. Including the citizenship question on the 2020 census does precisely the opposite, increasing *distrust* and, therefore, making it substantially less likely that members of the Latino immigrant subgroups will respond to the census.
25. De la Puente (1995) examined issues related to trust, confidentiality and fear among potential census respondents in El Paso, Texas and found that fear and apprehension on part of the sample area residents led to concealment of information from the Census Bureau and from the ethnographers, due to their belief that the government will not keep their information private or confidential when it comes to highly sensitive questions. This

research establishes that the Census already knows it has challenges with trust in some immigrant communities and attempts to overcome those challenges by not asking sensitive questions that make it very difficult to persuade communities with low trust. However, in 2020 the inclusion of a citizenship status questions will result in increased drop-off and problems with trust in such communities.

26. In a follow-up study a decade later, de la Puente (2004) concluded that individuals with unstable immigration statuses were much less likely to trust the government and specifically less likely to fill out the census questionnaire. Indeed, properly counting undocumented immigrants has long been a concern for the Census Bureau. De la Puente's research demonstrated that respondents with irregular immigration statuses are unlikely to directly cooperate with the Census if they perceive their immigration status will be revealed. One respondent in the study, who did have legal status as a student, was afraid to participate in the Census because she feared that at some point in the future she may go out of status and that the information she provided to the Census Bureau might be used to track her down. However, if immigrants come to believe that their immigration status cannot be revealed because it will not be collected in the first place, cultural facilitators can help improve participation rates (de la Puente 2004).
27. An important practice that ensures higher participation rates in surveys is respondent anonymity, particularly when sensitive questions are being asked. The census violates anonymity by requiring respondent to list the names of all household members. If respondents do not trust the survey administrator, and there is no anonymity, posing sensitive questions to vulnerable respondents greatly reduces the accuracy of the survey. Tourangeau and Yan (2007) explain how the "threat of disclosure" on sensitive question can result in non-response. Generally, people have concerns about the possible consequences of participating in a survey, or giving a truthful answer should information become known to a third party with enforcement powers. The authors explain a question is "sensitive" if it raises fears about the likelihood or consequences of disclosure of the

answers to agencies or individuals directly, or not directly involved in the survey. As an example, Tourangeau and Yan (2007) discuss asking a question about marijuana use to a group of teenagers. If the teens suspect that the answers could be shared with their parents, they opt out of the survey or lie. But if the survey is completely anonymous and implemented by their peers, they are much more likely to participate and be truthful. The *perceived* threat of disclosure is what matters.

28. A review of findings across different surveys suggest that the likelihood of survey response largely depends on contextual factors, including the respondent's personal situation and the features of the data collection, such as the degree of privacy it offers. The exact same question might be highly sensitive and risk non-participation in one setting, but be acceptable and proper in another. To this point, a comprehensive review of survey environment research indicates that highly sensitive questions will be disruptive to the survey, produce non-response, or result in biased data when the respondent feels any social pressure of their answers being known. However, if the respondent feels secure and has total privacy and anonymity, they are likely to participate and provide truthful answers (Tourangeau and Smith 1996). In particular, Krysan (1998) found evidence that respondents greatly modified their answers to questions and issues related to views about race, ethnicity or immigration based on how they felt the interviewer would perceive or judge their responses.

29. Concerns about confidentiality are likely to exacerbate the unwillingness of certain communities to respond to a census that includes a question about citizenship. A study of immigrant communities' knowledge and awareness of the census found that one major concern was confidentiality of personal information (Raines 2001). Beyond the Latino immigrant community, this study reported evidence that immigrants from Laos, Somalia, Iraq, Bosnia, and Haiti expressed concerns over anonymity and confidentiality. The general takeaway is that as additional private, personal or sensitive questions are added, the degree of concern over anonymity and confidentiality raises considerably. Even if the Census

provides assurances, many may not believe or trust those assurances. In part, this might be due to the current social and political context (laid out below in paragraph 34) or could also be due to prior experiences in their home country with authoritarian regimes and government data collection. Thus, for a population survey to be accurate, it is critical that respondents truly believe their answers to sensitive questions will always remain confidential.

30. Additional ethnographic research has revealed that undocumented immigrants, or mixed-status households are likely to avoid government contact when they suspect it is not safe to participate (de la Puente 1995). This is especially the case when sensitive topics will be potentially discussed or revealed. Velasco (1992) maintains that undocumented immigrants in his sample area in San Diego, CA avoided contact with government. He argues that this avoidance was one of the important contributing factors to census omission and estimates that over half of the sample area residents were undocumented immigrants. Similar situations were also reported in the Miami, FL sample area (Stepick 1992) and in the 26 rural Marion County, OR sample area (Montoya 1992). However, the ethnographic research all conclude that participation barriers can be overcome by not including worrisome questions about citizenship status and working with community based organizations and cultural facilitators to increase trust and confidence in data privacy.
31. Levels of trust in immigrant and minority communities are very low with respect to questions about citizenship. In the national survey implemented for this report, when asked about protecting sensitive information, including citizenship of themselves and family members, only 35% of immigrants expressed trust that the Trump administration will protect their information and not share it with other federal agencies. Among Latino respondents overall, just 31% trust the Trump administration to protect their personal information, and only 23% of African Americans and 41% of Asian Americans had such trust. According to my national survey, a very large percent of immigrants and minorities believe the Trump administration will share their personal information with other federal

agencies, and these lower rates of trust are statistically significant as compared to whites, and U.S. born respondents.³

32. Research related to the 2020 census even prior to the addition of the citizenship question has already reported considerable fear and concern in the immigrant community about personal identifying information related to citizenship status. A comprehensive study by the Census Bureau's Center for Survey Measurement presented at the National Advisory Committee on Racial, Ethnic, and Other Populations Fall Meeting 2017 (Meyers 2017) reported an increase in respondents expressing concerns to researchers and field staff about confidentiality and data access related to immigration, legal residency, and citizenship status, and their perception that certain immigrant groups are unwelcome. There was an observation of increased rates of unusual respondent behaviors during pre-testing and production surveys, including item-nonresponse, break-offs, and refusals, especially when the questions involved citizenship status. The most commonly occurring finding was that respondents appeared visibly nervous about disclosing their private information and who would have access to such data. The current political climate was of concern to respondents: in one Spanish interview, a respondent stated, "the possibility that the Census could give my information to internal security and immigration could come and arrest me for not having documents terrifies me."
33. As the finding immediately above makes clear, immigrant communities can be especially vulnerable to the social and political context surrounding the implementation of a survey. A study of immigrants in California and Texas found that respondents' fear over citizenship status correlated with their non-participation in the health sector (Berk and Schur 2001). This study found strong evidence that a threatening context can lead immigrants to withdraw and limit their access to public services, including access to medical care which they greatly needed. Likewise, anxiety and fear over immigration status has been found to

³ Full details on this survey start below at paragraph 61

reduce utilization of services related to health care, law enforcement, and education (Pedraza and Osorio 2017). In particular, research has identified the context of heightened “immigration policing” as one that erodes trust in other public institutions and creates an environment in which immigrant communities are very selective where, when, and how they engage with government agencies (Cruz Nichols, LeBrón and Pedraza 2018). The finding is not just limited to first generation immigrants themselves; the research also finds a strong spillover effect to U.S.-born Latinos who have immigrant parents, or feel connected to the immigrant community, and also demonstrates non-participation during times of threatening context.

34. Studies have shown that the political context after 2016 and the election of Donald Trump has significantly diminished Latinos’ trust of the federal government. For instance, Michelson and Monforti (2018) find that Latinos, including those who are undocumented, were less trusting of government in 2016 than in 2012. In 2012, trust amongst Latinos was strong across all subgroups of Latino immigrants---citizens, non-citizens with legal status, and undocumented immigrants. Four years later, Latinos registered lower levels of trust in government, with fewer than 1 in 20 Latinos in any subgroup responding that they trust the government “just about always.” In addition, Sanchez and Gomez-Aguinaga (2017) report that an overwhelming majority of Latinos described Trump and his policies as scary (74%), dangerous (77%), hostile (78%) and unwelcoming (80%) and they conclude that the current context is creating tension, anxiety, and nervousness among Latinos and immigrants. Thus, this current political context, and the inclusion on the census of a question specifically asking about citizenship status, create conditions that will lead to much higher non-response to the 2020 census in immigrant and Latino communities.
35. Beyond the Latino and immigrant communities, there is also reason to expect that the citizenship question will cause high non-response rates among Arab and Middle Eastern Americans. Research by Oskooii (2016) and Lajevardi and Oskooii (2018) demonstrates that American Muslims and those of Arab and Middle Eastern ancestry currently perceive

a high rate of discrimination and an unwelcoming environment. Oskooii (2016) explains how perceived social exclusion can result in withdrawal and non-participation by these communities and documents this fact empirically in his published research. In research by the Center for Survey Measurement, focus groups conducted in Arabic among immigrants from the Middle East revealed the potential for Census non-response due to questions about citizenship status in light of the current political climate. (Meyer 2017). Some focus group participants referred to the “Muslim Ban” when expressing why they would be nervous about reporting their immigration and citizenship status to the federal government.

36. This context is particularly important as it relates to the question about citizenship status, because this is the point of tension for many in the immigrant community today. That is, there is grave concern over providing information to the federal government about the citizenship status of oneself or one’s family members given the perceived high rates of immigrant policing. It is because the present distrust and fear right now is directly related to citizenship status that including a new question on citizenship status will likely result in considerable non-response.
37. A clear implication identified in the relevant literature on surveys is that when respondents perceive threatening questions, if trust is low, non-participation will result in an inaccurate survey. Further, attempts to re-interview or re-contact households will not be successful, and some re-contact may only serve to further erode trust. Survey respondents must believe that there is no potential jeopardy before participating. Once a respondent believes that a question on the survey could bring them harm, and that the survey enumerator is acting on behalf of an official agency, attempts at repeated re-contact typically do not result in a completed survey (Ball 1967). In interviews with the enumerators themselves, there is a sense that the citizenship status question will make their jobs harder, if not impossible (Meyers 2017). In focus groups with enumerators, they specifically identified the political context and the citizenship items as being problematic
 - a. “The politics have changed everything recently.”

- b. “This may just be a sign of the times, but in recent several months before anything begins, I’m being asked times over, does it make a difference if I’m not a citizen?”
 - c. “Three years ago was so much easier to get respondents compared to now because of the government changes...and trust factors...three years ago I didn’t have problems with immigration questions.”
38. Prior experiences with census data collection efforts that overlapped with anti-immigrant contexts provide evidence that non-response follow-up (NRFU) will be much more difficult in 2020 given the political climate and the inclusion of a citizenship status question. Terry et al. (2017) describe the connection between a threatening context and census non-response in Arizona and Texas among immigrant communities: “the wider social context also had an important role in enumeration. Just before the NRFU enumeration program started in 2010, Arizona passed a very strong anti-immigration law that coincided with legal ordinances in two Dallas-area cities. These ordinances were aimed at identifying illegal immigrants through police stops or the reporting of immigration status of applicants wishing to rent apartments. The new law provoked heightened tensions around the country, particularly in the Dallas/Fort Worth-area Hispanic site.” As a result, these reports conclude that non-response was high and that NRFU was less successful.
39. Already, the social and political context related to deportations and the attempted repeal of the Deferred Action for Childhood Arrivals (DACA) is creating distrust and fear in the immigrant community that information about immigration status reported to the government will be used to track down and deport immigrants (Frost 2017). One implication of the fear and unrest in the immigrant community is the increased mobility which could render any attempt at imputation or substitution incomplete and inaccurate. For imputation to work, the missing unit household cannot be vacant, and likewise cannot be a second home or vacation home of someone already counted. The missing unit household should have someone living there as their primary residence. However, as Frost notes that many undocumented immigrants who receive government letters or notices may

pick-up and move their entire family, rather than wait around and figure out a way to interact with public officials. Similarly, this is documented by O'Hare (2017) who notes that Latino children are especially susceptible to being undercounted due to mobility. There is evidence that if immigrants are fearful of attempts by the federal government to obtain the personal information, identities, and citizenship statuses of all members of their household, they may vacate their homes and move to avoid being contacted again (Meyers 2017). To the extent this happens, attempts at imputation or substitution will be inaccurate, both on the national level, but especially on state and local levels.

40. In order to try and design questionnaires mindful of the complexities of trust, sensitive questions, and the problems inherent in imputation or substitution, the census, like all large-scale surveys, has a general practice of piloting and pre-testing any changes or additions to their program to ensure that census surveys are designed to maximize accuracy and maintain high response rates.
41. In this case, adding a highly sensitive question at a very late date, without proper testing or piloting before implementation violates the best practices of social science research and of the Census Bureau itself. Indeed, a key principle in implementing new survey questions or changes to a survey, is pilot testing or pre-testing, which are generally used interchangeably. Pilot testing and pre-testing allows the research team to assess how changes to a survey, including adding new questions, question wording changes, new sampling procedures and more, might impact the eventual larger scale survey that is implemented (Baker 1994). In a review of the literature on survey testing, van Teijlingen and Hundley (2001) write that "One of the advantages of conducting a pilot study is that it might give advance warning about where the main research project could fail, where research protocols may not be followed, or whether proposed methods or instruments are inappropriate or too complicated." Hunt et al. (1982) define pretesting as "the use of a questionnaire in a small pilot study to ascertain how well the questionnaire works." The authors emphasize testing the entire questionnaire, not just a single question, because the

survey as a whole must be assessed. While expert-level discussions are often informative, social scientists have concluded that “no amount of intellectual exercise can substitute for testing an instrument designed to communicate with ordinary people” (Backstrom and Hursch 1963). In fact, a well-known case of a pilot study helping to change and inform an eventual large-scale population count study is the 2001 Census in the United Kingdom. According to the Office of National Statistics (1999), the pilot study “provided essential information on public reaction to new questions and form style as well as assessing the success of collection and processing methods.” In sum, the literature on pre-testing is clear: when proposing changes to an established instrument, testing the questionnaire as a whole is crucial, as questions may perform differently on different surveys, depending on layout, mode or different contexts.

42. Four former Census Bureau directors who have served in both Democratic and Republican administrations agree that including a citizenship question will threaten the success of the 2020 census. In an amici curiae brief in *Evenwel v. Abbott* (1:14-cv-00335-LY-CH-MHS), they wrote that asking about citizenship status in the census would “exacerbate privacy concerns and lead to inaccurate responses from non-citizens worried about a government record of their immigration status.” In addition to concerns over public trust, the addition of a highly sensitive citizenship status question violates best practices that the Census Bureau has implemented in previous iterations of the census. The administration is including a potentially sensitive question without testing the full questionnaire in the field. According to reports compiled by the Census, pre-testing changes to the instrument should be standard practice and is critical to the overall quality (DeMaio et al. 1993). Census survey designs and instruments are based on years of research and testing, sometimes 13 years in advance. Adding a citizenship status question to the decennial census survey without full-scale testing can undermine the census count (Brown et al. 2018). Although the Census Bureau has tested a citizenship question as part of the American Community Survey (ACS) for decades, the relevance of the experience on the ACS is not directly or

fully applicable to how adding a citizenship question on the decennial census would impact the response rates or accuracy of the census. This is because the ACS is not a full and complete enumeration of every single household and is not the exact same survey instrument. It is not just the new question which must be tested, but the entire survey instrument must be tested as a whole, and in the exact same format as it will be implemented in order to understand the reaction within the community.⁴ The Census Bureau already acknowledges this and runs a complete end-to-end test each cycle for this exact purpose, and in April 2018 they implemented this crucial testing program in Providence, Rhode Island. However, they ran this test before the citizenship question was added. As a result, the Census Bureau tested the wrong survey questionnaire, and have no relevant data on the new survey they plan to implement.

B. Non-Response Follow-Up (NRFU) and Imputation of Non-Responding Households

43. The Census is aware that some households will not respond to the initial request for participation, and as such they have long had a program called Non-Response Follow-Up (NRFU) which provides follow-up contact with any households that do not initially respond. In 2010 the Census estimates they conducted follow-up with around 50 million units (Rao 2017). NRFU is critical for the Census to increase participation rates, but it is a costly and difficult undertaking by their own admission. Any increased non-response at initial contact makes NRFU much more difficult, especially if non-responding households come to not trust the survey questions that enumerators are attempting to ask. As discussed in this report, if a citizenship question is included, then Latinos, immigrants, and noncitizens are statistically less likely to self-respond to the 2020 census. These non-responding individuals are also unlikely to respond after household visits by census enumerators because of fear of government interaction. (de la Puente 1995; 2004).

⁴ The Census Bureau recognizes the critical importance of pretesting and has its own quality standards. In the Census report “U.S. Census Bureau Statistical Quality Standards” (2013) requires, among other things, that pretesting must verify that questions are “not unduly sensitive and do not cause undue burden.”

44. Where information about the size of these households is not obtained through self-response or non-response follow-up, the Census Bureau may contend that these households can nevertheless be counted through two methods: (1) matching these households with their administrative records; or (2) whole-person imputation using records and census data from other households in the community. In fact, both methods are likely to disproportionately undercount Latino and immigrant communities—the specific communities that are more likely to choose not to respond to the 2020 census as a result of the citizenship question. While administrative records may be an accurate way to measure aggregate trends they may also be very problematic when used to match and enumerate specific households (Groen 2012). When it comes to matching across different databases, administrative records are difficult and problematic to match with specific individuals or households. In short, the administrative records themselves contain many typographical or clerical errors (Groen 2012). Respondents often use different names, nicknames, maiden names, or new married names which make matching to a separate population survey problematic. In addition, there are often errors in birth date and street addresses have been found to be either wrong, or used the incorrect abbreviation or misspelled. Thus, while viewed in isolation, an individual database of administrative records might, by itself, be quite accurate for compiling or aggregating total numbers, there is significant difficulty in assuming they can be neatly matched to a specific individual or household.
45. This problem is particularly acute for noncitizen households, who may be the hardest to match to administrative records. Research by Coutin (2000) documents that many non-citizen immigrants do not have the necessary paperwork in the first place to provide fully accurate information on employment, social security, or IRS forms. In other cases, they may seek to avoid contact with government agencies and provide incorrect or inaccurate household information (Hagan 1994). Thus, even assuming that enumerating households through administrative records could be done reliably, any efforts to match those administrative records to the census would disproportionately miss noncitizen households.

The Census Bureau has acknowledged that administrative records useable for purposes of enumeration are more likely to exist for citizens than noncitizen households (Abowd 30(b)(6) Deposition 2018). As such, while administrative records might be used to estimate the citizenship status of a community at an aggregated level, it is likely that the Census Bureau's attempt to use administrative records to count specific noncitizen households that choose not to respond because of the citizenship question will be unsuccessful.

46. In fact, very recent research by Census statisticians finds considerable mismatches and discrepancies between survey data and administrative records when it comes to citizenship (Brown et al. 2018). These authors conclude that "adding a citizenship question to the 2020 census would lead to lower self-response rates in households potentially containing noncitizens, resulting in higher fieldwork costs and lower-quality population count" (Brown et al. 2018), and would actually reduce the quality of administrative records "by lowering the record linkage rate for persons with administrative citizenship data." (Abowd Memo March 1, 2018). Thus, adding a citizenship question will itself undermine the Census Bureau's efforts to use administrative data to rectify the reduced response rate caused by the addition of the question (Abowd 30(b)(6) Deposition 2018)
47. In addition to trying to match households to their administrative records, the Census Bureau has indicated that it may employ statistical imputation techniques to address nonresponse. During the collection of any survey, two types of nonresponse can emerge: unit nonresponse and item nonresponse. Unit nonresponse concerns an entire missing case resulting from either non-contact, refusal, or inability to participate. Item nonresponse concerns missing values on certain questions in the survey. Bias, or incorrect and faulty data, can emerge from nonresponse when the causes of the nonresponse are linked to the survey statistics being measured, which is referred to as nonignorable nonresponse (Groves et al 2004). By way of illustration, public health officials designed a survey to measure the prevalence of HIV in the population during the early days of the HIV epidemic. Despite

incentives, cooperation rates among those who were HIV positive were extremely low because of the stigma of the disease. Thus, the key statistic sought – namely, the percentage of HIV-positive people – was causally related to the likelihood of self-response; specifically, in that case, those who were HIV-positive did not want to participate in the study at all. Nonignorable nonresponse is particularly egregious because even if the causal influence is known “there is no way that the statistic among respondents can be made free of nonresponse bias (without making heroic assumptions about the status of the nonrespondents)” (Groves et al. 2004). What this means is that if a factor influencing the decision to not respond is correlated with an important outcome variable, imputation is impractical because you cannot observe the existence of the precise variable you are trying to count. In the case of the 2020 Census the key outcome variable is producing an accurate count of total household size; however, the survey in this expert report shows clearly that larger households are more likely to not respond when the citizenship question is present. Thus, the decision whether to respond is correlated with household size, a key outcome variable of interest

48. Some statistical tools are available to deal with nonresponse. At one end of the spectrum, if every variable of interest is known for the nonrespondent, except one, then we can use these variables to form an imputation model that will predict a value for the missing value – for example, we may know the existence of the respondent and that person’s age, but may not know their income level and can use predictive models to impute income for that respondent. At the other end of the spectrum we have entire missing cases (unit nonresponse), where the existence of the person is unknown. Imputation for unit nonresponse, sometimes called “whole person imputation,” is used almost exclusively in longitudinal surveys where ample data from prior waves exists for a missing respondent. It is extremely rare to impute for unit nonresponse if little is known about the nonrespondent case (Groves and Couper 1998). Unit nonresponse is typically dealt with

by some form of post-stratification or response rate weighting adjustment⁵ (Kalton 1983). While imputation can be useful for missing values in an otherwise completed survey form (item nonresponse), it is particularly problematic for imputing the existence of whole persons, and is especially likely to end up with an undercount in vulnerable communities. This is part of the reason that social scientists and government statisticians want the decennial census to be as non-burdensome and non-sensitive as possible, to ensure an overall accurate count through high rates of participation (Wines 2018).

49. In general, whole-person imputation itself relies on a number of assumptions to work correctly. If data is missing completely at random (MCAR) (Rubin 1976), then non-response generally introduces less bias. Models are of less help with nonignorable nonresponse, as noted above, where nonresponse depends on the values of a response variable. In this case, models can help but never eliminate all nonresponse bias (Lohr 1999). Indeed, recent reviews of cutting edge imputation procedures like “hot deck imputation” argue that “hot deck” methods for situations where nonresponse is non-ignorable have not been well explored (Andridge and Little 2010). Whole person imputation, then, has its dangers. The Census currently acknowledges that “whole person substitutions and whole person imputations are not very accurate.” (See Abowd 30(b)(6) Deposition 2018)

50. To summarize the problem with imputing non-responding households with the characteristics (including size) of responding households, I present a basic chart outlining the theory of imputation that we can all relate to from elementary school pattern charts. In essence, imputation is using the surrounding information that we can observe and attempting to infer, or impute the rest of the pattern. When missing units are not easily reconciled, or depart demographically from their peer units, imputation is inaccurate and

⁵ After the survey data are collected, statisticians can use the known universe of respondent demographics to apply weights and possibly correct for non-response, however this only corrects the dataset for use in a data analysis project or academic research paper, not necessarily population counts, which are supposed to serve as the baseline universe estimate in the first place.

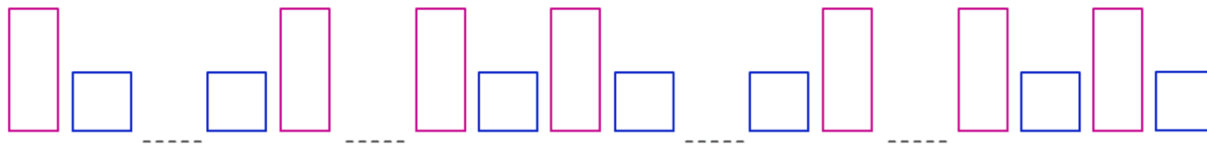
unreliable.

Figure 1: Imputation theory

Panel A



Panel B



Panel C



Panel D



51. In panel A, missing data appears to be at random and there are enough similar adjacent units to fill in the blank spaces with the best-educated inference of a blue star or a red square. The same can be said for panel B with respect to imputing whether a purple rectangle or a blue square is missing. However, when the missing data are not so neatly distributed, and instead of clustered or correlated with some other missing trait, then 10 different imputation models can produce 10 entirely different guesses as to how to fill in the blank spaces. The more non-response there is in the first place, the harder inference or imputation will be, to the point that it simply will not work very well. We can think of this

as a sliding scale, with the less information we have, the worse our imputations models will be, thus our objective is to preserve as many responding units as possible, and continually guard against efforts that add more “blank spaces” to our database.

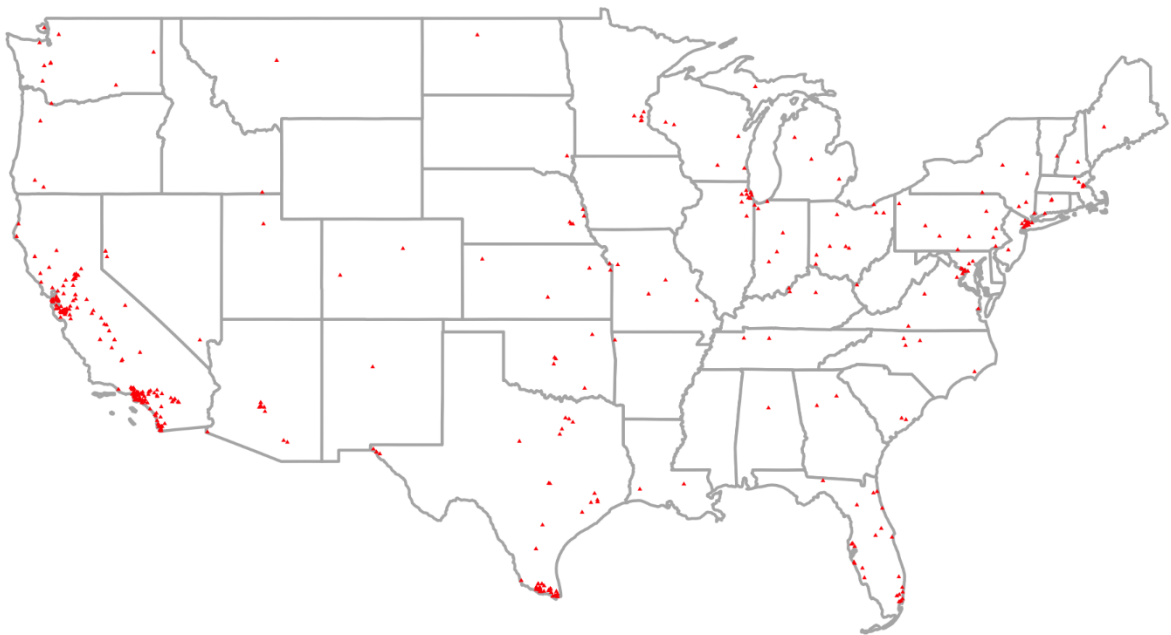
52. With respect to the U.S. census and counts of Latino and immigrant households, previous research has shown that whole person imputation efforts are seriously error-prone. Because family arrangements, housing styles and total household sizes vary considerably, attempts to impute the population of non-respondent households have been shown to undercount the population (Kissam 2017). First, many non-traditional housing units are simply not included in the imputation, leaving them as vacant when in reality they had tenants or dwellers. Second, the household size of missing units tends to be larger, on average, than of reported units. Reports also document differences by socioeconomic status. The end result is that even with imputation, there can still be a significant undercount of the Latino immigrant population.

53. Beyond the raw count being inaccurate, there is also evidence of misattribution of those imputed, because they rely on higher acculturated adjust units for which there is data (i.e. substituting data on US-born, English-speaking and college educated households when in fact missing cases are more likely to be foreign-born, Spanish-speaker, less educated households), suggesting the imputed data do not accurately describe the true population (Kissam 2017). The U.S. Government Accountability Office has itself admitted this is a problem with respect to getting a complete count of Latinos. In the 2003 report on trying to improve the Latino count, they wrote “even with the Bureau’s guidelines and training, deciding whether a house is unfit for habitation or merely unoccupied and boarded-up can be very difficult. An incorrect decision on the part of the census worker could have caused the dwelling and its occupants to get missed by the census.” U.S GAO Report (2003) (GAO-03-605).

54. By examining our survey data, we can conclude that unit non-response on the 2020 census will not be at random. Households that do not respond and represent missing units, are

certain to have very different characteristics and demographics than the households that do respond as noted in Table 1 below. In this event, it makes it nearly impossible to impute or infer the population totals or any other demographic information about missing units (e.g. missing households) because we do not have enough reliable information on “matched” or similar units. Further, it is quite likely that unit non-response in 2020 will be clustered geographically, meaning that there will be fewer available adjacent units for imputation, and that analysts will have to rely on dissimilar households for imputation, thus violating the most important assumption needed for accurate imputation. Looking at our survey data of non-respondents, it is clear that non-response is not randomly distributed across the United States. In particular, non-responders were found more likely in dense urban areas and locales with high numbers of renters. These factors are known to be related to census undercounts and make NRFU difficult and result in erroneous imputation (U.S. GAO Report, 2003).

55. Figure 2: Zip Code Map of Non-Respondent due to Citizenship Question



56. We can approximate a comparison of responding and non-responding households by examining the survey data, and comparing the demographic characteristics of those who report they will, or will not, take the 2020 census to assess if the two groups are “balanced” or equivalent. A balance test of the survey data reveals that non-responding households are statistically different than responding households on a variety of critical demographics, which violates an important assumption in imputation. For imputation to be successful, missing units and reported units should be roughly equivalent. However, the survey reveals that non-responding households are statistically different on a number of dimensions. They are more likely to be larger in size, be renter-occupied, clustered in urban areas, be foreign-born, have foreign-born parents, be non-white, be Latino, and report differences on average age and language. This will make whole person imputation inaccurate and unreliable.

57. Table 1: Difference in Characteristics of Responding and Non-Responding Units⁶

	Responders	Non-Responders	DIM	p-value
English	93.398	85.045	-8.353	0.000
Spanish	6.236	14.953	8.717	0.000
White	67.605	51.585	-16.019	0.000
Age	49.755	47.611	-2.144	0.091
Foreign Born	13.997	23.214	9.217	0.001
Latino	13.453	28.750	15.297	0.000
HH Size	2.951	3.200	0.248	0.099
Parents Foreign Born	24.185	41.065	16.880	0.000
Urbanicity	0.786	0.868	0.082	0.000
% Rent	32.088	38.527	6.439	0.000

58. It is virtually certain that the reduced self-response caused by the addition of a citizenship question will lead to a net undercount among those populations with lower rates of self-response. Previous census reports have documented that high rates of non-response to the initial questionnaire result in undercounts, and that NRFU is not always successful in

⁶ Table 1 reports the average, or mean for each demographic characteristic among people who indicate they will respond to the 2020 Census (“Responders”) and people who indicate they will not respond to the 2020 Census (“Non-Responders”). The table then reports the difference in these means (DIM) and the p-value, which tells us if the differences are statistically significant or not. In the case of Table 1, all differences are statistically significant.

converting those cases into respondents. In addition, matching household to administrative records can be an unreliable method of enumerating the household, particularly for immigrant communities. Prior census reports have also documented that errors are made in imputation and that undercounts persist even after attempted imputation. Ultimately, the worse the initial non-response is, the worse the initial undercount is, making it increasingly more difficult to convert those cases into responding cases, and increasing more difficult to impute missing units (US Census Bureau 2017b; National Research Council 2002; 2004).

59. This problem has been documented to be worse in Latino and immigrant communities where the Census admits the undercount is problematic, and that their efforts at NRFU and imputation have errors (Ericksen and Defonso 1993; O'Hare et al. 2016). One primary reason is that issues related to trust of government officials significantly hampers the NRFU process, and in 2020 the citizenship question will greatly exacerbate issues of trust in immigrant communities (See section below "Perceptions of Trust and Confidentiality" at paragraph 96). In particular, young children in Latino households have been found to be regularly undercounted by previous census efforts and that imputation methods do not appropriately find or count this population. The best assurance for an accurate count is high response rates on the initial census request for participation, which requires high degree of trust (O'Hare et al. 2016; Casey Foundation 2018). Previous self-reports by the Census Bureau are clear: immigrant communities are already at-risk of an undercount because of lower levels of trust of government officials, and have particular anxiety over citizenship information being shared. What's more, these previous census reports have documented that low self-participation on round one of invitations ultimately leads to an undercount that no amount of NRFU, administrative-record matching, or imputation can correct. In 2020, the addition of a citizenship question will only create more problems, more anxiety in immigrant communities, and less self-participation on round one. With nearly 17 million people, including 6 million citizen children who live in households with

at least one person who is an undocumented immigrant, the potential for a massive non-response with a new citizenship question in 2020 is enormous (Casey Foundation 2018).

V. A National Survey to Estimate 2020 Non-Response

60. The second source of information I relied upon to form my opinions was a national survey of adults. The survey was administered by telephone to 6,309 respondents nationwide from July 10 – August 10, 2018. Below I outline the validity of survey research in general, and then discuss the methodology of this survey in particular, and finally conclude by presenting the survey results.

61. Survey research is a reliable and trusted method in the social sciences. Within social science research, public opinion and political behavior have been longstanding areas of significant consequence and interest. The primary reason for using survey research to study the potential response rate to the Census is simple: if you want to know if the population will, or will not participate in the Census, just ask them. Early on, “pollsters” learned that you could learn a great deal about voter attitudes, and possibly even predict election results through large quantitative surveys of the public. Over the past decades, the science of public opinion surveys has expanded greatly and great expertise has been developed in how to accurately sample, construct, implement and analyze survey data (Lasswell 1941; Alpert 1956; Groves et al. 2009). Survey research has become a hallmark of social science research, such that at a typical political science academic conference, more than 500 different research papers using survey data are regularly presented. When surveys are implemented accurately, results generated from a sample of the population can be extrapolated to the larger population from which the sample is drawn, given the appropriate sampling error, or confidence interval that must always be accounted for (Cassell et al. 1977; Graubard and Korn 1996). Survey research is a standard and widely accepted practice in social science and government research. The U.S. government regularly relies on survey methodology exactly like that produced in this expert report, in their collection of data and statistics, such as, the U.S. Census American Community

Survey and Current Population Survey, the Bureau of Labor Statistics Unemployment Survey, and data collected by the National Institute of Health, Department of Defense and the Internal Revenue Service. In fact the Office of Management and Budget has a division called the “Federal Committee on Statistical Methodology” which has reviewed best practices in survey research and recommended random digit dial (“RDD”) as a method to avoid non-coverage bias because it samples all known telephone numbers (Federal Committee on Statistical Methodology, 1990). According to Michael Link (2005), formerly a research scientist for the Centers for Disease Control and Prevention, “For more than three decades, RDD telephone surveys have been the predominant method for conducting surveys of the general public.”

62. The most important starting point for sound survey research is to acquire an accurate sample frame from which to draw the eventual sample of people interviewed. If the sample is reflective of the larger population, and the survey is administered randomly, without bias, and with an adequate response rate, the eventual survey results can be considered as statistically reliable estimate (Scheaffer et al. 2004; Groves 2004). According to Henry Brady (2000), Professor of Political Science at the University of California, Berkeley, “Scientific surveys are one of these tools, and they have been widely used in the social sciences since the 1940s. No other method for understanding politics is used more, and no other method has so consistently illuminated political science theories with political facts... They provided the gold standard for measuring citizen opinions... No other social science method has proven so valuable.”

A. Principal Focus: Estimating 2020 Census Non-Response

63. Specifically, this survey was designed to estimate the non-response rate to the 2020 census if a new question about citizenship status is included.
64. In designing a survey, researchers must consider three important topics to ensure their project is of the highest quality and follows social scientific standards. Two of the three

relate to the design of the survey. First, the population for which inferences will be made and the method of interacting with that population must be identified. In this case, inferences will be made about the rates of response and non-response to the 2020 census among adults nationwide and in certain jurisdictions. With this in mind, the most accurate and efficient way to contact this population should be determined, and the most common approaches are through the use of (1) random digit dial and (2) household listed samples. The first approach, RDD, takes the known area codes and pre-fixes for a given geographic area, and randomly generates the last four digits of phone numbers and calls those numbers entirely at random. This increases the likelihood that every possible phone number has an equal chance of being called.

65. A second approach that is also used quite extensively is randomly calling listed household samples. For example, rather than calling randomly generated phone numbers which may not even exist, a listed sample starts with the known universe of actual phone numbers for either landline or cell phone subscribers that currently reside in a specific geographic area, or nationally. Listed samples are especially useful if researchers are interested in drilling down into a particular sub-group within the population, such as racial or ethnic minorities, or registered voters. Sample vendors can sell a listed sample of all households in a particular area, or they can provide sample records for just Hispanic households. Likewise, sample vendors sell lists of known cell phone/wireless phone numbers for particular geographic areas, and those can then be randomly dialed as part of a survey. One of the advantages of using a survey firm with extensive experience purchasing lists is that they are able to secure these lists from the most reputable vendors available. This includes being able to secure cell-phone users who may have cell-phone numbers from outside the geographic area, or new cell numbers, or those from non-contract plans, all of which were included here.

66. For this particular survey, three sample components are part of the overall project. First, a random sample of 3,002 adults selected nationwide representative of the full

demographics of the United States. This initial sample of 3,002 adults provides the power to analyze internal variation within the overall population and compare across different subgroups or across states. Second, in order to reach a more reliable sample in certain subgroups or states, we fielded random samples for California (n=1,000), the city of San Jose (n=509), Cameron and Hidalgo Counties in Texas (n=801), and finally a national sample of Latino adults (n=997). These robust samples provide the ability to explore variation within each population as needed, as well as ensures that the margin of errors associated with our results are well within accepted levels. In all instances, the survey reached adults in landline and cell-phone-only households. Sample sizes and configurations are explained in more detail below (see also, table 2).

67. Table 2: Composition of sample segments by phone type

	Landline	Cell
National	1,500	1,502
California	500	500
Cameron County, Texas	200	201
Hidalgo County, Texas	200	200
San Jose, California	255	254
Latino (national)	591	406
Total	3,246	3,063

68. The second area of importance is the design and construction of the survey questionnaire itself. In designing a questionnaire, researchers should follow best practices established by existing social science research, and groups such as the American Association of Public Opinion Research (AAPOR). It is important that questions are direct, objective, and neutral, and not meant to lead respondents to give one particular answer over another and respondents should have an appropriate range of available answer choices. With modern survey technology, questionnaires should always be programmed to rotate question

wording, randomize answer choices, rotate options forward-to-back and more, to ensure that no priming takes place whereby respondents lean towards one type of answer because it is always read as the first option. For example, if the survey always led with the negative option for a question assessing approval of the President – strongly disapprove – researchers might end up with an over-estimation of respondents who pick strongly disapprove because they hear that first. Not only is randomization important in selecting respondents, but within the survey randomization should be a priority when it appropriately helps avoid introducing any type of response bias. For this project, we strictly followed the best social science practices for designing and implementing a survey.

69. The full questionnaire is included as an appendix to this document (Appendix B) so that readers can see that all of these criteria were followed when designing and implementing this survey. In this instance, the survey questionnaire contained four main sections: first, the screening questions to establish eligibility to participate in the study; second, questions focusing specifically on intended participation in the Census; third, questions aimed at understanding the degree of trust in the Census; and fourth demographic indicators of the sample.
70. The third topic area to ensure high quality survey data is the actual implementation and execution of the survey by a well-established and reputable market research firm. This is the focus of the next section.
71. Once the survey has been designed according to the accepted norms and standards in scientific survey research, the next important step is implementation. In executing the survey, all possible respondents must have an equal chance to respond, participate, and be included. For example, if potential respondents were only called at home at 1:00pm in the

afternoon on Fridays, a huge percentage of the potential respondents would never be home to answer the phone in the first place. This would result in a sample that would be different from the overall population of the U.S., many of whom would not be able to participate in the study because they were at work during the call time. Instead, researchers should take an approach that gives each potential respondent an equal opportunity to be included in the survey.

72. The actual phone calls and implementation of the survey was handled by Pacific Market Research (PMR), a market research firm in Renton, Washington. This is a highly reputable survey firm that has implemented many surveys for applied, legal, and academic research⁷ including surveys implementing similar designs as that used here for the purposes of exploring differences in public opinion and voting behavior. Further, Pacific Market Research implemented similar surveys to understand public response to changes in voter ID laws in Texas, North Dakota, Pennsylvania and Wisconsin and in those cases, both state and Federal courts found the data to be reliable and consistent with accepted social science practices.

73. In this project, two sampling approaches were used to answer questions about Census non-participation in 2020. First, PMR implemented a random digit dial to land lines and cell phones, nationwide to produce an overall sample of 3,002 adults across the U.S. Numbers were randomly generated, and then randomly selected phone numbers were dialed. For the targeted samples, PMR procured a listed sample of adults in each of the subgroup areas and then randomly selected phone numbers were dialed to both landlines and cell phones

⁷ Pacific Market Research has implemented surveys for the U.S. Internal Revenue Service, the U.S. Department of Defense, to study juror pool knowledge of pending cases, to study public opinion and voter participation among Whites, Hispanics, Blacks, and Asian Americans, and proprietary market research for firms such as Microsoft, AT&T, and T-Mobile.

(see table 2). Including a large cell-phone sample ensures that the data can speak to all aspects of the population. In all cases, calls were made from 4pm – 9pm in the local time zone, Monday through Friday, and 12pm – 8pm in the local time zone, Saturday and Sunday, beginning on July 13, 2018, and continuing until August 16, 2018. Landline numbers were auto-dialed and wireless numbers were manually dialed. If a respondent completed the survey, or completely refused to participate they were taken off the call list. Otherwise, phone numbers were dialed and re-dialed up to five times to avoid non-response bias that may result from only making one or two attempts per number. A full analysis of the data indicates that non-response bias did not present any problems in this study, given that up to five call-back attempts were used, and did yield hard to reach respondents. Phone numbers were “released” in small batches and dialed until all numbers were exhausted, and then a second batch was made available, and so on.

74. Respondents had the choice of completing the interview in English, Spanish, Mandarin, Korean, or Vietnamese. Making the survey available in multiple languages is critical, as many Latino and Asian American respondents may prefer to take surveys in Spanish or an Asian language, even if they are able to do so in English, because they feel more comfortable and capable in their primary language. This ensures that the responses provided by respondents are accurate and not biased by communication issues related to language effects.

75. Overall, PMR reported a Response Rate-3 of 28.1 percent and a Cooperation Rate-3 of 41.5 percent, calculated as per the American Association of Public Opinion Research

(AAPOR) guidelines.⁸ In the field of survey research, response rates between 20 and 30 percent are considered to be accurate and in an accepted range, and this project falls within that range (Keeter et al. 2006).

B. Results: Rates of Non-Response

76. After collecting the data for the main sample, and the targeted oversamples, underlying demographic characteristics of the respective samples were examined and compared to the known universe estimates for each geographic or area of interest from the 2016 U.S. Census, *American Community Survey*. Where any discrepancies occurred, a weighting algorithm called raking ratio estimation was applied to balance the sample, so that the final samples tabulated for the analysis were consistent with the U.S. Census estimates for the nation, or each targeted sample (Battaglia et al. 2004). For example, it is well known in survey research that younger people, say under 25 years old, are harder to reach than older people who are over age 65. If 8% of survey respondents are 18-24 years old, but census data tells us they are actually 14% of the national population, then each young person needs to be “weighted up” so that collectively they represent 14% of the sample. Overall, the discrepancies between the collected data and the Census population estimates were quite small and the resulting weights that were employed were also quite small. Still, by weighting the data to known ACS demographics for each group, or for the nation at large, we can ensure that the results are reflective of the complete adult population. This helps to ensure that the sample generated for the report is reflective of the overall population, and consequently, that the inferences made regarding response and non-response rates to the

⁸ Response rate and cooperation rate are defined by AAPOR on their website. For more on AAPOR guidelines: http://www.aapor.org/Response_Rates_An_Overview1.htm. The response rate refers to percent of individuals who agreed to take the survey out of the overall number of cases in the sample. In contrast, the cooperation rate refers the percent of individuals who agreed to take the survey out of the overall number of individuals reached by researchers.

2020 census are reflective of that target population as well. Weighting of survey data is a very common and accepted approach in social science research, especially when inferences are made to the larger population. (Lee and Forthofer 2006).

C. Results: Rates of Non-Response

77. We asked respondents a series of three questions related to participation in the decennial census that we use to form the basis of the non-response rate estimates. First, respondents were asked if they planned to participate in the Census, describing a census questionnaire similar to 2010 which did not include a question about citizenship status. Next, respondents were asked if they planned to participate in the Census, describing a census similar to the one planned for 2020 which does include a question about citizenship status. Thus, for every single respondent we can provide an estimate of what percentage would participate in a census *without* a citizenship status question, but *would not* participate if a citizenship status question were included. Any individual who said “yes” to question 1 participation, but then changed their answer and no longer said “yes” at question 2 when describing the 2020 census with a citizenship question is counted as a non-respondent. We report this number as our estimated non-response, or “drop-off” rate.

1. The Census is an official population count that is conducted every 10 years by the federal government. It requires all households to list the name, age, and race or ethnicity of every person living in the home and provide that information to the Census Bureau either online, by mail, or in-person with a census taker. The Census is required to keep this information confidential, and every single household in the country is required to participate.

In March 2020 you will receive an invitation from the U.S. Census to fill out the census form. Do you plan to participate and submit your household information?

Yes, will participate.....	1
No, will NOT participate	2
Refused to answer (VOL)	99

2. In 2020, the federal government is adding a new question to require you to list whether you, and every person in your household is a U.S. citizen, or not a citizen. With the addition of a citizenship question, will you participate and submit your household information, or not?

Yes, will participate.....	1
No, will NOT participate	2
Refused to answer (VOL)	99

78. Overall the survey reports a nationally representative non-response rate of 7.14% from people who stated “yes” to question 1, but stated “no” or refused to answer question 2. The result is a statistically significant drop-off rate at the 99.9% confidence level.⁹ This includes the full sample of 6,309 respondents weighted to the national portrait of American adults.

79. Next, after asking some other questions about trust and household composition, we concluded the survey by asking respondents for a third time if they planned to participate in the Census, after giving them assurances about Census confidentiality. This third attempt to ask about response was formulated as a split sample question wording experiment with half of the respondents randomly assigned to a question where they were told there would *not* be a question about citizenship status in 2020, and the other half

⁹ While we have the most confidence in the point estimate in the middle of the distribution, which is 7.14%, all estimates have a lower and upper bound within their confidence interval. In this case the lower bound of 6.31% and the upper bound is 7.97% as reported in Table 3.

randomly assigned to a question where they were told there *would* be a question about citizenship status in 2020. This mode of split-sample questioning allows us to directly compare how the addition of the citizenship question could impact non-response rates in 2020.

7. [SPLIT A] Now that you've heard a little bit about the 2020 Census let me ask you one final question about how likely you are to participate. If the government decides in 2020 to NOT include a question about citizenship status, and instead only asks you to report the race, ethnicity, age, gender of people living in your household, and the government provides assurances that your information will be kept confidential and ONLY used for purposes of counting the total population and nothing more, would you participate and fill out the 2020 Census form, or not?

{Note to interviewer: If respondent says "don't know" probe: do you think you probably will, or probably will not participate?"}

Yes, will participate..... 1
 No, will NOT participate 2
 Refused to answer (VOL) 99

8. [SPLIT B] Now that you've heard a little bit about the 2020 Census let me ask you one final question about how likely you are to participate. If the government decides in 2020 to include a question about citizenship status, and asks you to report the race, ethnicity, age, gender and citizenship status of people living in your household, and the government provides assurances that your information will be kept confidential and ONLY used for purposes of counting the total population and nothing more, would you participate and fill out the 2020 Census form, or not?

{Note to interviewer: If respondent says "don't know" probe: do you think you probably will, or probably will not participate?"}

Yes, will participate..... 1
 No, will NOT participate 2
 Refused to answer (VOL) 99

80. Before analyzing the responses to question 7 and question 8 side-by-side I began my analysis with a comparison between question 1 and question 8, similar to our analysis of question 1 versus question 2. Here we can assess how people who planned to participate in the Census without a citizenship question evaluate the 2020 census with a citizenship question after hearing assurances that the government will keep the information confidential. Overall, 9.7% of respondents who had planned to participate as part of question 1 would drop-off and not participate in response to question 8, a difference that is statistically significant at the 99.9% confidence level.¹⁰

81. In addition, we can use the split sample items to experimentally test if there is a statistically significant difference in response rate by question 7 (without citizenship) or question 8 (with citizenship). Split sample experiments are often used in the social sciences to “control” an environment and conduct statistical tests if response attitudes or behaviors change in one condition or another, holding all other variables constant. In this case, the results indicate that the addition of a citizenship question has a negative effect on participation and the difference is statistically significant at the 95.7% confidence level using a one-tailed test.¹¹

D. Results by Subgroups

82. Next we breakout the national results by different racial and ethnic groups. Latinos will have the highest estimated drop-off if a citizenship question is added to the census, at 14.1%. Further, Latinos are estimated to drop-off at 8.16 points more than all non-Latinos, a difference that is statistically significant at the 99.9% confidence level.

¹⁰ The second measure of drop-off between question 1 and question 8 has an estimate of 9.7% drop-off with a lower bound of 8.30% and an upper bound of 11.09% (See Table 4)

¹¹ Here, we are testing the one-directional hypothesis that the addition of the citizenship question will lead to a lower response rate than a census questionnaire without a citizenship question, thus a one-tailed test is appropriate, and in fact question 8 reveals a statistically significant decline in participation as compared to question 7.

83. **Table 3: Estimated non-response (drop-off) rate due to 2020 Citizenship question**

Results by Race, drop off from Q1 to Q2¹²

	Estimate	Lower	Upper	S.E.	Sig
National	7.139	6.307	7.972	0.506	99.99
Non-Latino	5.953	5.060	6.845	0.543	99.99
Latino	14.112	11.913	16.311	1.337	99.99
Foreign Born	13.709	11.202	16.216	1.524	99.99
US Born	14.440	11.009	17.871	2.086	99.99
Asian	6.436	2.313	10.560	2.507	99.50
Foreign Born	6.034	1.159	10.908	2.963	97.90
US Born	7.702	0.079	15.324	4.634	95.20
Black	7.575	4.322	10.828	1.977	99.99
White	5.541	4.609	6.474	0.567	99.99
Other	8.530	4.684	12.375	2.338	99.99

84. The same trend exists with respect to measuring drop-off between question 1 and question 8, when additional assurances are given about Census confidentiality, as well as a reminder that the government plans to include a citizenship status question. Latinos have the highest rate of drop-off at 16.6%, and the difference from non-Latinos of 8.09 points is statistically significant at the 99.9% confidence level.

85. **Table 4: Estimated non-response (drop-off) rate due to 2020 Citizenship question**

Results by Race, drop off from Q1 to Q8

	Estimate	Lower	Upper	S.E.	Sig
National	9.697	8.304	11.091	0.847	99.99
Non-Latino	8.513	6.990	10.035	0.926	99.99
Latino	16.588	13.275	19.900	2.014	99.99
Foreign Born	14.950	11.089	18.811	2.347	99.99
US Born	17.805	12.779	22.831	3.055	99.99
Asian	15.505	4.756	26.253	6.534	99.10
Foreign Born	17.558	2.587	32.529	9.101	97.30
US Born	10.772	-1.098	22.641	7.216	93.20
Black	11.946	6.934	16.958	3.047	99.99
White	7.383	5.812	8.954	0.955	99.99
Other	10.868	4.781	16.955	3.701	99.80

¹² Table 3 reports the estimated non-response, or drop-off rate for the national sample as a whole, as well as by individual racial/ethnic/immigrant groups in the survey. The first column reports the expected non-response rate (Estimate) and the next two columns report the lower and upper confidence bounds of the estimate. Finally, we report the standard error (S.E.) and degree of statistical significance (Sig). Table 4 reports the same information.

86. The non-response to the 2020 census will be amplified by the fact that non-responders have larger household sizes. Overall, it is estimated that between 28.7 million and 35.6 million persons will not participate and will not voluntarily be counted in the 2020 census as a direct result of the citizenship status question (Tables 5-6). Household size was calculated from the Census Bureau Current Population Survey and American Community Survey for 2016.

87. Table 5: Estimated number of non-respondents by race and household size Q1-Q2

	Estimate	HH size	Total HH	Total impacted
National	7.14	3.20	125,819,000	28,744,589
Latinos	14.11	4.31	16,667,000	10,137,330
US Born	14.44	4.09	7,266,812	4,291,747
Foreign	13.71	4.59	9,400,188	5,914,973
Asian	6.44	4.06	6,328,000	1,653,563
US Born	7.70	4.34	1,075,760	359,569
Foreign	6.03	3.94	5,252,240	1,248,574
Black	7.57	2.59	16,539,000	3,244,772
White	5.54	2.64	84,445,000	12,353,687
Other	8.53	3.43	1,840,000	538,316

88. Table 6: Estimated number of non-respondents by race and household size Q1-Q8

	Estimate	HH size	Total HH	Total impacted
National	9.697	2.92	125,819,000	35,627,311
Latinos	16.59	4.04	16,667,000	11,169,187
US Born	17.80	3.85	7,266,812	4,981,292
Foreign	14.95	4.36	9,400,188	6,127,304
Asian	15.50	3.43	6,328,000	3,365,260
US Born	10.77	4.34	1,075,760	502,900
Foreign	17.56	3.94	5,252,240	3,633,347
Black	11.95	2.37	16,539,000	4,682,517
White	7.38	2.41	84,445,000	15,025,243
Other	10.87	3.71	1,840,000	741,898

E. Simulated Follow-Up

89. Next, it is possible to simulate what a possible non-response follow-up might look like and whether or not the Census Bureau will be able to secure its goal of complete participation by comparing how respondents to the survey answered either question 7 or question 8 which serve as a simulated re-contact effort. We focus here on those respondents who reported that they will not participate in the 2020 census as a result of the citizenship question, but they had planned to participate in the 2020 census without a citizenship question (“Non-Responders” are those who change from yes on Q1 to not-yes on Q2). There are the respondents who answered “yes” to question 1, but changed and did not answer yes to question 2. As reported above, this represents 7.14% of the adult population nationally. But all respondents were asked again if they would participate in the Census, essentially a re-contact effort, at either question 7 or question 8. In addition, we added an extra assurance of confidentiality stating “and the government provides assurances that your information will be kept confidential and ONLY used for purposes of counting the total population and nothing more,” which the Census has reported they plan to do (Abowd 30(b)(6) Deposition 2018). Therefore, comparing how previous non-responders react when asked again to participate allows us to assess whether respondents will become trusting of the Census and eventually participate, or if they remain non-responders.

90. **Table 7: Percent of Non-Responders Who Change to Responders at Q7 / Q8**

	Total	White	Latino	Black	Asian	Other
Q8 Yes – with citizenship	45.2	49.5	38.9	62.2	0.2	17.2
Q7 Yes – without citizenship	84.3	89.3	80.1	78.6	53.3	94.9
Difference	-39.1	-39.7	-41.2	-16.5	-53.1	-77.7

91. As the results in Table 7 make clear, a majority of those who initially refuse to participate in the 2020 census because of the citizenship status question, remain opposed to

participating in the Census upon re-contact and learning more information. As explained below, this is primarily due to low levels of trust in the Trump administration to keep the information confidential and high levels of concern that personal information about citizenship status will be shared with immigration authorities. Even after providing respondents with assurances that the government was required to keep their information confidential, a majority of respondents would not agree to participate in the 2020 census with a citizenship question. However, as compared to question 7, which stated there would be no such citizenship question, a significantly higher share of people changed their mind and said they would agree to participate, fully 84%. This is more direct evidence that the citizenship question will not only create non-response problems in the first place, but it will hamper re-contact efforts leading to a significant undercount.

92. While the question 7 and question follow-up are not *exactly* the same as NRFU, they are a very good proxy for a number of reasons. First, additional assurance of confidentiality and privacy were provided at two instances following the initial questions regarding census participation. This was done at question 3 and then again as part of both questions 7 and 8. Second, they mimic an attempt at re-contact in the real world in a condensed telephone interview setting, by allowing some time to pass, and then asking the same subjects their willingness to participate a second or third time. Finally, the split sample nature of question 7 versus question 8 demonstrates the most important outcome, that re-contact success will be statistically much lower in the face of a citizenship question, as opposed to requests without a citizenship question.
93. The failure of re-contact is more noticeable among Latino, Asian American, and foreign born respondents. Among Latinos, just 38.9% of previous non-responders say they would change and become responders. Among foreign born, just 33.4% say they would change and become responders. And among Asian Americans who did not respond at question 2, less than 1% say they would respond upon re-contact.

94. The results in Table 7 also provide further evidence that the social and political context of fear or mistrust in immigrant communities does not mean the Census is doomed to failure regardless of whether a citizenship question is included. Instead, this context directly interacts with the inclusion of a new citizenship question which causes people to withdraw. As we see in the follow-up questions 7 and 8, by emphasizing there would not be a citizenship question, 84% of prior non-responders change their mind and agree to participate. However, when the citizenship question is included, only 45% changed their mind and agreed. This 39-point difference is clear evidence that the citizenship question in particular will push away respondents from participating in 2020.

F. Perceptions of Trust and Confidentiality

95. As described earlier in this report, the existing literature is quite clear that trust and confidence are critical to getting a high response rate, successful follow-up contact, and an accurate survey. If respondents do not trust the survey to protect their personal information, especially when it comes to sensitive questions, the survey will suffer greatly from non-response. To assess whether or not respondents trusted the Census we asked two questions about their expectations of privacy and their degree of concern over information being shared with immigration authorities specifically. The first item is represented in question 3 on the survey:

3. It is against the law for the Census Bureau to disclose, make public, or share with anyone including other federal agencies the personal information collected from anyone including their citizenship status. According to the law, the Census Bureau can only disclose information gathered in the census for the purpose of producing statistical counts.

Do you trust the Trump administration to protect your personal information, including the citizenship of you and members of your household, or do you think they will share this information with other federal agencies?

Trust them to protect my information	1
I think they will share my information.....	2
Don't know (VOL)	3
It depends (VOL)	4
Refused to answer (VOL)	99

96. Question 3 makes it very clear to the respondents that the Census Bureau cannot disclose, share, release, or make public any personal information they collect as part of the Census survey. While this might be the law, in terms of gaining public trust, perception is more important than anything. Overall, only 42% of survey respondents say they trust the Trump administration to protect their personal information, including the citizenship status of people in their household. Instead, 43.4% say they do not trust them and believe they will share the information and additional 14.6% say they don't know. The levels of trust are lowest among Latinos (31.1%) and immigrants (35%).

97. Table 8: Trust the Trump administration to protect your personal information, including citizenship status on the 2020 Census

	Total	White	Latino	Black	Asian	Other
Trust them to protect	42.0	48.2	31.1	23.4	40.8	45.6
I think they will share	43.4	38.9	47.3	63.9	39.1	41.3
Don't know	11.5	9.9	16.9	10.4	17.0	11.1
It depends	1.8	1.7	2.5	1.6	1.3	1.0
Refused to answer	1.3	1.2	2.1	0.7	1.9	1.0

98. However, the more critical constituency to evaluate is people who said they will not agree to participate in the 2020 census due to the citizenship question. If non-responders have low levels of trust it confirms the existing published research on survey response rates and participation in light of sensitive questions, and further it gives us very strong evidence that these non-responders will not change their mind and suddenly agree to respond. As demonstrated in Table 9 below, only 12.9% of non-responders (Q1-Q2) say they trust the Trump administration to keep their information private and 78.9% think their information, including citizenship status will be shared. What is more, if we just focus in on the people who said “no” once again on question 8, the simulated re-contact effort, 0.6% said they trust the Trump administration to protect their Census information and 98.8% said they do not trust them. In light of these low levels of trust and confidence in the Trump

administration to keep their personal information, especially related to citizenship status confidential and private, it is clear that the census will have a significant problem with trust in the face of a new citizenship status question.

99. **Table 9: Trust among non-responders**

	Non-Responder	No on Q8
Trust them to protect	12.9	0.6
I think they will share	78.9	98.7
Don't know	6.0	0.4
It depends	0.8	0.0
Refused to answer	1.3	0.3

100. The survey contained a second question that gets to the notion of trust, specifically asking if people were concerned that their answers to the citizenship status question would be shared with Immigration and Customs Enforcement (ICE). Overall, among people who state they won't respond to the 2020 census (Q1-Q2), a clear majority of 64.4% say they are concerned that their answers to the citizenship question will be shared with ICE. The degree of concern was highest among immigrants and Latinos.

101. **Table 10: Degree of Concern about Citizenship Being Shared with ICE among Non-responders (Q1-Q2)**

	Total	White	Latino	Black	Asian	Other	Foreign born
Very concerned	47.9	58.2	43.7	22.0	16.8	31.1	42.8
Somewhat concerned	16.6	6.6	26.2	17.4	83.1	17.8	35.7
Not too concerned	10.3	6.8	8.5	40.1	0.0	0.0	5.9
Not at all concerned	23.5	26.8	19.8	20.5	0.1	40.6	12.0
Refused to answer	1.8	1.7	1.9	0.0	0.0	10.6	3.5
Total concerned	64.4	64.8	69.9	39.4	99.9	48.8	78.5

G. How response rates might change as respondents learn more about the census

102. We can also assess how many new or additional people change their mind and become non-responders after they have thought a bit more about the 2020 census. As more information becomes available, including the outreach that the federal government and Trump administration are doing on behalf of the 2020 census, the general public will start to learn more, and think more about exactly what is at stake with the 2020 census. As the tables above indicate, there is considerable distrust and concern that the Trump administration will share their personal information with other agencies and not keep that information private. Through the passage of time, the public may start to think more about the citizenship question. So even if the Census is able to convert some of the initial non-responders into participants, other people who initially planned to participate may change their mind and now opt out as they become concerned, anxious, or nervous about the citizenship question. In Table 11 below we report these results.

103. **Table 11: Additional non-response after passage of time and more information**

	<u>Q1 to Q2 decision</u>		
	Will Respond (Q1=Yes; Q2=Yes)	Won't Respond (Q1=Yes; Q2≠Yes)	
Q8 = Yes	a) 2,490 87.4%	b) 84 3.0%	Total 2,575
Q8 = Not Yes	c) 175 6.1%	d) 102 3.6%	276
Total	2,665	186	2,851 100.0%

104. Using both the raw counts of survey respondents, as well as the overall cell percentages, the data in Table 11 is very discouraging for efforts to re-contact. Overall, 84 respondents, or 3.0% of the entire sample (quadrant b) converts to becoming responders upon re-contact.

However, among the people who were initially planning to respond, an even larger share, 175 respondents or 6.1% of the sample (quadrant c) changed their mind and became non-responders. Thus, as the respondents learned even more about the 2020 census, even with assurances of confidentiality, the net result is that a larger non-response or drop-off is likely to occur. The conclusion to be drawn is that as people hear and learn more about the 2020 census and the citizenship status question, it makes it more difficult to get an accurate count, and *more* people will become non-responders. The survey reported here has instructed respondents that the Census must maintain confidentiality, that it is against the law to share information, and that their information will be kept private – all outreach activities the Census Bureau claims they will be doing. Yet despite these assurances, we still report a statistically significant drop-off rate, and one that grows larger as the survey respondents hear more and learn more about the Census. Simply put, large percentages of respondents do not believe the Trump administration will protect their information or keep it private when it comes to a question about citizenship status, and this will result in millions of people opting out of the 2020 census and not being counted. No amount of follow-up, re-contact, or imputation can correct for this non-response bias.

105. Table 12: Additional non-response after passage of time and more information among foreign born respondents

	<u>Q1 to Q2 decision</u>		
	Will Respond (Q1=Yes; Q2=Yes)	Won't Respond (Q1=Yes; Q2≠Yes)	
Q8 = Yes	a) 609 78.9%	b) 25 3.3%	Total 634
Q8 = Not Yes	c) 87 11.2%	d) 50 6.5%	137
Total	696	75	771 100.0%

106. Among foreign born respondents, the possibility of additional drop-off at re-contact or as respondents learn and think more about the Census is even greater. When we asked again about taking the 2020 census with a citizenship question, providing additional assurances of confidentiality, only 25 foreign born respondents changed their mind and agreed to participate, representing 3.3% of the overall foreign born sample (quadrant b). However, among those who said they had originally planned to participate in the 2020 census, 87 total respondents, or 11.2% of the overall sample (quadrant c) said they now planned to NOT participate – more than three times more people were lost than were converted at re-contact.
107. A final point of concern is that the households which remain non-responders are larger in size and not directly comparable to the households that might change their stance and eventually respond. Overall, the respondents in our survey who changed and said they would respond had an average household size of 3.26 versus those who will not be persuaded by re-contact had an average household size of 3.48.

VI. Response to Dr. Abowd Expert Report

108. In connection with the case the *State of New York, et al. v. United States Department of Commerce*, I submitted an expert report on September 7, 2018 setting forth the above opinions. Dr. John M. Abowd submitted an expert report on behalf of the defendants in that case on September 21, 2018. I have read his report (the “Abowd Report”), and provide my response in this section.
109. According to his report, Dr. Abowd was asked to analyze three areas: (1) Is there credible quantitative evidence that the addition of a citizenship question on the 2020 census would affect the cost and quality of that census? (2) Are the activities of the Census Bureau appropriate and adequate to address any cost and quality consequences that might arise during the conduct of the 2020 census? (3) Did the Census Bureau follow appropriate statistical quality standards when it placed the citizenship question from the American

Community Survey onto the proposed questionnaire in the 2020 census without further testing?

110. Across the three areas Dr. Abowd makes many predictions about the 2020 census, but he offers no specific quantitative evidence that is related to a citizenship question being added in 2020. In short, he relies on the sufficiency of testing of the question which is inadequate, and offers hypothetical predictions of the 2020 census success rate that do not take into account the citizenship question.

111. Dr. Abowd asserts that no “external expert has produced credible quantitative evidence that the addition of a citizenship question to the 2020 Census would increase the net undercount or increase differential net undercounts for identifiable subpopulations.” (Abowd Report, p. 3). Dr. Abowd does not explain what bases he has for rejecting the particular arguments, data, or methodology underlying my opinion, which is based on extensive published research about sensitive questions, the political climate surrounding those questions, a new quantitative study specifically about the inclusion of a citizenship question, and the expected impact of all of these factors on census self-response rates, non-response follow-up (NRFU) and imputation, and the ultimate accuracy of the 2020 census. Rather, Dr. Abowd appears to counter expert opinion in this case primarily through presentation of certain Census Bureau data and plans for non-response follow-up (NRFU) during the 2020 census, which I will address further below. Perhaps the most important point for the Court to consider is that Dr. Abowd is just assuming – with absolutely no trials, pretests, or recent data – that NRFU and imputation will successfully and completely address the impact of the citizenship question on self-response rates in 2020. However, past NRFU operations and imputation methods have never fully addressed low self-response rates, especially in hard to count populations (Gomez 2018). In addition, there are two unique issues affecting NRFU and imputation in 2020 that have fundamentally changed since past censuses that cannot be ignored: (1) the presence of citizenship question on the 2020 decennial census to be answered by every single household; and (2) the

political climate in which this census is being administered.

112. I have offered extensive quantitative evidence which makes clear that self-response to the 2020 census will be dramatically lower due to the citizenship question; that distrust and fear in immigrant communities over the citizenship question will prevent people from participating in self-response as well as follow-up attempts; and that non-responding households will be statistically distinct from responding households in 2020, making imputation ineffective and inaccurate. The Abowd Report does not present any credible quantitative evidence that NRFU and imputation will be as viable in 2020 as it has in the past with the presence of a citizenship question, and during a political climate that is inducing fear and mistrust over citizenship issues. Although the Abowd Report asserts that the Census Bureau will increase budget and staff, there is no reason to believe that this will be sufficient to avoid an undercount due to the citizenship question, especially given the unique challenges posed by the citizenship question and the current political climate.

Abowd Report Key Conclusions

113. On page 3 of his report Dr. Abowd offers three “key conclusions” as a summary of his opinions.
114. First, Dr. Abowd admits that the self-response to the census and census data quality will be lower in 2020 due to the citizenship question, but argues that the Census Bureau will mitigate impacts of this on the ultimate population count through non-response follow up (NRFU) efforts and the Integrated Partnership and Communications Program. While there is no disagreement that the citizenship question will reduce participation in the 2020 census and lower data quality, Dr. Abowd’s assertion that this will be mitigated through NRFU and other measures is contradicted by our research. Second, Dr. Abowd asserts that neither the Census Bureau nor any expert report has produced credible quantifiable evidence that the addition of a census question will increase a net or differential undercount. However this assertion is belied by the survey we conducted, the methodology

and results of which Dr. Abowd has not directly challenged. Third, Dr. Abowd asserts that the addition of the citizenship question to the decennial census will be scientifically valid, without first thoroughly testing the instrument as a whole. But this claim is undermined by decades of social science research as well as Dr. Abowd's own admission that to do so violates best practices of survey methodology. I address each of these key conclusions in more detail below.

A. Abowd Key Conclusion No. 1

115. The Abowd Report summarizes research and analysis by the Census Bureau indicating that putting the citizenship question on the decennial census in 2020 is likely to depress self-response rates in households that contain at least one non-citizen or person of unknown citizenship status. (Abowd Report pp. 3-4). Dr. Abowd also states that lower self-response due to the citizenship question will increase NRFU costs and lower the quality of the census data. I also agree in full with this statement, especially that this will lower the quality of the data collected. With fewer households answering the census, the raw data available to researchers for NRFU and imputation will be less complete. With less complete data, both NRFU and imputation will become increasingly less reliable, as explained in this report at paragraphs 43-46 (pg 16-18).
116. Further, as detailed above, when non-responding units are different or distinct from responding units, this heterogeneity introduces considerable error into the process of imputation and statistical adjustments made by the census after the initial enumeration is complete. In follow-up surveys sent after the decennial census called the Accuracy and Coverage Evaluation Survey (ACE), the Census Bureau has learned that non-random missing data cannot be fixed and will result in an undercount: "Besides processing error, correlation bias is an endemic problem that make it extremely difficult for adjustment to improve on the census. Correlation bias is the tendency for people missed in the census to be missed by ACE as well. Correlation bias in 2000 probably amounted, as it did in 1990,

to millions of persons. These people cannot be evenly distributed across the country. If their distribution is uneven, the DSE¹³ creates a distorted picture of census undercounts. Heterogeneity is also endemic: undercount rates differ from place to place within population groups treated as homogeneous by adjustment. Heterogeneity puts limits on the accuracy of adjustments for areas like states, counties, or legislative districts. Studies of the 1990 data, along with more recent work discussed below, show that heterogeneity remains a serious concern,” (Freedman and Wachter 2003).

117. The final point Dr. Abowd makes as part of key conclusion #1 is that the census is aware of the problems and that they “can and will make appropriate adjustments to various components of the 2020 census, including NRFU and the Integrated Partnership and Communications Program to mitigate these effects,” (Abowd Report, p. 3). While adjustments might be made, it is pure conjecture and speculation that any such adjustments will mitigate the negative effects of the citizenship question. There is no new study, report, experiment or evidence that the 2020 census will be able to overcome the low self-response rate and the high rates of fear and distrust in immigrant communities. There is no evidence or reason to believe that even if the Census Bureau were able to increase budget and staffing levels that simply increasing budget and staff will ensure that the lower self-response rate caused by the citizenship question will not translate to an undercount. Finally, the estimated self-response rate in 2020 is likely to be lower than the 60.5 rate reported by Dr. Abowd. He reports that the self-response rate in 2010 was 64. The statistical analysis of within subject non-response comparing 2010 and 2020 census questionnaires suggests that the drop-off will be between 7.14 and 9.69 points lower in 2020 due to the citizenship question¹⁴. Thus the 2020 self-response rate will be between 54.31 – 56.86 percent. Further, according to the Census analysis of the 2018 End-to-End test the self-response rate in Providence was only 52.3 percent¹⁵, far lower than the 60.5 percent that Dr. Abowd has

¹³ Dual System Estimator, a special sample survey done after the census—a “Post Enumeration Survey”

¹⁴ See Tables 3-4 on page 38 of this expert report.

¹⁵ <https://www.census.gov/newsroom/blogs/director/2018/09/final-census-test-proves-successful.html>

estimated.

118. Extensive research by the Census Bureau documents that lower self-response, and more challenging NRFU in a given geographic area lead to a net undercount in that area (Brownrigg and de la Puente 1992). A study on hard to count tracts in Yakima County, Washington found evidence that initial response rate was critical: “Without higher self-response, more households in these and other neighborhoods in the county are at risk of being missed in the 2020 census,” and the study concluded that low self-response resulted in a net undercount: “in the 2010 Census, the net undercount in these tracts was nearly 8%, according to the Census Bureau,” (Gomez 2018). Prior census studies have reported “The differential net undercount of minorities in Decennial Censuses is one symptom of the larger more global problem of errors in the census,” (Brownrigg and de la Puente 1992). Specifically, barriers to enumeration which are correlated with an undercount are items such as “motives for concealment, such as undocumented immigration status or illegal conversions of garages and back rooms into housing units, languages other than English, limited literacy, fears of outsiders,” (Brownrigg and de la Puente 1992). By making the self-response even lower in 2020, and by making the NRFU more costly and challenging, there is no question it will result in further and substantial net undercount.
119. It has been well-documented that erroneous imputations and flawed estimates of duplications further undermine the reliability of the official count, and instead point clearly to a net undercount of Mexican immigrant families (Kissam 2017). Lower self-response rates in hard-to-count neighborhoods ultimately lead to the need for more NRFU, however as we have repeatedly pointed out the NRFU is far less successful in these areas for precisely the same reason the self-response was low: “NRFU is less successful in these neighborhoods for various reasons, including enumerators’ lack of non-English language skills, family distrust of strangers, lack of landline telephones, and volume of workload in low mail-response tracts among other factors,” (Kissam 2017; See also, Schwede and

Terry 2013¹⁶). With a less successful NRFU, this will result in the need for more imputation, substitution and statistical adjustment, which themselves are known to be wrong and result in a net undercount: “[E]rroneous imputations in these immigrant-dense low-income neighborhoods where low-visibility housing is more prevalent may add to the underlying undercount stemming from total household and partial household omission and further affect the official estimate of net undercount of Mexican immigrants and their children,” (Kissam 2017).

B. Dr. Abowd Key Conclusion No. 2

120. In his second key conclusion, Dr. Abowd claims that there is no quantitative evidence that “the addition of a citizenship question to the 2020 census would increase the net undercount or increase differential net undercounts for identifiable sub-populations.” This conclusion ignores the analysis and evidence presented in my original report regarding the addition of a citizenship question on the 2020 census.
121. In his report, and in his August 15, 2018 deposition, Dr. Abowd states that a randomized controlled trial study (RCT) is the “gold standard for internal validity.” In my survey to assess the non-response rate and to evaluate the effectiveness of NRFU I relied on an RCT split sample question wording experiment in which half of the respondents in the survey were randomly told about a census without a citizenship question, and half of the respondents were randomly told about a census with a citizenship question. As reported in this report, the RCT shows clear and statistically significant evidence that the citizenship question will lower the response rate. In addition, when assessing re-contact attempts or NRFU, the RCT shows clear and statistically significant evidence that the citizenship question will greatly reduce participation in NRFU.
122. Dr. Abowd’s overall assessment indicates that the Census Bureau believes that its

¹⁶ https://www.census.gov/content/dam/Census/library/publications/2013/dec/2010_cpex_255.pdf

NRFU operations will result in a complete enumeration (Abowd Report, p. 19). His opinion is based on his view that NRFU operations have been successful in previous censuses and the 2018 End-to-End Census Test, and notes that “the decision to include a question on citizenship has not impacted the NRFU operational design.” However, this assessment overlooks the unique aspects of the 2020 census, including the change in census mode, questions asked, and the socio-political climate. While we can certainly learn lessons from prior census studies, there is no scientific basis to claim that the citizenship question will not exacerbate the ultimate net undercount, given that the survey I conducted specifically about the 2020 census reveals millions of households will not respond to the 2020 census because of the citizenship question. Dr. Abowd cannot simply state NRFU and imputation will “solve” this undercount in 2020 because not one of the prior census studies has attempted NRFU or imputation with the addition of a highly sensitive citizenship question during a socio-political climate in which many immigrant households are anxious and distrust the federal government.

123. According to an extensive statistical analysis of undercount, overcount, and the ultimate net undercount, Freedman and Wachter (2003) argued that whatever errors of exclusion or duplication the census might make at the national level, aggregating all these errors does not solve any problems at the local level. According to their study, “in the face of these errors, it is hard for adjustment to improve on the accuracy of census numbers for states, counties, legislative districts, and smaller areas. Statistical adjustment can easily put in more error than it takes out.”

124. Additionally, the efforts Dr. Abowd describes in his expert report have been insufficient to prevent an undercount even without the added difficulties of a citizenship question. Prior studies by the Census Bureau have concluded that there was an undercount in 1990, 2000, and 2010 (de la Puente 1995; 2004; Gomez 2018). Further, each of these prior studies has concluded that the undercount is worse in Latino and immigrant communities, and that a significant factor in the net undercount is distrust (Brownrigg and

de la Puente 1992). In 2020 there is no question that trust of the federal government will be lower in Latino and immigrant communities as a direct result of the citizenship question being included on the census. This finding is well documented in our survey which reports that 73.0% of Latinos and 81.2% of immigrants who will not respond to the census believe the Trump administration will share their citizenship information with other federal agencies. Further, 69.9% of Latinos and 78.5% of immigrants who will not respond report that they are concerned citizenship information will be shared with Immigration and Customs Enforcement (ICE). Dr. Abowd does not engage with any of these research findings in his claim that the net undercount will not be worse in 2020, even though prior Census Bureau research studies have documented that undercounts do happen, and they happen as a direct result of fear and lack of trust (Gomez 2018; de la Puente 2004).

125. There is no credible evidence, quantitative or qualitative, that NRFU or imputation will be effective in 2020 when a citizenship question is added and a socio-political climate of fear and anxiety over immigration issues are at an all-time high. The context in which the initial self-response, as well as the NRFU take place, are of paramount importance in understanding the overall response rate, quality of the data, and the net undercount. The government has produced no evidence that they can overcome this in 2020. To the contrary, Census Study Committee reports suggest the exact opposite. As summarized in this report at paragraph 26: “Indeed, properly counting undocumented immigrants has long been a concern for the Census Bureau. De la Puente’s research demonstrated that respondents with irregular immigration statuses are unlikely to directly cooperate with the Census if they perceive their immigration status will be revealed.”

126. Dr. Abowd clearly recognizes the problems the census will encounter in 2020 due to distrust and the sensitive citizenship question. He states that “the Census Bureau recognizes that some housing unit addresses in the NRFU workload can be more difficult to locate or interview” due to “concerns about providing sensitive information.” (Abowd Report at 12) He further states that “a decrease in confidence by the public in the Census

Bureau's ability to keep their information private" could result in lower than expected self-response rates. What's more, census documents analyzing break-off and non-response to the citizenship question on the 2017 ACS suggest a considerable increase in break-off and non-response in 2017 under the Trump administration.¹⁷ The Census Bureau is well aware that this will be a problem in 2020.

127. Later, on page 15, Dr. Abowd explains that trust can be a barrier in communities with low response rates and that having the so-called *trusted voices* is critical to getting an accurate final count. In this very section of his report, Dr. Abowd mentions the National Association of Latino Elected Officials (NALEO) as one of the "major organizations" they will need to work with as a *trusted voice*. However, following the announcement of the inclusion of a citizenship question on the 2020 census NALEO issued a press release¹⁸ headlined "NALEO Education Fund Vows to Fight Against Addition of Citizenship Question to 2020 census," which went on to state that the citizenship question represented "yet another assault on immigrants" and that they believed the addition of this question "would have catastrophic consequences for Latinos and all Americans." NALEO specifically stated that "adding a question on citizenship at this time would only seek to fan the flames of fear and distrust in the Census, further risking depressed response rates."
128. A second "major organization" that Dr. Abowd states the census will need to work closely with to gain trust and increase response rates is the National Urban League. In response to the decision to include a citizenship question the President and CEO of the National Urban League released a press statement¹⁹ stating "the Trump administration has repeatedly proposed xenophobic and racist policies—and its handling of the Census appears to be no different. It is intentionally politicizing the decennial Census by using it as a tool

¹⁷ AR 12757. "2017 Breakoff Rates by Race Group Augmented 20180917" Approved for release: DRB-B0124-CDAR-20180917

¹⁸ https://d3n8a8pro7vhmx.cloudfront.net/naleo/pages/134/attachments/original/1522172871/3_27_18_-_NEF_Statement_on_Citizenship_Question_Decision_-_Final_-_Updated_2.pdf?1522172871

¹⁹ <http://copylinemagazine.com/2018/03/30/national-urban-league-statement-on-inclusion-of-citizenship-status-question-to-2020-census%E2%80%8B/>

to intimidate undocumented immigrants from completing the questionnaire, siphon government resources from communities of color, and undermine the assurance of congressional representation.” Rather than committing to working alongside the 2020 census, their press released indicated that “The National Urban League will work with our coalition partners to challenge the inclusion of this question and we urge members of Congress to overturn this deeply flawed decision.”

129. The third of the three “major organizations” that Dr. Abowd identifies in footnote 25 on page 15 is the National Congress of American Indians (NCAI) which issued their own resolution²⁰ condemning the addition of a citizenship question, stating that “NCAI does hereby oppose the insertion of a citizenship question in the 2020 census as it could result in increased undercounts in tribal communities and NCAI calls on Congress to conduct non-partisan oversight over this issue and the potential impacts that could arise from the addition of a citizenship question.” Similar to NALEO, NCAI specifically cited the issue of trust as problematic writing that the “addition of a citizenship question on the 2020 census could have a similar negative impact in Indian Country, resulting from the lengthy and complicated history of discrimination against indigenous people and a strong distrust of non-tribal governments.”

130. Beyond these three major organizations, the Census Bureau will encounter less trusting community partners across the country, making the self-response and NRFU process much more difficult and error-prone due to the citizenship question. The Leadership Conference issued a press release in which more than 145 national, state and local organizations “urged the Department of Commerce to drop the citizenship question from the 2020 census form.” In a joint press release²¹ the groups united in their opposition to this question stating “we urge the Census Bureau, in the strongest possible terms, to remove the proposed citizenship question.” The Leadership Conference explained in their letter that their group has a strong

²⁰ <http://www.ncai.org/resources/resolutions/ensuring-a-fair-and-accurate-2020-census-count-in-native-communities>

²¹ <https://civilrights.org/140-civil-rights-groups-call-on-commerce-department-to-strike-unnecessary-citizenship-question/>

history of working hand-in-hand with the census to ensure high response rates, especially for hard to reach populations, but that the citizenship question creates considerable fear and confusion in the immigrant community and puts their cooperation at risk.

131. Similarly, the National Hispanic Leadership Agenda issued a press statement²² criticizing the inclusion of a citizenship question, specifically noting that this question would further reduce trust, increase fear and lead to a lower count of Latinos. “The National Hispanic Leadership Agenda, a coalition of 45 of the nation’s preeminent Latino advocacy organizations, condemns the decision of the Trump administration to add a question on citizenship to the 2020 census. The addition of this question in the current political climate will cause confusion and fear, creating barriers to achieving an accurate census count, which is critical for our democracy, economy, and governments’ ability to plan and implement programs efficiently.”

132. The citizenship question has created a lack of trust with the “major organizations” who Dr. Abowd identifies as *trusted voices* and will rely heavily on to implement an accurate count in 2020. These community partners know their communities very well, and they conclude that the addition of a citizenship question will make them ineffective in gaining respondent trust in 2020. For example, Arturo Vargas, executive director of NALEO stated “The @uscensusbureau should be praying for these lawsuits to succeed. They cannot expect that the “trusted messengers” like @NALEO will do their job for them!”²³ What is unfolding now with respect to the citizenship question and the 2020 census is that the *trusted voices* the Census Bureau relies on to help achieve an accurate count in these hard-to-reach subpopulations cannot do that work if there is a citizenship question on the census. By Dr. Abowd’s own admission, this will adversely impact self-response.

133. Dr. Abowd refers to no specific plan to address concerns over the sensitive question, or perceptions of trust in the immigrant community in 2020. He states repeatedly in his

²² <https://nationalhispanicleadership.org/nhla-media/press-releases/17-press/494-march-27-2018-nhla-condemns-hasty-addition-of-citizenship-question-to-2020-census>

²³ <https://twitter.com/ArturoNALEO/status/1046550082219270144>

report that they will simply hire more staff, or authorize the staff to work more hours each week. None of this will ameliorate the distrust and concerns that people in the immigrant community have over providing their highly sensitive citizenship information to the federal government.

134. In fact, many parts of the census planned outreach efforts in 2020 could actually create more fear and anxiety in immigrant communities and further drive down response rate and increase the net undercount. For example, the census plans to send enumerators into non-responding communities on behalf of the federal government, and if nobody is home, they will leave a “Notice of Visit” from the federal government which includes a unique household “census identification number.” Further, they inform the household that additional visits will be made back to their house by enumerators on behalf of the federal government. This will send a clear signal of federal government monitoring of the household and will result in increased anxiety and concern over cooperating (e.g. Menjívar 2011; Szkupinski Quiroga et al. 2014). Research by Hagan et al. (2011) documents with clear evidence the extensive chilling effect of increased presence of government officials who appear to be monitoring immigrants and checking on their status. They find immigrants “withdrawing from the community” as well as “avoiding public places” and that they “spend most of their non-working hours in their homes because it is the safest way to avoid detection,” (Hagan et al. 2011). According to Abrego (2011), undocumented immigrants will go to great lengths to reduce their visibility in society when they perceive a potential threat of deportation. Her research identifies withdrawal from interactions with government agencies as awareness of immigration checks increases. From the perspective of an anxious immigrant, each additional household visit from a government census worker to inquire about their citizenship status is the exact environment that would produce withdrawal. According to Abrego: “In effect, their well-being and stability are perennially threatened because, as they are constantly reminded, there may be an ICE raid at their place of employment at any time” (2011).

135. Research also finds that increased presence and visibility of government officials who appear to be collecting immigration information creates withdrawal and also misreporting on government forms (Rodriguez and Hagan 2004). Increased presence of immigration officials in the community lead to a decline of student attendance in the nearby school to avoid any contact with the government officials. The research study observed this trend across three different cities in Texas and attributed increased withdrawal to an increased visibility and presence of government officials asking about immigration status. Further, the same study reported that Hispanics began to change their racial identification to White on government forms at health clinics to avoid any risk of association with immigration officials (Rodriguez and Hagan 2004).
136. Finally, one study specifically examined the willingness of immigrants to participate in surveys and data collection efforts, in particular examining how fear of deportation impacted response rates and general engagement with government services (Arbona et al. 2010). One of the most important findings of this study was that if immigrants fear their participation could somehow lead to their deportation, they will not participate unless they are fully comfortable and trusting of the survey taker. As the research study progressed, Arbona et al. reported, through quantitative data, that fear of deportation was a strong motivating factor for avoidance and that over 80% of immigrants in their sample stated that they avoided activities such as “ask[ing] for help from government agencies, report[ing] an infraction to the police, attend[ing] court if requested to do so,” and other items. The more census enumerators visit immigrant communities to attempt household counts, including of citizenship status, the more likely immigrants will be to not participate. The outreach itself will produce further non-response in today’s socio-political climate.
137. In this report, I also provide quantitative data to suggest that immigrants in particular might become increasingly reluctant to participate, even with more follow-up information. In Table 12 on page 46 I report data demonstrating that 11.2% of foreign born respondents would change their mind and become non-responders after a re-contact attempt providing

more information about the census and how the federal government would provide assurances to keep the information confidential. I conclude in paragraph 106 of this report, “Among foreign born respondents, the possibility of additional drop-off at re-contact or as respondents learn and think more about the Census is even greater.”

138. The 2018 End-to-End test in Providence is not an adequate comparison study because it did not include a citizenship question. Further, no assessment or evaluation has been produced or shared so it is not possible to evaluate the specific response rates, NRFU and imputation by different subgroups or communities such as Latinos or immigrants. The precise argument we are making, supported by extensive published studies and a large public opinion survey specific to 2020 census is that the inclusion of a citizenship question will make self-response, NRFU, and imputation much worse in 2020. Drawing inferences from the Providence study which did not include the citizenship question will likely be inapposite.

C. Dr. Abowd Key Conclusion No. 3

139. In his final “key conclusion” Dr. Abowd states that the citizenship question was tested on the American Community Survey (ACS) in 2006, therefore no additional pre-testing is needed. This does not qualify as an adequate pre-test by social science standards, nor does it comport to the Census Bureau’s own published standards and reasons for pre-testing, which Dr. Abowd cites in his disclosure. Indeed, for several reasons, testing of the citizenship question for the 2006 ACS survey is likely to understate the negative impact of the citizenship question on self-response in the 2020 decennial census.
140. First, a pre-test should consider the same mode of implementation and the same full instrument to be used on the ultimate survey project (Hunt et al. 1982). In this case the 2006 ACS is not an adequate test of the 2020 census. The ACS is over 30 pages long, and includes more than 50 questions about the household and about each person in which the citizenship question does not appear until page 7. In contrast the 2020 census short form

has only 1 page of questions about each person living in the household and the citizenship question will be clearly present on page 1 when providing information about person 1 (i.e. the respondent). Not testing the same complete instrument is a violation of Census published standards in sub-requirement A2-3.3 which states the pre-test must “problems related to content, order/context effects, skip instructions, formatting, navigation, and edits.” In the same section, the standards state that the pretest must establish that “The sequence of questions and skip patterns is logical and easy-to-follow.” To properly pretest question order effects, sequencing, skip instructions, formatting and navigation, the exact same survey instrument must be pretested that is planned for the full scale project. This is not only a standard when in the social sciences²⁴, but laid out explicitly by the Census Bureau itself.

141. The Census Bureau Statistical Quality Standards (A2-3.3 1b) specifically note that “pretesting must be performed” when there are concerns that unit or item response rates are too low, or measures of validity are too low. In this specific case Dr. Abowd has acknowledged that unit and item non-response will occur due to the citizenship question and the Brown et al. (2018) study that he cites concludes that validity is a serious problem for the citizenship question with an estimated 35% of respondents providing incorrect information. There are serious issues that require scientific pretesting.

142. Further, the Census published standards (A2-3.3 2c) state that pretesting must evaluate how new questions will perform with respondents that the new questions “are not unduly sensitive and do not cause undue burden.” In this case, there is considerable quantitative and qualitative evidence collected by the Census Bureau, their *trusted voices*, and external experts that the citizenship question is highly sensitive and would pose an undue burden.

143. Beyond the reasons already noted, perhaps the most critical reason why the 2006 ACS is not a good pretest comparator for the 2020 census is that the socio-political context now

²⁴ Above I provide a review of the social science literature on pretesting surveys at paragraph 41.

is completely different than it was in 2006. Most notably, since the inauguration of Donald Trump as President social science research has documented significant decreases in trust of the federal government in immigrant communities directly relating to his statements and policies related to immigration. Above, in this report I review this literature as well as the larger published literature on how immigrant communities perceive fear and withdraw when they believe they are in jeopardy vis-à-vis government services or even simple government interactions. As the press statements from many of the *trusted voices* that Census had hoped to rely on make clear, there is a sense in immigrant communities that they are at greater risk of government surveillance, detention or deportation for immigration related reasons²⁵. Ben Monterroso, Board Member of the National Hispanic Leadership Agenda²⁶ summarized this climate vis-à-vis the citizenship question in his press statement “the President cannot demonize immigrants, threaten them with deportations and family separation, and then expect them to trust the government with sensitive information.”

144. Adding a question about citizenship status to a required federal survey during this socio-political context is certain to set off alarm bells in the immigrant community, and the Census Bureau knows this. At its research Fall 2017 research meeting in Washington, D.C., Census Bureau researchers reported (Meyers 2017) an “increase in respondents expressing concerns to researchers and field staff about confidentiality and data access related to immigration, legal residency, and citizenship status, and their perception that certain immigrant groups are unwelcome.” As noted above in paragraph 32, “the current political climate was of concern to respondents: in one Spanish interview, a respondent stated, ‘the possibility that the Census could give my information to internal security and immigration could come and arrest me for not having documents terrifies me.’” At the same meeting hosted by the Census Bureau, Arturo Vargas, head of NALEO summarized

²⁵ This is documented in paragraph 34 of this report.

²⁶ <https://nationalhispanicleadership.org/nhla-media/press-releases/17-press/494-march-27-2018-nhla-condemns-hasty-addition-of-citizenship-question-to-2020-census>

his research findings about the political context, “These communities today fear their own government. The fear is not irrational, it is not unfounded, and it is real. And the cause of this fear comes from the highest offices of the government itself” (2017). Dr. Abowd’s failure to adequately account for today’s political context which is very different from the earlier censuses and NRFU efforts upon which he relies, is misguided.

145. Further, the sentiments described by Meyers and Vargas are clearly borne out in the survey data presented here and summarized above which notes that non-responding Latinos and immigrants do not trust the federal government to protect their citizenship information and are directly concerned they will share that information with ICE.

146. Just because a question has been used before on a household survey does not mean it will perform well on the decennial census. Beyond the 2006 ACS, Dr. Abowd states that the decennial census has relied on other surveys to pretest new items, and references the Current Population Survey (CPS) and the 1970 decennial census inclusion of a question on Hispanic ethnicity. As they prepared to launch the 1970 census, Dr. Abowd states that the census “determined that it could use the testing program from what was, at the time, the flagship household survey to prepare content for the decennial census,” and he cites this as justification for using the 2006 ACS to prepare content for the 2020 decennial census. However, the subsequent analysis of the 1970 Hispanic ethnicity question and coverage of the Hispanic population all concluded that the question was a failure and not properly tested or vetted. The Pew Research Center published a study “Census History: Counting Hispanics” and after reviewing the 1970 effort concludes that “this question did not work very well,” and simultaneously undercounted as many as 5.5% of the actual Hispanic population, and misidentified as many as 1 million people as being Hispanic who were not. In a book published by the Census Bureau (1979) and cited by Dr. Abowd in his expert disclosure Census demographers and statisticians Jacob Siegel and Jeffrey Passel detail the errors in the 1970 Hispanic count and the extensive problems with the question, how it was wrongly interpreted by respondents, the lack of quality pretesting, and the great lengths at

which the Census Bureau had to go in an effort to correctly estimate the 1970 Hispanic population. Siegel and Passel conclude that the question was so erroneous that it made an accurate evaluation of the question, and comparison to evaluations of the White and Black population impossible. Rather than use this as an example of moving a question from a household survey to the decennial census, Dr. Abowd should have pointed to this as a warning of the known errors that result when a question is not properly pretested before being used on the decennial census.

VII. Conclusion

147. This report has considered the impact that adding citizenship status question will have on the overall response rate to the 2020 census, and importantly, how this might affect the accuracy of the overall population count. I have relied on two primary sources of information to form my opinion. The first was a review of the relevant literature on survey research, census research, sensitive questions, and research on imputation. The second was an original national survey of 6,309 respondents to assess how people will participate in the 2020 census given the addition of a citizenship question. Finally, I have relied upon my own experience as a social scientist who regularly conducts and reviews survey research as part of academic research engagements. In section 3 above, I have offered an executive summary of my findings and here I further summarize those to three key conclusions.

148. First, the extant literature on survey research suggests that adding a highly sensitive, and untested question on citizenship status to the 2020 census will result in heightened rates of non-response. This is particularly the case because the current social and political context in the United States surrounding immigration enforcement and concerns in the immigrant community about revealing personal information that could result in significant harm – namely deportation and the separation of families – if they participate in the Census and report their citizenship status.

149. Second, the extant literature on Non-Response Follow-Up (NRFU) and methods of imputation both conclude that neither approach is likely to be successful in 2020, given the higher rates of non-response in the first place, and the non-random patterns of non-response. When large percentages of households are missing and do not report any information to the Census, and the missing households are not completely at random, NRFU and imputation are not reliable.

150. Third, the survey data shows clear and statistically significant evidence that the citizenship status question will result in high rates of non-response in 2020, and that immigrant and Latino communities will be disproportionately undercounted and disadvantaged.

151. My compensation in this case is \$300 per hour. After reviewing defendants report(s), I plan to offer rebuttal opinions as requested by plaintiffs.

Executed on October 5, 2018 at Agoura Hills, CA.

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

A handwritten signature in black ink, reading "Matt A. Barreto", is written over a horizontal line.

Matthew A. Barreto

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Other Materials Considered

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Appendix A:

Auxiliary Tables of Results

Table 1: Latinos and Immigrants are Less Likely to Trust Trump To Protect Their Information

	Trust Trump	Trust Trump
Intercept	0.44*** (0.01)	0.43*** (0.01)
Latino	-0.13*** (0.02)	
Foreign Born		-0.08** (0.03)
R ²	0.01	0.00
Adj. R ²	0.01	0.00
Num. obs.	6309	6309
RMSE	0.40	0.40

*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$

Table 2: Latinos and Immigrants Are More Concerned That Census Answers Will Be Shared With ICE

	Concern ICE	Concern ICE
Intercept	0.29*** (0.02)	0.29*** (0.02)
Latino	0.10*** (0.03)	
Foreign Born		0.12*** (0.04)
R ²	0.01	0.01
Adj. R ²	0.01	0.01
Num. obs.	3161	3161
RMSE	0.37	0.37

*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$

Table 3: Latinos and Immigrants Drop-Off More Than National Average

	Q1/Q2	Q1/Q2	Q1/Q2	Q1/Q2	Q1/Q8	Q1/Q8	Q1/Q8	Q1/Q8
Intercept	0.07*** (0.01)	0.14*** (0.01)	0.06*** (0.01)	0.06*** (0.01)	0.10*** (0.01)	0.17*** (0.02)	0.09*** (0.01)	0.08*** (0.01)
Non-Latino		-0.08*** (0.01)				-0.08*** (0.02)		
Latino			0.08*** (0.01)				0.08*** (0.02)	
Foreign Born				0.05*** (0.01)				0.09** (0.03)
R ²	-0.00	0.01	0.01	0.00	0.00	0.01	0.01	0.01
Adj. R ²	-0.00	0.01	0.01	0.00	0.00	0.01	0.01	0.01
Num. obs.	5683	5683	5683	5683	2851	2851	2851	2851
RMSE	0.21	0.21	0.21	0.21	0.24	0.24	0.24	0.24

Intercept Model = National Drop-off

Table 4: Non-Responders = Bigger HH Size, Especially Amongst Latinos

	HH Size (Full)	HH Size (Lat. Sample)	HH Size (Lat. Foreign Sample)
Intercept	2.95*** (0.05)	3.70*** (0.08)	3.80*** (0.10)
Switch Q1/Q2	0.25 (0.15)	0.61* (0.24)	0.80** (0.28)
R ²	0.00	0.01	0.02
Adj. R ²	0.00	0.01	0.02
Num. obs.	5683	2029	1164
RMSE	1.56	1.01	0.93

*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$

Table 5: Recontacting With Citizenship Question Worse than Recontacting Without It

	Respond (Full)	Respond (Immig)	Respond (White)	Respond (Latino)	Respond (Black)	Respond (Asian)	Respond (Other)
Intercept	0.84*** (0.04)	0.80*** (0.08)	0.89*** (0.04)	0.80*** (0.06)	0.79*** (0.15)	0.53 (0.38)	0.95*** (0.05)
Citizenship	-0.39*** (0.06)	-0.47*** (0.11)	-0.40*** (0.07)	-0.41*** (0.10)	-0.16 (0.23)	-0.53 (0.38)	-0.78*** (0.18)
R ²	0.17	0.22	0.19	0.18	0.03	0.35	0.63
Adj. R ²	0.17	0.22	0.19	0.17	-0.01	0.31	0.61
Num. obs.	550	200	224	254	23	18	31
RMSE	0.30	0.24	0.32	0.25	0.58	0.31	0.14

*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$

Table 6: Imputation Will Fail — Non-Responders Different on Several Characteristics (Amongst those Q1 = Yes)

	Q1/Q2	Q1/Q2	Q1/Q2	Q1/Q2	Q1/Q2	Q1/Q2	Q1/Q2	Q1/Q2	Q1/Q2	Q1/Q2	Q1/Q2	Q1/Q2	Q1/Q2
Intercept	0.07*** (0.01)	0.15*** (0.02)	0.07*** (0.01)	0.10*** (0.01)	0.09*** (0.02)	0.07*** (0.01)	0.06*** (0.01)	0.06*** (0.01)	0.06*** (0.01)	0.07*** (0.01)	0.03** (0.01)	0.02* (0.01)	0.07*** (0.01)
Married	-0.00 (0.01)												
English		-0.08*** (0.02)											
Spanish			0.09*** (0.02)										
White				-0.05*** (0.01)									
Age					-0.00 (0.00)								
Income						0.00 (0.00)							
Foreign							0.05*** (0.01)						
Latino								0.08*** (0.01)					
HH Size									0.00 (0.00)				
Foreign Parents										0.05** (0.02)			
% Urban											0.05*** (0.01)		
% Rent												0.14*** (0.03)	
Population Density													0.00 (0.00)
R ²	0.00	0.01	0.01	0.01	0.00	0.00	0.00	0.01	0.00	0.00	0.00	0.01	0.00
Adj. R ²	-0.00	0.01	0.01	0.01	0.00	-0.00	0.00	0.01	0.00	0.00	0.00	0.01	0.00
Num. obs.	5683	5683	5683	5683	5356	4149	5683	5683	5683	5683	5118	5118	5118
RMSE	0.21	0.21	0.21	0.21	0.20	0.21	0.21	0.21	0.21	0.21	0.20	0.20	0.20

*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$

Table 7: Experimental Results: Including Citizenship Question Reduces Response Rate

	Respondent (National)	Respondent (Latino)	Respondent (Immigrant)
Intercept	0.89*** (0.01)	0.82*** (0.02)	0.82*** (0.03)
Treatment	-0.02* (0.01)	-0.06* (0.03)	-0.08* (0.04)
R ²	0.00	0.01	0.01
Adj. R ²	0.00	0.01	0.01
Num. obs.	6309	2346	1873
RMSE	0.27	0.21	0.25

One-sided p-values, at least 1 * = $p < .05$

Appendix B: Census 2020 Telephone Survey Instrument

Scr1. Hello, my name is _____. This is not a sales call. I am calling on behalf of Pacific Market Research, as part of an academic research project. We are conducting a short public opinion survey about important issues in the state of [INSERT STATE]. This survey is completely anonymous and confidential.

Scr2. Record language of survey

Spanish 1
English 2
Chinese 3
Korean 4
Vietnamese 5

Scr3. Thank you for your time. All of your answers are completely confidential and anonymous. Please answer every question as truthfully as possible, this is no right or wrong answer, we just want to hear from you.

Okay, are you currently age 18 or over?

Yes, 18 or over 1
Not, under age 18 2

Scr4. [IF SCR3=UNDER 18] Is there someone 18 or older in the household who can take this survey?

Yes / HAND-OFF CALL 1
Yes / ARRANGE CALL-BACK 2
No 3

Scr5. In order to make sure we have a representative sample of everyone across America, let's start with a few basic demographic questions to ensure this study is inclusive of everyone. What do you consider your race or ethnicity to be? [OPEN END, CODE TO LIST]
[ALLOW MULTIPLE, RECORD ORDER OR MENTION]

White, not-Hispanic 1
Hispanic or Latino 2
Black or African American 3
Asian American 4
Middle Eastern or Arab 5
American Indian/Native American 6
Other [SPECIFY] 7

Scr5B. [IF SCR3=OTHER] SPECIFY _____

Scr6. What is your current state of residence?

Drop down with all 50 states + DC

Scr7. [IF HIDALGO/CAMERON SAMPLE]. In what county do you live here in Texas?

Cameron County..... 1
Hidalgo County 2
Other County in TX [TERM]..... 3

Scr8. And finally, can you verify your 5-digit zip code? _ _ _ _ _

MAIN SURVEY

1. The Census is an official population count that is conducted every 10 years by the federal government. It requires all households to list the name, age, and race or ethnicity of every person living in the home and provide that information to the Census Bureau either online, by mail, or in-person with a census taker. The Census is required to keep this information confidential, and every single household in the country is required to participate.

In March 2020 you will receive an invitation from the U.S. Census to fill out the census form. Do you plan to participate and submit your household information?

Yes, will participate..... 1
No, will NOT participate..... 2
Refused to answer (VOL) 99

2. In 2020, the federal government is adding a new question to require you to list whether you, and every person in your household is a U.S. citizen, or not a citizen. With the addition of a citizenship question, will you participate and submit your household information, or not?

Yes, will participate..... 1
No, will NOT participate..... 2
Refused to answer (VOL) 99

3. It is against the law for the Census Bureau to disclose, make public, or share with anyone including other federal agencies the personal information collected from anyone including their citizenship status. According to the law, the Census Bureau can only disclose information gathered in the census for the purpose of producing statistical counts.

Do you trust the Trump administration to protect your personal information, including the citizenship of you and members of your household, or do you think they will share this information with other federal agencies?

Trust them to protect my information..... 1
I think they will share my information 2
Don't know (VOL) 3
It depends (VOL) 4
Refused to answer (VOL) 99

4. Including you, how many total people, children and adults, currently live in your household? _____
5. How many total people age 18 or older live in your household? _____
6. How many total people UNDER the age of 18 live in your household? _____

7. [SPLIT A] Now that you've heard a little bit about the 2020 Census let me ask you one final question about how likely you are to participate. If the government decides in 2020 to NOT include a question about citizenship status, and instead only asks you to report the race, ethnicity, age, gender of people living in your household, and the government provides assurances that your information will be kept confidential and ONLY used for purposes of counting the total population and nothing more, would you participate and fill out the 2020 Census form, or not?

{**Note to interviewer:** If respondent says "don't know" probe: do you think you probably will, or probably will not participate?"}

Yes, will participate..... 1
 No, will NOT participate..... 2
 Refused to answer (VOL) 99

8. [SPLIT B] Now that you've heard a little bit about the 2020 Census let me ask you one final question about how likely you are to participate. If the government decides in 2020 to include a question about citizenship status, and asks you to report the race, ethnicity, age, gender and citizenship status of people living in your household, and the government provides assurances that your information will be kept confidential and ONLY used for purposes of counting the total population and nothing more, would you participate and fill out the 2020 Census form, or not?

{**Note to interviewer:** If respondent says "don't know" probe: do you think you probably will, or probably will not participate?"}

Yes, will participate..... 1
 No, will NOT participate..... 2
 Refused to answer (VOL) 99

9. [IF RESPONDENT WAS ASSIGNED TO SPLIT A IN QUESTION #7] But let's suppose the federal government does put the citizenship question on the census survey, which they intend to do. How concerned, or not concerned are you that census answers about the citizenship status of you or your family could be shared with Immigration and Customs Enforcement

Very concerned..... 1
 Somewhat concerned 2
 Not too concerned..... 3
 Not at all concerned 4
 Refused to answer (VOL) 99

Okay, just a few final demographic questions to ensure that we have an accurate and representative sample of all Americans. All questions on this survey are completely anonymous and confidential, but important to make sure the research is accurate. Thank you for help.

10. [IF Scr5=Latino] Hispanics and Latinos have their roots in many different countries in Latin America. To what country do you or your family trace your ancestry? [OPEN-ENDED WITH LIST OF ALL COUNTRIES]

Argentina	1
Bolivia	2
Chile	3
Colombia.....	4
Costa Rica.....	5
Cuba.....	6
Dominican Republic	7
Ecuador	8
El Salvador	9
Guatemala	10
Honduras	11
Mexico	12
Nicaragua	13
Panama	14
Paraguay	15
Peru	16
Puerto Rico	17
Uruguay	18
Venezuela	19
Spain / Spanish.....	20
United States / America	21
Other country	22
Don't know	88

11b. [IF Q10 = 20 – 88] Do you consider any part of your family ancestry to be of Mexican, or Mexican-American descent?

Yes, Mexican or Mexican-American.....	1
No	2

11. [IF Scr5=Asian] Asian Americans have their roots in many different countries in Asia. To what country do you or your family trace your ancestry? [OPEN-ENDED WITH LIST OF ALL COUNTRIES]

China	1
Taiwan.....	2
India.....	3
Korea.....	4
The Philippines.....	5
Vietnam.....	6
Japan.....	7
Pakistan.....	8
Thailand.....	9
Iran.....	10
Bangladesh.....	11
Laos.....	12
Cambodia.....	13
Other: SPECIFY.....	14

12. Were you born in the United States, [IF Latino “on the island of Puerto Rico,”] or in another country?

United States	1
Puerto Rico	2
Other Country	3

13. [IF Q12=1]. How about your parents, were they born in the United States, [IF LATINO “in Puerto Rico,”] or in another country?

Both parents born in U.S.....	1
Both parents born in another country	2
Both parents born in Puerto Rico	3
1 parent born in U.S. & 1 parent born abroad	4
Don't know	88

14. What is the highest level of education you completed?

Grades 1 - 8.....	1
Some High School	2
High School graduate.....	3
Some college / technical school.....	4
College graduate.....	5
Post-graduate degree	6

15. In what year were you born? _ _ _ _

16. What was your total combined household income in 2017 before taxes? This question is completely confidential and just used to help classify the responses, but it is very important for our research.

Less than \$20,000	1
\$20,000 to \$29,999.....	2
\$30,000 to \$39,999.....	3
\$40,000 to \$49,999.....	4
\$50,000 to \$59,999.....	5
\$60,000 to \$69,999.....	6
\$70,000 to \$79,999.....	7
\$80,000 to \$89,999.....	8
\$90,000 to \$99,999.....	9
\$100,000 to \$149,999.....	10
\$150,000 to \$199,999.....	11
More than \$200,000	12
Don't know	88
Refused to answer (VOL).....	99

17. Which best describes your current status?

Single	1
Not married, but living with partner.....	2
Married	3
Widowed	4
Separated or divorced	5
Something else	6
Refused to answer (VOL)	99

Appendix C – Barreto CV

MATT A. BARRETO – BARRETOM@UCLA.EDU

UNIVERSITY OF CALIFORNIA, LOS ANGELES, 3345 BUNCHE HALL, LOS ANGELES CA 90095

EMPLOYMENT:

Professor, Political Science, University of California Los Angeles (2015 – present)
Professor, Chicana/o Studies, University of California Los Angeles (2015 – present)
Co-Founder & Director, UCLA Latino Policy & Politics Initiative

Dept. Political Science, University of Washington

Professor (2014 – 2015)

Associate Professor (2009 – 2014)

Assistant Professor (2005 – 2009)

Co-Founder & Director, Washington Institute for the Study of Ethnicity and Race

Founding Director, Center for Democracy and Voting Rights, UW School of Law

Affiliated Research Centers

Latino Policy & Politics Initiative (LPPI), University of California, Los Angeles

Chicano Studies Research Center (CSRC), University of California, Los Angeles

Center for the Study of Los Angeles (CSLA), Loyola Marymount University

PERSONAL:

Born: June 6, 1976

San Juan, Puerto Rico

High School: 1994, Washburn Rural HS, Topeka, KS

EDUCATION:

Ph.D., Political Science, June 2005

University of California – Irvine

Sub Fields: American Politics / Race, Ethnicity and Politics / Methodology

Thesis: Ethnic Cues: The Role of Shared Ethnicity in Latino Political Participation

Thesis Committee: Bernard Grofman (chair), Louis DeSipio, Katherine Tate, Carole Uhlaner

Thesis Awards: *Ford Foundation Dissertation Fellowship for Minorities, 04-05*

University of California President's Dissertation Fellowship, 04-05

University of California Institute for Mexico & the U.S. Dissertation Grant, 04-05

Master of Science, Social Science, March 2003

University of California – Irvine

Bachelor of Science, Political Science, May 1998

Eastern New Mexico University, Portales, NM

Minor: English. Cumulative GPA: 3.9, *Summa Cum Laude*

PUBLICATION RECORD

[Google Scholar citation indices](#): Cites: 2,758 h-index: 26 i10-index: 44 Years post-PhD: 13 Cites/year: 212

BOOK MANUSCRIPTS:

Barreto, Matt and Christopher Parker. nd. The Great White Hope: Donald Trump, Race, and the Crisis of American Politics. Under Contract, University of Chicago Press. *expected 2019*

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33. Barreto, Matt, Luis Fraga, Sylvia Manzano, Valerie Martinez-Ebers, and Gary Segura. 2008. "Should they dance with the one who brung 'em? Latinos and the 2008 Presidential election" *PS: Political Science & Politics*. 41 (Oct).
32. Barreto, Matt, Mara Marks and Nathan Woods. 2008. "Are All Precincts Created Equal? The Prevalence of Low- Quality Precincts in Low-Income and Minority Communities." *Political Research Quarterly*. 62
31. Barreto, Matt. 2007. "Sí Se Puede! Latino Candidates and the Mobilization of Latino Voters." *American Political Science Review*. 101 (August): 425-441.

30. Barreto, Matt and David Leal. 2007. "Latinos, Military Service, and Support for Bush and Kerry in 2004." *American Politics Research*. 35 (March): 224-251.
29. Barreto, Matt, Mara Marks and Nathan Woods. 2007. "Homeownership: Southern California's New Political Fault Line?" *Urban Affairs Review*. 42 (January). 315-341.
28. Barreto, Matt, Matt Streb, Fernando Guerra, and Mara Marks. 2006. "Do Absentee Voters Differ From Polling Place Voters? New Evidence From California." *Public Opinion Quarterly*. 70 (Summer): 224-34.
27. Barreto, Matt, Fernando Guerra, Mara Marks, Stephen Nuño, and Nathan Woods. 2006. "Controversies in Exit Polling: Implementing a racially stratified homogenous precinct approach." *PS: Political Science & Politics*. 39 (July) 477-83.
26. Barreto, Matt, Ricardo Ramírez, and Nathan Woods. 2005. "Are Naturalized Voters Driving the California Latino Electorate? Measuring the Impact of IRCA Citizens on Latino Voting." *Social Science Quarterly*. 86 (December): 792-811.
25. Barreto, Matt. 2005. "Latino Immigrants at the Polls: Foreign-born Voter Turnout in the 2002 Election." *Political Research Quarterly*. 58 (March): 79-86.
24. Barreto, Matt, Mario Villarreal and Nathan Woods. 2005. "Metropolitan Latino Political Behavior: Turnout and Candidate Preference in Los Angeles." *Journal of Urban Affairs*. 27(February): 71-91.
23. Leal, David, Matt Barreto, Jongho Lee and Rodolfo de la Garza. 2005. "The Latino Vote in the 2004 Election." *PS: Political Science & Politics*. 38 (January): 41-49.
22. Marks, Mara, Matt Barreto and Nathan Woods. 2004. "Harmony and Bliss in LA? Race and Racial Attitudes a Decade After the 1992 Riots." *Urban Affairs Review*. 40 (September): 3-18.
21. Barreto, Matt, Gary Segura and Nathan Woods. 2004. "The Effects of Overlapping Majority-Minority Districts on Latino Turnout." *American Political Science Review*. 98 (February): 65-75.
20. Barreto, Matt and Ricardo Ramírez. 2004. "Minority Participation and the California Recall: Latino, Black, and Asian Voting Trends 1990 – 2003." *PS: Political Science & Politics*. 37 (January): 11-14.
19. Barreto, Matt and José Muñoz. 2003. "Reexamining the 'politics of in-between': political participation among Mexican immigrants in the United States." *Hispanic Journal of Behavioral Sciences*. 25 (November): 427-447.
18. Barreto, Matt. 2003. "National Origin (Mis)Identification Among Latinos in the 2000 Census: The Growth of the "Other Hispanic or Latino" Category." *Harvard Journal of Hispanic Policy*. 15 (June): 39-63.

Edited Volume Book Chapters

17. Gutierrez, Angela, Angela Ocampo and Matt Barreto. 2018. "Obama's Latino Legacy: From Unknown to Never Forgotten" In Andrew Rudalevige and Bert Rockman (eds.) The Obama Legacy. Lawrence, KS: University of Kansas Press.
16. Barreto, Matt, Thomas Schaller and Gary Segura. 2017. "Latinos and the 2016 Election: How Trump Lost Latinos on Day 1" In Larry Sabato, Kyle Konkik, Geoffrey Skelley (eds.) Trumped: The 2016 Election that Broke All the Rules. New York: Rowman & Littlefield.
15. Walker, Hannah, Gabriel Sanchez, Stephen Nuño, Matt Barreto 2017. "Race and the Right to Vote: The Modern Barrier of Voter ID Laws" In Todd Donovan (ed.) Election Rules and Reforms. New York: Rowman & Littlefield.
14. Barreto, Matt and Christopher Parker. 2015. "Public Opinion and Reactionary Movements: From the Klan to the Tea Party" In Adam Berinsky (ed.) New Directions in Public Opinion. 2nd edition. New York: Routledge Press.
13. Barreto, Matt and Gabriel Sanchez. 2014. "A 'Southern Exception' in Black-Latino Attitudes?." In Anthony Affigne, Evelyn Hu-Dehart, Marion Orr (eds.) Latino Politics en Ciencia Política. New York: New York University Press.

12. Barreto, Matt, Ben Gonzalez, and Gabriel Sanchez. 2014. "Rainbow Coalition in the Golden State? Exposing Myths, Uncovering New Realities in Latino Attitudes Towards Blacks." In Josh Kun and Laura Pulido (eds.) Black and Brown in Los Angeles: Beyond Conflict and Coalition. Berkeley, CA: University of California Press.
11. Barreto, Matt, Loren Collingwood, Ben Gonzalez, and Christopher Parker. 2011. "Tea Party Politics in a Blue State: Dino Rossi and the 2010 Washington Senate Election" In William Miller and Jeremy Walling (eds.) Stuck in the Middle to Lose: Tea Party Effects on 2010 U.S. Senate Elections. Rowman & Littlefield Publishing Group.
10. Jason Morin, Gabriel Sanchez and Matt Barreto. 2011. "Perceptions of Competition Between Latinos and Blacks: The Development of a Relative Measure of Inter-Group Competition." In Edward Telles, Gaspar Rivera-Salgado and Mark Sawyer (eds.) Just Neighbors? Research on African American and Latino Relations in the US. New York: Russell Sage Foundation.
9. Grofman, Bernard, Frank Wayman and Matt Barreto. 2009. "Rethinking partisanship: Some thoughts on a unified theory." In John Bartle and Paolo Bellucci (eds.) Political Parties and Partisanship: Social identity and individual attitudes. New York: Routledge Press.
8. Barreto, Matt, Ricardo Ramírez, Luis Fraga and Fernando Guerra. 2009. "Why California Matters: How California Latinos Influence the Presidential Election." In Rodolfo de la Garza, Louis DeSipio and David Leal (eds.) Beyond the Barrio: Latinos in the 2004 Elections. South Bend, ID: University of Notre Dame Press.
7. Francisco Pedraza and Matt Barreto. 2008. "Exit Polls and Ethnic Diversity: How to Improve Estimates and Reduce Bias Among Minority Voters." In Wendy Alvey and Fritz Scheuren (eds.) Elections and Exit Polling. Hoboken, NJ: Wiley and Sons.
6. Adrian Pantoja, Matt Barreto and Richard Anderson. 2008. "Politics y la Iglesia: Attitudes Toward the Role of Religion in Politics Among Latino Catholics" In Michael Genovese, Kristin Hayer and Mark J. Rozell (eds.) Catholics and Politics. Washington, D.C: Georgetown University Press..
5. Barreto, Matt. 2007. "The Role of Latino Candidates in Mobilizing Latino Voters: Revisiting Latino Vote Choice." In Rodolfo Espino, David Leal and Kenneth Meier (eds.) Latino Politics: Identity, Mobilization, and Representation. Charlottesville: University of Virginia Press.
4. Abosch, Yishaiya, Matt Barreto and Nathan Woods. 2007. "An Assessment of Racially Polarized Voting For and Against Latinos Candidates in California." In Ana Henderson (ed.) Voting Rights Act Reauthorization of 2006: Perspectives on Democracy, Participation, and Power. Berkeley, CA: UC Berkeley Public Policy Press.
3. Barreto, Matt and Ricardo Ramirez. 2005. "The Race Card and California Politics: Minority Voters and Racial Cues in the 2003 Recall Election." In Shaun Bowler and Bruce Cain (eds.) Clicker Politics: Essays on the California Recall. Englewood-Cliffs: Prentice-Hall.
2. Barreto, Matt and Nathan Woods. 2005. "The Anti-Latino Political Context and its Impact on GOP Detachment and Increasing Latino Voter Turnout in Los Angeles County." In Gary Segura and Shawn Bowler (eds.) Diversity in Democracy: Minority Representation in the United States. Charlottesville: University of Virginia Press.
1. Pachon, Harry, Matt Barreto and Frances Marquez. 2004. "Latino Politics Comes of Age in the Golden State." In Rodolfo de la Garza and Louis DeSipio (eds.) Muted Voices: Latino Politics in the 2000 Election. New York: Rowman & Littlefield

RESEARCH AWARDS AND FELLOWSHIPS

April 2018	Democracy Fund & Wellspring Philanthropic UCLA Latino Policy & Politics Initiative [With Sonja Diaz]	\$200,000 – 18 months
March 2018	AltaMed California UCLA Latino Policy & Politics Initiative [With Sonja Diaz]	\$250,000 – 12 months
Dec 2017	California Community Foundation UCLA Latino Policy & Politics Initiative [With Sonja Diaz]	\$100,000 – 12 months
July 2013	Ford Foundation UW Center for Democracy and Voting Rights	\$200,000 – 12 months
April 2012	American Values Institute [With Ben Gonzalez] Racial Narratives and Public Response to Racialized Moments	\$40,000 – 3 months
Jan 2012	American Civil Liberties Union Foundation [With Gabriel Sanchez] Voter Identification Laws in Wisconsin	\$60,000 – 6 months
June 2011	State of California Citizens Redistricting Commission An Analysis of Racial Bloc Voting in California Elections	\$60,000 – 3 months
Apr 2011	Social Science Research Council (SSRC) [With Karam Dana] Muslim and American? A national conference on the political and social incorporation of American Muslims	\$50,000 – 18 months
Jan 2011	impreMedia [With Gary Segura] Latino public opinion tracking poll of voter attitudes in 2011	\$30,000 – 6 months
Oct 2010	National Council of La Raza (NCLR) [With Gary Segura] Measuring Latino Influence in the 2010 Elections	\$128,000 – 6 months
Oct 2010	We Are America Alliance (WAAA) [With Gary Segura] Latino and Asian American Immigrant Community Voter Study	\$79,000 – 3 months
May 2010	National Council of La Raza (NCLR) [With Gary Segura] A Study of Latino Views Towards Arizona SB1070	\$25,000 – 3 months
Apr 2010	Social Science Research Council (SSRC) [With Karam Dana] Muslim and American? The influence of religiosity in Muslim political incorporation	\$50,000 – 18 months
Oct 2009	American Association of Retired Persons (AARP) [With Gary Segura] Health care reform and Latino public opinion	\$25,000 – 3 months
Nov 2008	impreMedia & National Association of Latino Elected Officials (NALEO) [With Gary Segura] 2008 National Latino Post-Election Survey, Presidential Election	\$46,000 – 3 months
July 2008	National Association of Latino Elected Officials (NALEO) [With Gary Segura] Latino voter outreach survey – an evaluation of Obama and McCain	\$72,000 – 3 months
June 2008	The Pew Charitable Trusts, Make Voting Work Project [with Karin MacDonald and Bonnie Glaser] Evaluating Online Voter Registration (OVR) Systems in Arizona and Washington	\$220,000 – 10 months
April 2008	National Association of Latino Elected Officials (NALEO) & National Council of La Raza (NCLR), 2008 Latino voter messaging survey	\$95,000 – 6 months

RESEARCH GRANTS AND FELLOWSHIPS CONTINUED...

Dec. 2007	Research Royalty Fund, University of Washington 2008 Latino national post-election survey	\$39,000 – 12 months
Oct. 2007	Brenan Center for Justice, New York University [with Stephen Nuño and Gabriel Sanchez] Indiana Voter Identification Study	\$40,000 – 6 months
June 2007	National Science Foundation, Political Science Division [with Gary Segura] American National Election Study – Spanish translation and Latino oversample	\$750,000 – 24 months
Oct. 2006	University of Washington, Vice Provost for Undergraduate Education Absentee voter study during the November 2006 election in King County, WA	\$12,000 – 6 months
Mar. 2006	Latino Policy Coalition Public Opinion Research Grant [with Gary Segura] Awarded to the Washington Institute for the Study of Ethnicity and Race	\$40,000 – 18 months
2005 – 2006	University of Washington, Institute for Ethnic Studies, Research Grant	\$8,000 – 12 months
Mar. 2005	Thomas and Dorothy Leavey Foundation Grant [with Fernando Guerra] Conduct Exit Poll during Los Angeles Mayoral Election, Mar. 8 & May 17, 2005 Awarded to the Center for the Study of Los Angeles	\$30,000 – 6 months
2004 – 2005	Ford Foundation Dissertation Fellowship for Minorities	\$21,000 – 12 months
2004 – 2005	University of California President's Dissertation Fellowship	\$14,700 – 9 months
2004 – 2005	University of California Mexico-US (UC MEXUS) Dissertation Grant	\$12,000 – 9 months
Apr – 2004	UC Regents pre-dissertation fellowship, University of California, Irvine,	\$4,700 – 3 months
2003 – 2004	Thomas and Dorothy Leavey Foundation Grant [with Fernando Guerra] Awarded to the Center for the Study of Los Angeles	\$20,000 – 12 months
2002 – 2003	Ford Foundation Grant on Institutional Inequality [with Harry Pachon] Conducted longitudinal study of Prop 209 on Latino and Black college admittance Awarded to Tomás Rivera Policy Institute	\$150,000 – 12 months
2002 – 2003	Haynes Foundation Grant on Economic Development [with Louis Tornatzky] Knowledge Economy in the Inland Empire region of Southern California Awarded to Tomás Rivera Policy Institute	\$150,000 – 18 months
2001 – 2002	William F Podlich Graduate Fellowship, Center for the Study of Democracy, University of California, Irvine	\$24,000 – 9 months

RESEARCH UNDER REVIEW/WORKING PAPERS:

Barreto, Matt, and Christopher Parker. The Great White Hope: Donald Trump, Race, and the Crisis of American Politics.
Under Contract, University of Chicago Press, *expected 2019*

Barreto, Matt, Loren Collingwood, Sergio Garcia-Rios and Kassra Oskooii. "Estimating Candidate Support: Comparing Iterative
EI and EI-RxC Methods" Revise and Resubmit

Barreto, Matt and Christopher Parker. "The Great White Hope: Existential Threat and Demographic Anxiety in the Age of
Trump." Revise and Resubmit.

Barreto, Matt, Natalie Masuoka, Gabe Sanchez and Stephen El-Khatib. "Religiosity, Discrimination and Group Identity Among
Muslim Americans" Revise and Resubmit

Barreto, Matt, Gabe Sanchez and Barbara Gomez. "Latinos, Blacks, and Black Latinos: Competition, Cooperation, or
Indifference?" Revise and Resubmit

Chouhoud, Youssef, Karam Dana, and Matt Barreto. "American Muslim Political Participation: A Comprehensive Demographic
Analysis Politics and Religion" Revise and Resubmit.

Barreto, Matt, Stephen Nuño, Gabriel Sanchez, and Hannah Walker. "Race, Class and Barriers to Voting in the 21st Century: The
Unequal Impact of Voter ID Laws." Revise and Resubmit

Walker, Hannah, Matt Barreto, Stephen Nuño, and Gabriel Sanchez. "A comprehensive review of access to valid photo ID and the
right to vote in America" [Under review]

Gutierrez, Angela, Angela Ocampo, Matt Barreto and Gary Segura. "From Proposition 187 to Donald Trump: New Evidence that
Anti-Immigrant Threat Mobilizes Latino Voters." [Under Review]

Collins, Jonathan, Matt Barreto, Gregory Leslie and Tye Rush. "Racial Efficacy and Voter Enthusiasm Among African Americans
Post-Obama" [Under Review]

Oskooii, Kassra, Matt Barreto, and Karam Dana. "No Sharia, No Mosque: Orientalist Notions of Islam and Intolerance Toward
Muslims in the United States" [Under Review]

Barreto, Matt, David Redlawsk and Caroline Tolbert. "Framing Barack Obama: Muslim, Christian or Black?"
[Working paper]

EXPERT DEPOSITION OR TESTIMONY, LAST 4 YEARS:

- Dallas County, TX, 2017, Expert for Defense in Section 2 VRA lawsuit, Harding v. Dallas County
- Kansas, 2016, Expert for Plaintiffs in Kansas voter registration lawsuit, Fish v. Kobach 2:16-cv-02105-JAR
- North Dakota, 2015, Expert for Plaintiffs in North Dakota voter ID lawsuit, Brakebill v. Jaeger 1:16-cv-00008-CSM
- Texas, 2014, Testifying Expert for Plaintiffs in Texas voter ID lawsuit, Veasey v. Perry 2:13-cv-00193

**TEACHING
EXPERIENCE:**

UCLA & UW

2005 – Present

- Minority Political Behavior (Grad Seminar)
- Politics of Immigration in the U.S. (Grad Seminar)
- Introduction to Empirical/Regression Analysis (Grad Seminar)
- Advanced Empirical/Regression Analysis (Grad Seminar)
- Qualitative Research Methods (Grad Seminar)
- Political Participation & Elections (Grad Seminar)
- The Voting Rights Act (Law School seminar)
- Research methodology II (Law School Ph.D. program seminar)
- U.S. Latino Politics
- Racial and Ethnic Politics in the U.S.
- Politics of Immigration in the U.S.
- Introduction to American Government
- Public Opinion Research
- Campaigns and Elections in the U.S.
- Presidential Primary Elections

Teaching Assistant

University of California, Irvine

2002 – 2005

- Intro to American Politics (K. Tate)
- Intro to Minority Politics (L. DeSipio)
Recognized as Outstanding Teaching Assistant, Winter 2002
- Statistics and Research Methods (B. Grofman)
Recognized as Outstanding Teaching Assistant, Winter 2003

**BOARD &
RESEARCH
APPOINTMENTS**

Founding Partner

Latino Decisions

2007 – Present

Senior Research Fellow

Center for the Study of Los Angeles, Loyola Marymount University

2002 – Present

Board of Advisors

American National Election Study, University of Michigan

2010 – Present

Advisory Board

States of Change: Demographics & Democracy Project
CAP, AEI, Brookings Collaborative Project

2014 – Present

Research Advisor

American Values Institute / Perception Institute

2009 – 2014

Expert Consultant

State of California, Citizens Redistricting Committee

2011 – 2012

Senior Scholar & Advisory Council

Latino Policy Coalition, San Francisco, CA

2006 – 2008

Board of Directors

CASA Latina, Seattle, WA

2006 – 2009

Faculty Research Scholar

Tomás Rivera Policy Institute, University of Southern California

1999 – 2009

Committee Chair or Co-Chair

- Francisco I. Pedraza – University of California, Riverside (UW Ph.D. 2009)
- Loren Collingwood – University of California, Riverside (UW Ph.D. 2012)
- Betsy Cooper – Public Religion Research Institute, Washington DC (UW Ph.D. 2014)
- Sergio I. Garcia-Rios – Cornell University (UW Ph.D. 2015)
- Hannah Walker – Rutgers University (UW Ph.D. 2016)
- Kassra Oskooii – University of Delaware (UW Ph.D. 2016)
- Angela Ocampo – Arizona State University (UCLA Ph.D. 2018)
- Ayobami Laniyonu – University of Toronto (UCLA Ph.D. 2018)
- Adria Tinin – *in progress* (UCLA ABD)
- Bang Quan Zheng – *in progress* (UCLA ABD)
- Bryan Wilcox-Archuleta – *in progress* (UCLA ABD)
- Tyler Reny – *in progress* (UCLA ABD)
- Angie Gutierrez – *in progress* (UCLA)
- Shakari Byerly-Nelson – *in progress* (UCLA)
- Vivien Leung – *in progress* (UCLA)

Committee Member

- Jessica Stewart – Emory University (UCLA Ph.D. 2018)
- Jonathan Collins – Brown University (UCLA Ph.D., 2017)
- Lisa Sanchez – University of Arizona (UNM Ph.D., 2016)
- Nazita Lajevardi – Michigan State University (UC San Diego Ph.D., 2016)
- Kiku Huckle – Pace University (UW Ph.D. 2016)
- Patrick Rock (Social Psychology) – (UCLA Ph.D. 2016)
- Raynee Gutting – Loyola Marymount University (Stony Brook Ph.D. 2015)
- Christopher Towler – Sacramento State University (UW Ph.D. 2014)
- Benjamin F. Gonzalez – San Diego State University (UW Ph.D. 2014)
- Marcela Garcia-Castañon – San Francisco State University (UW Ph.D. 2013)
- Justin Reedy (Communications) – University of Oklahoma (UW Ph.D. 2012)
- Dino Bozonelos – Cal State San Marcos (UC Riverside Ph.D. 2012)
- Brandon Bosch – University of Nebraska (UW Ph.D. 2012)
- Karam Dana (Middle East Studies) – UW Bothell (UW Ph.D. 2010)
- Joy Wilke – *in progress* (UCLA ABD)
- Erik Hanson – *in progress* (UCLA)
- Christine Slaughter – *in progress* (UCLA)