

2020 Census:

How Survivors of Domestic Violence Can Safely Participate, and Implications for AANHPI Survivors and Communities

Asian Pacific Institute on Gender-Based Violence, March 2020

1. Why Is Participation in the Census Important?

Purpose of the census

The purpose of a census is to gather an official count of every resident in the United States. The census is conducted every ten years by the United States federal government and is overseen by the Census Bureau. The census collects information about the name, sex, age, date of birth, and race of every individual in a household.

Impact of census data on communities and states

The information collected through the census is used to determine the distribution of the more than \$675 billion per year in federal funding, grants, and support for states, counties, and communities based on population totals and breakdowns by sex, age, race, and other factors. Businesses, developers, local governments, and residents also use the data from the census for planning purposes, including forecasting the needs of communities and the placement and implementation of programs and services.¹ The results of the census also affect the number of congressional seats for the House of Representatives and Electoral College votes for each state. Participation in the census is therefore very important to ensure accurate representation in Congress and that each community has funding for vital services and can plan its programs appropriately.

The census influences funding and planning for the following services, programs, and resources, among others:

- Violence Against Women Formula Grants, ie Services, Training, Officers and Prosecutors (STOP)
- Family Violence Prevention and Services/Grants for domestic violence shelters and services

¹ United States Census Bureau. *Decennial Census of Population and Housing*. <https://www.census.gov/programs-surveys/decennial-census/about/why.html>

- OVW Rural Domestic Violence, Dating Violence, Sexual Assault, and Stalking Assistance Program
- Crime Victim Assistance
- Supplemental Nutrition Assistance Program (SNAP)
- Temporary Assistance for Needy Families (TANF)
- Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
- Section 8 housing choice vouchers and housing assistance payment programs
- Educational programs
- Public transportation
- Planning for hospitals, nursing homes, clinics, and the location of other health services
- Services for people in poverty
- Services for children and adults with limited English language proficiency
- Forecasting future housing needs for each segment of the population
- Facilities for people with disabilities, the elderly, or children²

2. When is the Census Taking Place?

Census Timeline

The 2020 Census begins on January 21, 2020, when the U.S. Census Bureau counts the population in rural Alaska.

From March 12 – 20, households will begin receiving official Census Bureau mail with detailed information on how to participate in the 2020 Census.

During March 30 – April 1, the Census Bureau will count people who are experiencing homelessness.

Census Day

April 1, 2020 is designated as Census Day. By then, all households will receive an invitation to participate in the census and are to provide answers to the questions on the census as it applies to April 1, 2020. For example, a participant will use the address where they reside on

² United States Census Bureau (2017). *Uses of Census Bureau Data in Federal Funds Distribution*. <https://www.census.gov/library/working-papers/2017/decennial/census-data-federal-funds.html>

April 1, 2020 and provide information on the number of members who are residing in the household based on who is living there on that same date.

3. Why is it Important for Survivors of Domestic Violence to Participate in the Census?

Program Funding

It is important for survivors of domestic violence to have the opportunity to participate in the census, as their inclusion in the census will be crucial to ensuring that there will be sufficient funding available for federal resources and programs that support survivors.

It is crucial for survivors to have the opportunity to respond to the census so that the states, counties, and local communities in which they reside receive adequate funding in grants to operate programs and expand public works that support survivors and their families.

Federal agencies determine the distribution of funding in state and local grants for numerous programs and services by using a formula that takes into account the accumulation of U.S. census data provided by individuals from each state, county, and local community. States, counties, and communities where census participants produce information that demonstrates a great need for funding to continue certain programs and create more public works will receive more funding than the areas where the data does not demonstrate as great of a need. However, the accuracy of the need depends on what proportion of the residents in each state, county, and community participated in the census. When a high proportion of residents respond to the census, more accurate data is produced that properly describes the state of affairs and needs of these areas. However, in instances where residents – such as survivors – of states, counties, and communities who could provide information that would attest to the need for funding for programs and public works choose not to participate in the census, the data produced would falsely indicate that these areas do not have a great need for funding. Even a 1% undercount can cost a state millions of dollars.³ It is therefore extremely important that survivors of domestic violence be given all of the information necessary to make an informed decision as to whether or not to participate in the census.

States then determine how to distribute the funds they received in state grants for different programs and services to different local communities by using the U.S. census data.

³ Levine, A. J., & Still, A. (2019). *Why the census matters*. Reuters. Retrieved from <https://graphics.reuters.com/USA-CENSUS/010092JZ39N/index.html>.

Survivor-related programs

Census data affects funding for programs that directly assist survivors in escaping from abuse and rebuilding their lives. These include public benefits for housing, food, and financial assistance; Family Violence services and grants for domestic violence prevention and shelter; grants for mental health services; Violence Against Women formula grants; and the Rural Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program.⁴ In addition, state and local governments use U.S. Census data to determine how to allocate state and local funding and for policy related planning.⁵ Likewise, other non-governmental organizations use such data for their planning.

School and education programs

Information provided on the Census influences another important area of funding that impacts immigrant survivors and their children: Education.

The U.S. Department of Education (ED) uses census data to determine distribution of funding for the following programs:

- Title I (Education for the Disadvantaged) grants to local education agencies and schools with high percentages of children from low-income families to provide targeted services for children who are failing, or at most risk of failing, to meet State academic standards. Schools in which children from low-income families make up 40 percent or more of the students can operate either targeted services or school-wide programs for all children in the school in order to raise the achievement of the lowest-achieving students.
- English Language Acquisition grants to provide enhanced instructional opportunities to help limited English proficient (LEP) children and youths learn English and meet State academic standards.
- Grants for adult education programs, including programs for literacy, English language proficiency, learning math, and workforce preparation activities.

The U.S. Department of Health and Human Services (HHS) uses census data to allot funding for the following programs:

- Head Start, which provides services to support the development of children ages birth to five who are in low-income families, and the well-being of the families overall, in order to promote school readiness.

⁴ United States Census Bureau, *supra* note 1.

⁵ <https://www.nap.edu/read/4805/chapter/17#274>

- Child Care and Development Fund, which provides financial assistance to low-income families to pay for child care services because family members are working, enrolled in work-related training, and/or attending school.

The U.S. Department of Agriculture (USDA) uses census data to allocate funding for the School Breakfast Program and National School Lunch Program. These programs provide funding so that children from low-income families can receive free or reduced-price breakfast and lunch meals provided by participating public and nonprofit private schools and child care institutions.

State funding and policy-related planning

State and local governments use census data to determine how to distribute the funds. State and local governments use census data to decide policy planning as well, as the census collects information about the needs of a community.

4. What Concerns Might the Census Raise For Domestic Violence Survivors, Including Immigrant Survivors?

Privacy & Confidentiality

Information privacy is of particular concern for survivors of domestic violence. Survivors may fear that abusers may access any personal information they provide on the census, putting their and their families' safety at risk. This concern may be particularly heightened among immigrant survivors of domestic violence. Concerns of privacy are also high among immigrants and minorities. 42% of Asians, 38% of Blacks, 35% of Hispanics, and 32% of those of other or multiple races (e.g. American Indians, Alaska Natives, Native Hawaiians, Pacific Islanders, and people who are of multiple or other races) reported being very or extremely concerned that their answers to the census will not be kept confidential.⁶

The Census Bureau is required by law to protect all personal information collected through the census and to keep it **strictly confidential**. See, Title 13, U.S. Code.⁷ The information also cannot be used to identify a particular individual, business, or organization. Responses are only used to produce aggregate statistics and cannot be used for law enforcement

⁶ United States Census Bureau (2019). *2020 Census Barriers, Attitudes, and Motivators Study Survey Report*. <https://www2.census.gov/programs-surveys/decennial/2020/program-management/final-analysis-reports/2020-report-cbams-study-survey.pdf>

⁷ For more information about the laws protecting the confidentiality of census data, see https://www.brennancenter.org/sites/default/files/2019-08/Report_Federal_Laws_Census_Confidentiality.pdf

purposes or to determine eligibility for government benefits. Penalties for violation include fines up to \$250,000 and the possibility of 5 years' incarceration.

Citizenship Question

All those residing in the United States are legally required to participate in the census, regardless of immigration status. However, immigrant populations and minorities report being concerned that the information they provide on the census will be used against them. 41% of Asians, 35% of Blacks, 32% of Hispanics, and 25% of those of other races are extremely or very concerned that their answers to the 2020 census will be used against them.⁸

Concerns among immigrants and minorities regarding the census were especially high when the Census Bureau announced that a question about citizenship status would be included on the 2020 census. The government declared that a question about citizenship was necessary to enforce the Voting Rights Act. Multiple lawsuits challenged the inclusion of a citizenship question, arguing that such a question could lead to an undercount of immigrants and minorities who may choose to not participate in the census for fear that doing so would impact their immigration status, lead to immigration enforcement, or have other negative consequences. Immigrant survivors of domestic violence, particularly those who are not U. S. citizens, would be fearful about participating in the census, as domestic violence abusers often use immigration status as a tool of abuse – threatening survivors that they will be deported if they seek help from police or file civil or criminal cases against the abusers. Indeed, advocates report that immigrant survivors believe that courts will automatically side with the abuser if the abuser is a U.S. citizen.

Several federal courts and the Supreme Court ruled that the government did not produce evidence that sufficiently supported its stated reason for including a citizenship question on the census. **As a result, the 2020 census will not have a question regarding citizenship status.**

Following the Supreme Court's decision, the President issued an [executive order](#) directing that federal agencies share the citizenship data that they hold with the census bureau, and specifically directing the Department of Homeland Security release personal data in its records. This would include personal information about naturalized citizens, green-card holders, student visa holders, and asylum seekers it holds. The stated purpose of the order is to allow states to redraw voting districts based on numbers of eligible voters, rather than population generally.

⁸ *Supra*, note 6.

In response, the Department of Homeland Security announced a data-sharing agreement allowing the sharing of personal information it holds, going back to 1973, which would include sharing info such as alien registration numbers, countries of birth, and dates of naturalization and filing of applications. Under 8 U.S.C. 1367, DHS is barred from sharing the personal information of those whom DHS has identified as Self-Petitioners under the Violence Against Women Act (VAWA), U-visa and T-visa applicants, and applicants for VAWA cancellation of removal.

The Census Bureau plans to use the data it receives from DHS to match with the personal data it receives from other agencies that it has received about the same person. This information will be used to design a statistical model to estimate how many U.S. Citizens and non-citizens live in U.S. The Census Bureau has indicated that the data it receives will only be kept for 2 years, in order to develop this model, and then the Bureau will destroy it.

5. How is the Census Bureau Addressing the Barriers to Participation that Domestic Violence Survivors Face?

Participation of domestic violence shelters

Domestic violence survivors living in domestic violence shelters on the day of the Census can also participate. **To address the unique safety and privacy concerns that domestic violence survivors face, the U.S. Census Bureau will use specialized, confidential procedures to count people living in shelters.** These procedures were developed in consultation with the National Network to End Domestic Violence (NNEDV), and were designed to safeguard the privacy and security of victims in shelters, while also providing them an opportunity to safely participate in the Census. For questions on how the U.S. Census is counting survivors living in shelters, contact the Safety Net Project at NNEDV (safetynet@nnev.org) or your state or territorial domestic violence coalition.

Information on state and territory coalitions can be found on the NNEDV website:

<https://nnev.org/content/state-u-s-territory-coalitions/>.

Language access for immigrant survivors in domestic violence shelters

Prior to the count, the U.S. Census Bureau will gather information about the language needs of survivors living in domestic violence shelters. The Census Bureau will then provide materials translated into the languages requested. Although the census form itself will still only be available in English and Spanish, the language materials should help the survivor understand the questions and be able to respond in English.

6. What Concerns Might the Census Raise for Specific Racial and Ethnic Communities?

Impact of participation on communities

Asian American, Native Hawaiian, and Pacific Islander (AANHPI) Community

Beginning with the first census in 1790, the U.S. has been collecting data on race, including those of Asian descent. However, it wasn't until 1860, that the first distinction for Asian descent was included in the census – a category for Chinese individuals. This distinction only applied to census forms in California. For the next decennial census, the distinction was adopted by all states. This census also included another distinction for individuals of Asian descent – individuals. However, once again, this distinction was only adopted in California. In 1890, all states began to adopt the distinction

The census allows us to gain a demographic profile and understanding of trends of different populations. For example, the 2010 census found that the Asian population reached a total of 17.3 million people and was the fastest growing race group, and that the Native Hawaiian and Pacific Islander population reached 1.2 million people and grew at a rate more than three times faster than the growth of the total U.S. population.⁹

Middle Eastern and North African (MENA) Community

For years, the Middle Eastern and North African (MENA) community has been advocating for the Census Bureau to include a MENA ethnic category in the census to better collect information on those of Middle Eastern or North African descent and ensure that their priorities are addressed politically and in federal funding for resources. Historically, many members of the MENA community have generally checked the “White” racial/ethnic category. Despite significant advocacy, the Census Bureau has declined to add a MENA category to the 2020 census, raising questions as to how members of the MENA community can be accurately counted in the census. For the first time, the 2020 Census will ask participants to both check a racial category and write their origins. Examples under the “White” racial category include Lebanese and Egyptian. Members of the MENA community may therefore choose to write-in their origins in the absence of a specific MENA racial/ethnic category.

Language access and how to respond to the 2020 census

The Census Bureau will be offering three different methods for individuals to complete the 2020 census: online, by phone, or by mail. The Census Bureau will also be expanding the language access program for the 2020 census by translating the form into several different

⁹ Hoeffel, E. M., Rastogi, S., Kim, M., & Shahid, Hasan. United States Census Bureau (2012). *The Asian Population 2010*. <https://www.census.gov/prod/cen2010/briefs/c2010br-11.pdf>

languages for the online and phone response options so that individuals can still complete the census even if they are not comfortable with filling out the form in English. Since the census form in its entirety will still only be available in English and Spanish, the Census Bureau will also be providing language glossaries in several select languages that translate the core terms used in the census, which individuals can consult when filling out the English version of the form.

- **ONLINE:** For the first time, individuals will be able to complete the census online. The online form will be available in English and translated into twelve non-English languages. Individuals who would prefer to fill out the census in one of the following languages can do so through the online self-response form:
 - Arabic
 - Chinese (Simplified)
 - French
 - Haitian Creole
 - Japanese
 - Korean
 - Polish
 - Portuguese
 - Russian
 - Spanish
 - Tagalog
 - Vietnamese

- **PHONE:** Individuals will have the option to complete the 2020 census by phone. Similar to the online option, the census questionnaire offered over the phone will also be available in English and translated into twelve non-English languages. There will be a separate phone number for each of the languages so that individuals can call the number that corresponds with their preferred language. Individuals who would prefer to complete the census in one of the following twelve languages can do so through the phone questionnaire:
 - Arabic
 - Chinese (Mandarin and Cantonese)
 - French
 - Haitian Creole
 - Japanese
 - Korean
 - Polish
 - Portuguese
 - Spanish
 - Russian
 - Tagalog
 - Vietnamese

- **MAIL-IN FORM:** Individuals will have the option to fill out the 2020 census through a paper questionnaire and mail the form to the Census Bureau. The mail-in form will only be offered in English and Spanish. In addition, the bilingual English/Spanish census questionnaires will only be provided to households that are in census tracts (regions established by the U.S. Census Bureau) where 20% or more households are

recognized as needing Spanish assistance. Households that are in census tracts where less than 20% of the households are considered to need Spanish assistance will only receive the English mailing with a Spanish statement inviting them to complete the census online or by phone.¹⁰

- **LANGUAGE GLOSSARIES:** The Census Bureau is providing language glossaries that translate the most commonly used terms on the 2020 census from English into 59 non-English languages. Some of these languages include, among others:
 - Bengali
 - Burmese
 - Farsi
 - Hindi
 - Hmong
 - Indonesian
 - Khmer
 - Lao
 - Nepali
 - Punjabi
 - Thai
 - Urdu

These language glossaries could be useful in understanding the content of the census, even if the form that individuals must fill out is in English. The language glossaries can be found on the [U.S. Census Bureau Language Glossaries website](https://www.census.gov/language-glossaries).

7. Conclusion

As the 2020 Census approaches, advocates for survivors of domestic violence and sexual assault can join in helping ensure a complete census. For more resources for Asian American and Pacific Islander communities, see <https://www.apivote.org/census>. For more information about survivor confidentiality and privacy, go to <https://www.techsafety.org>.



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¹⁰ United States Census Bureau. *2020 Census Language Service Updates: State Data Center and Census Information Center Joint Annual Conference*. <https://www2.census.gov/about/cic/2020Census-Language%20Services%20Updates.pdf>.