

BUFFALO

## REINSTATED CENSUS CITIZENSHIP QUESTION SPARKS DEBATE, LAWSUIT

By Ryan Whalen | March 27, 2018 @7:34 PM

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BUFFALO, N.Y. -- The U.S. census, which happens every 10 years, is a way for the federal government to determine how many people are in the country, who they are and where they live.

"The constitution doesn't say that a census must occur of all legal residents or citizens of the United States, it just says an accounting," immigration attorney Rosanna Berardi said.

This week, the administration of President Donald Trump announced it would reinstate a question about citizenship.

"We've contained this question that's provided data that's necessary for the Department of Justice to protect voters, specifically to help us better comply with the Voting Rights Act," White House Press Secretary Sarah Sanders said.

The Voting Rights Act of 1965 prohibits racial discrimination in voting, but Berardi said many people are skeptical enforcing the law is the administration's true motivation. Berardi said she doesn't think the census will result in mass deportations but at the same time wouldn't advise her clients, documented or not, to respond.

"As an officer of the court, I'm not going to tell my client to do something that could potentially be a tip-off to the federal government," she said.

There lies the concern for many states with large immigrant populations like New York. They stand to lose federal funding and representation if immigrants don't return the survey. New York Attorney General Eric Schneiderman announced Tuesday he's leading a multi-state lawsuit opposing the citizenship question.

"It's well-known that this administration has expressed -- and we've beaten them in court several times because of -- their open animus towards immigrants," he said. "This would scare people away from the census."

In a statement, Republican Congressman Chris Collins criticized Schneiderman for "another publicly funded lawsuit for purely political purposes." He said he supports the administration for seeking important and accurate information about individuals living in the country.

Berardi said the argument seems destined to continue for a while.

"It's gotta go through the court process," she said. "It can't go right up to the Supreme Court. It has to go through the U.S. district courts first, and we've seen the travel ban litigation just be volleyed from one district court to the other."

The attorney, however, pointed out the next census in 2020 is approaching quickly.

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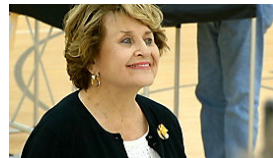
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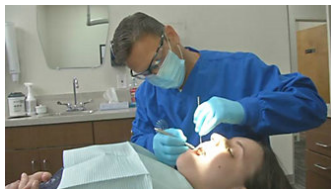


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