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Montana Districting and Apportionment Commission

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September 18, 2021

The Honorable Steve Daines
320 Hart Senate Office Building
Washington, DC 20510

Dear Senator Daines,

The Montana Districting and Apportionment Commission is the five-member, citizen commission charged by the Montana Constitution with drawing the state's congressional and state legislative district lines. One of the challenges we face is how to account for incarcerated populations as we draw those lines. While the U.S. Census Bureau (Bureau) counts state and federal prisoners as residents of the correctional facility in which they reside on Census Day, many of our stakeholders would prefer that these prisoners be counted as residents of the places in which they resided prior to incarceration. We are currently exploring ways our state could gather that residential information and adjust the P.L. 94-171 data that we receive from the Bureau. However, we also recognize that our work would be simpler if Congress would enact legislation to require the U.S. Census Bureau to count prisoners in future censuses at their home addresses rather than at correctional facilities and to allow prisoners to submit race, ethnicity, and address data through forms completed by the prisoners themselves when possible. These changes would create more complete, useful redistricting data for policymakers and line drawers in the future.

Thank you for your service and for considering our requests.

Sincerely,

Commissioner Maylinn Smith
Presiding Officer

Commissioner Jeff Essmann

Commissioner Joe Lamson

Commissioner Kendra Miller

Commissioner Dan Stusek