

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 2:41:28 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 14:41

Your Full Name:

Chris Amyes

Email Address:

cjamtPA@pm.me

Your Comment/Input:

I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution REQUIRE you to set district boundaries with the following criteria: Compact & Contiguous Territory Less than 1% difference in population I also demand that you set the congressional districts using the same criteria as for legislative districts. I am not asking for anything special. I am only asking you to follow the Montana Constitution and the law. Sincerely, Chris Amyes

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Thursday, June 3, 2021 2:11:11 PM

Submit Your Input Regarding Redistricting in Montana

Date: 3rd June 2021 14:11

Your Full Name:

Fred Anderson

Email Address:

professorchevy@hotmail.com

Your Comment/Input:

Dear Commission members: I am contacting you to advocate for dividing the state as it was in the years when we had two U.S. Congress seats. I believe that a North/South dividing line with 50% of the state's population on each side of the dividing line. I have seen proposals that make no logical sense and are clearly gerrymandering. Thank you for your consideration.

Sincerely, Fred Anderson

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [Sue Ashley](#)
To: [Districting](#)
Subject: [EXTERNAL] Redistricting 2020
Date: Monday, June 7, 2021 4:46:32 PM

Leave districting at 2020 boundaries

From: [Julie Baldrige](#)
To: [Districting](#)
Subject: [EXTERNAL] Please follow the Law and Constitution When Redistricting
Date: Monday, June 7, 2021 11:53:27 AM

Dear Commissioners,

I would like to remind you that the law (MCA 5-11-115) and the Montana Constitution both ***REQUIRE*** you to set district boundaries with the following criteria:

- Compact & Contiguous Territory
- Less than 1% difference in population

It is your duty to set the congressional districts using the same criteria as is used for legislative districts.

Please follow the Montana Constitution and the law.

Sincerely,

Julie Baldrige
Kalispell

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 4:47:16 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 16:47

Your Full Name:

Ed Berry

Email Address:

ed@edberry.com

Your Comment/Input:

Thank you, Rep. Paul Fielder, for your excellent work on HB 506 and to all our legislators who voted for HB 506. This is now a very important law, just in time to assure Montana voters have unbiased voting rights.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 1:56:37 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 13:56

Your Full Name:

Anne Boychuck

Email Address:

aboychuck@me.com

Your Comment/Input:

Please set district boundaries so they are a Compact & Contiguous Territory with less than 1% deviation in population, to follow HB 506 (recently signed into law by the governor) and the Republican plan which is more fair."

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 1:56:13 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 13:56

Your Full Name:

Dan Boychuck

Email Address:

dboychuck@me.com

Your Comment/Input:

Please set district boundaries so they are a Compact & Contiguous Territory with less than 1% deviation in population, to follow HB 506 (recently signed into law by the governor) and the Republican plan which is more fair.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [J Boyle](#)
To: [Districting](#)
Subject: [EXTERNAL] Redistricting Montana
Date: Monday, June 7, 2021 4:50:02 PM

I feel the two districts should be drawn simply, East West, to let the whole state be represented fairly. Gerrymandering results in lifetime jobs for politicians and extreme positions. Thank you
Jim Boyle

Great Falls

From: [J.Malo](#)
To: [Districting](#)
Subject: [EXTERNAL] New congressman
Date: Monday, June 7, 2021 4:44:26 PM

I would like the districts of Montana to be simple and non partisan. Two representatives from the whole state, or East-West. No oddly drawn districts that favor one party. Thank you, Judy Boyle. Great Falls

From: [Virgle Brite](#)
To: [Districting](#)
Subject: [EXTERNAL] Follow the Law and Constitution When Redistricting
Date: Monday, June 7, 2021 8:41:04 AM

Commissioners,

I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution ***REQUIRE*** you to set district boundaries with the following criteria:

- Compact & Contiguous Territory
- Less than 1% difference in population

I also demand that you set the congressional districts using the same criteria as for legislative districts.

I am not asking for anything special. I am only asking you to follow the Montana Constitution and the law.

Sincerely,

Virgle Brite

Sent from my iPhone

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 11:23:52 AM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 11:23

Your Full Name:

Randy Brodehl

Email Address:

rbrodehl@flathead.mt.gov

Your Comment/Input:

Please consider drawing lines that are based on equal political representation in the two districts. Current thoughts of a 'donut' that makes one district heavily democrat, and one district vulnerable to moving back and forth between parties, is gerrymandering, and should not be part of the plan. Thank you, Randy Brodehl
Randy Brodehl, Flathead County Commissioner, District 3 800 S. Main St. Kalispell, MT 59901 406.758.5507
rbrodehl@flathead.mt.gov
NOTICE: County Commissioners are publicly elected officials. Commissioner emails sent or received involving county business, may be subject to the Right to Know provisions of Montana's Constitution and may be considered a "public record" pursuant to Montana law. As such, email sent or received, its sender and receiver, and the email's contents, may be subject to public disclosure, except as otherwise provided by Montana law. Randy Brodehl, Flathead County Commissioner, District 3 800 S. Main St. Kalispell, MT 59901 406.758.5507 rbrodehl@flathead.mt.gov
NOTICE: County Commissioners are publicly elected officials. Commissioner emails sent or received involving county business, may be subject to the Right to Know provisions of Montana's Constitution and may be considered a "public record" pursuant to Montana law. As such, email sent or received, its sender and receiver, and the email's contents, may be subject to public disclosure, except as otherwise provided by Montana law.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 4:06:14 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 16:06

Your Full Name:

Carol Buchanan

Email Address:

carol@carol-buchanan.com

Your Comment/Input:

Please ensure that your redistricting plan includes no more than a 1% deviation in population from that recommended in HB 506. We don't need a divisive, partisan redistricting of this state. We need a redistricting plan that benefits all citizens of Montana, as ensured by HB 506.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 12:03:47 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 12:03

Your Full Name:

Connie Dale

Email Address:

ConstanceDale@yahoo.com

Your Comment/Input:

Please set district boundaries so they are a Compact & Contiguous Territory with less than 1% deviation in population, to follow HB 506 (recently signed into law by the governor) and the Republican plan which is more fair." Thank you.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

Statement of Jacqueline De León
Staff Attorney for the Native American Rights Fund
to the Montana Districting and Apportionment Commission
May 25, 2021

My name is Jacqueline De León, and I am a staff attorney with the Native American Rights Fund (“NARF”). Since 1970, NARF has provided legal assistance to Indian tribes, organizations, and individuals nationwide who might otherwise have gone without adequate representation. NARF has successfully asserted and defended the most important rights of Indians and tribes in hundreds of major cases, and has achieved significant results in such critical areas as tribal sovereignty, treaty rights, natural resource protection, Indian education, and the right to vote. NARF is a non-profit 501(c)(3) organization that focuses on applying existing laws and treaties to guarantee that national and state governments live up to their legal obligations.

NARF is headquartered in Boulder, Colorado, but we have worked with Montana’s tribes to protect their rights many times over the years. This year, we are following the legislative and congressional redistricting processes in Montana, on behalf of several tribes.

It is my understanding that there will be additional opportunities in the future to address this Commission regarding the guidelines and criteria that we believe you should follow in the redistricting process. At those future meetings, NARF looks forward to sharing our input.

Today, I would like to focus on one issue: It is time for Montana to end the process of prison gerrymandering and to count people who are imprisoned within the state at their last known address, as opposed to the place where they are imprisoned. We know that implementation of this change will require additional time, which is why I am calling it to your attention now rather than later this summer. It was mentioned earlier that perhaps you need not consider this issue until 2022, but we’d urge you to decide this issue earlier. We think counties will look to this commission for guidance on how to tackle this issue and we think it will produce fairer outcomes at all levels.

Prison gerrymandering is the practice of counting, for the purposes of redistricting, incarcerated people in the place where they are incarcerated, as opposed to at their last known address prior to imprisonment. This practice gives disproportionate political power to residents of districts that hold prisons and jails, and reduces the political power of the communities where the incarcerated people formerly lived. The incarcerated people are typically not able to vote while they are imprisoned, meaning that other residents of a district where a 1,000-person prison is located might be one of six thousand voters, instead of one of seven thousand. The representative of the person’s home district, on the other hand, might be representing an additional several hundred people, relative to other representatives. This system is not aligned with the principle of “one person, one vote,” which is guaranteed under the Constitution.

For example, in House District 78, about seventeen percent of the district’s residents are imprisoned.¹ None of those people were able to vote for their current representative.

In Montana, the practice of prison gerrymandering disproportionately harms Native Americans. Native Americans are about six percent of Montana’s total population. However, they are about twenty-

¹ https://missoulian.com/news/state-and-regional/montana-lawmakers-to-look-at-how-prisons-affect-legislative-districts/article_70774bc3-ae56-5043-8070-67693e9cf2e8.html

two percent of the state's imprisoned population.² We estimate that about 1,200 Native Americans are imprisoned in Montana, being counted away from their homes, and diminishing the political power of their communities.

Furthermore, Montana has one of the highest imprisonment rates in the country. According to a 2018 study, about 726 Montanans out of every 100,000 are imprisoned. This is above the U.S. average of 698 of every 100,000.³ White Montanans, however, are imprisoned only at a rate of 423 for every 100,000 people. For Native residents, that number is 1,912. For Black residents, it is 3,601 out of every 100,000 people. These are the communities who are most harmed by prison gerrymandering.

Changing Montana's current practice would be legal, and would in fact bring the Commission more into compliance with Montana law. The Montana Constitution does not require prison gerrymandering, nor does any Montana law. In fact, under Montana election law, a person does not lose their original residency in a particular place as a result of being involuntarily kept at a public institution, such as a prison or a jail.⁴ The Commission should respect this law by redistricting using prisoners' home addresses.

Additionally, many of the people who were imprisoned on April 1, 2020 (Census Day) have since been released and returned home. Indeed, many of them were never even convicted of a crime.

Across the country, many other states have begun to recognize the problem posed by prison gerrymandering and take steps to end it. 9 states have committed to ending prison gerrymandering this redistricting cycle: Maryland, New York, California, Colorado, Delaware, Nevada, New Jersey, Virginia, and Washington. The census bureau has agreed to release prison count data earlier than previous years at the same time as the redistricting data. Maryland and New York successfully ended prison gerrymandering in 2010 and can be used as models with how to do so. It is past time for Montana to follow their lead and put an end to prison gerrymandering. The Equal Protection Clause of the U.S. Constitution guarantees the principle of "one person, one vote." Montana is not living up to that promise.

Thank you.

² https://www.prisonpolicy.org/graphs/2010percent/MT_American_Indian_2010.html

³ <https://www.prisonpolicy.org/profiles/MT.html>

⁴ Mont. Ann. Code § 13-1-112(2).

From: leightoninmt@gtfalls.com
To: [Districting](#)
Subject: [EXTERNAL] Congressional Redistricting Inputs
Date: Monday, June 7, 2021 7:43:34 AM

My inputs for Montana redistricting committee

Redistricting for the new Montana House seat must be done just as it was when we previously had two congressional seats. That would be based on an east/west divide. The economy, culture and demographics from east to west are obvious and anything else would deny realistic representation for the majority of Montanans. There must also be 0% margin variation allowed during the redistricting process

Respectfully

Leighton Dresch
35 Marmot Lane
Great Falls, MT 59404

HP 406-761-0331

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 12:03:22 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 12:03

Your Full Name:

lee dresch

Email Address:

lad_4_ever73@yahoo.com

Your Comment/Input:

i advise the new house seat be based on an east west divide. I also reccomend 0% variation. Redistricting for the new Montana House seat must be done just as it was when we previously had two congressional seats. That would be based on an east/west divide. The economy, culture and demographics from east to west are obvious and anything else would deny realistic representation for the majority of Montanans. There must also be 0% margin variation allowed during the redistricting process. thank you. .

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 8:05:00 AM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 08:04

Your Full Name:

Leighton A Dresch

Email Address:

leightoninmt@gtfalls.com

Your Comment/Input:

Redistricting for the new Montana House seat must be done just as it was when we previously had two congressional seats. That would be based on an east/west divide. The economy, culture and demographics from east to west are obvious and anything else would deny realistic representation for a significant segment of Montanans. There must also be 0% margin variation allowed during the redistricting process Respectfully Leighton Dresch 35 Marmot Lane Great Falls, MT 59404 HP 406-761-0331

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Friday, May 28, 2021 2:55:47 PM

Submit Your Input Regarding Redistricting in Montana

Date: 28th May 2021 14:55

Your Full Name:

Rosalie Dumont

Email Address:

rosedumont11@gmail.com

Your Comment/Input:

It is important that we have a fair redistricting in our State that is solely based on population. The map should not be manipulated to feed to ones own interests. As a citizen of Montana, please take my comments under consideration. Thank you.

Sent via www.leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 4:20:54 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 16:20

Your Full Name:

Eugene Dziza

Email Address:

genedziza@gmail.com

Your Comment/Input:

Montana rural areas and values need to be preserved. We cannot let urban areas dictate the lifestyles and values of rural area residents.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [L.Ellington-Staal](#)
To: [Districting](#)
Cc: [Kendra.Miller@mtleg.gov](#); [Dan.Stusek@mtleg.gov](#); [Joe.Lamson@mtleg.gov](#); [Jeff.Essmann@mtleg.gov](#); [Maylinn.Smith@mtleg.gov](#)
Subject: [EXTERNAL] Follow the Law and Constitution When Redistricting
Date: Monday, June 7, 2021 1:43:55 PM

Commissioners,

I am writing this afternoon to remind you that the law (**MCA 5-11-115**) and the Montana Constitution ***REQUIRE*** you to set district boundaries with the following criteria:

- Compact & Contiguous Territory
- Less than 1% difference in population

I also ask that you set the congressional districts *using the same criteria* as for legislative districts.

I am not asking for anything special or that needs deep thought or consideration. I'm simply asking you to follow the Montana Constitution and the law.

Regards,
Leslie Ellington-Staal

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 7:38:17 AM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 07:38

Your Full Name:

Philip Emery

Email Address:

emery@interbel.net

Your Comment/Input:

I am opposed to including Lincoln County with Missoula, the Highline, all the tribes, and Billings in one District. and the rest of the state in another district. This is an obvious attempt to disenfranchise voters and prevent them from voting for whom they would want in Congress. I would prefer the previous districting that we had when we had two representatives in Congress.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [Philip Emery](#)
To: [Weiss, Rachel](#)
Subject: [EXTERNAL] Congressional Redistricting in Montana
Date: Monday, June 7, 2021 7:31:25 AM

I am expressing my opposition to including Lincoln County with Missoula, the highline and Billings in an obvious attempt to disenfranchise voters from expressing their rights to vote for the candidate of their choice. I prefer the original division that we had when Montana previously had two Representatives to Congress.

Philip Emery
Montana Voter

Sent from [Mail \[go.microsoft.com\]](mailto:go.microsoft.com) for Windows 10

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 2:12:15 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 14:12

Your Full Name:

terry falk

Email Address:

boatgolf@gmail.com

Your Comment/Input:

I believe we should redistrict very close to the old boundaries when we had two US districts previously (around 1984?) in our state and that the voter preference differences in each district should be around 1 to 2 % between both sides, Republican and Democrat

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 3:55:10 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 15:55

Your Full Name:

Steve Gist

Email Address:

giststeve@gmail.com

Your Comment/Input:

I would like to see the District's as they were before when we had two congressional House seats.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [kathleen.harvey](#)
To: [Districting](#)
Subject: [EXTERNAL] Follow the Law and Constitution When Redistricting
Date: Monday, June 7, 2021 2:29:07 PM

Commissioners,

I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution REQUIRE you to set district boundaries with the following criteria:

- Compact and Contiguous Territory
- Less than 1% difference in population

I also demand that you set the congressional districts using the same criteria as for legislative districts.

I am not asking for anything special I am only asking you to follow the Montana Constitution and the law.

God bless the USA!

Kathleen Harvey

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 4:04:47 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 16:04

Your Full Name:

Lisa Hass

Email Address:

lisadresch@hotmail.com

Your Comment/Input:

Hello, I would like to submit the input to please keep the divisions based on east and west for the congressional districts. This will accurately represent our state and be consistent with past districts. Thank you, Lisa Hass

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Sunday, June 6, 2021 4:03:44 PM

Submit Your Input Regarding Redistricting in Montana

Date: 6th June 2021 16:03

Your Full Name:

Ann Ingram, NP

Email Address:

anningram58@yahoo.com

Your Comment/Input:

I would like to voice my support for the republican apportionment plan for creating the new congressional district with the methodology of "like and contiguous". Thank you for your consideration.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Sunday, June 6, 2021 4:01:34 PM

Submit Your Input Regarding Redistricting in Montana

Date: 6th June 2021 16:01

Your Full Name:

David Ingram, MD

Email Address:

dli1957@yahoo.com

Your Comment/Input:

I would like to voice my support for the republican apportionment plan for creating the new congressional district with the methodology of "like and contiguous". Thank you for your consideration.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [Noelle Johnson](#)
To: [Districting](#)
Subject: [EXTERNAL] feedback on redistricting
Date: Monday, June 7, 2021 2:22:52 PM
Attachments: [88A970A54D0F4893B4E642336F025296\[2426485\].png](#)

To Whom It May Concern,

We are writing to express our thoughts on drawing the districting lines for the 2 House of Representative seats for Washington, D.C.. We're submitting these comments to be presented to the commission in advance of the meeting.

The best map/way to split would be using a method similar to how it was done last time Montana had 2 seats—with the line from North to South looking somewhat similar to the Continental Divide.

Use the basic guideline of population--start from the western edge of the state and move east until the line exists where the 2 parts of the state (w/a line north to south) have equal population. This seems the most unbiased way to draw the lines for the 2 districts.

We urge you not to use multiple other methods that skew the map and make this become a biased decision.

Keep it simple and honest.

Thank you,

Noelle Johnson

Kathy Workman

Owners, [Jenny Craig Great Falls](#)

O: 406-315-2546

1601 2nd Ave. N. #105



[\[facebook.com\]](#)@jennycraiggreatfallsmt

From: [Jim Keller](#)
To: [Districting](#); Maylinn.Smith@mtleg.gov; Jeff.Essmann@myleg.gov; Joe.Lamson@myleg.gov; Kendra.Miller@mtleg.gov
Subject: [EXTERNAL] Follow the Law and Constitution When Redistricting
Date: Monday, June 7, 2021 10:20:41 AM

I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution ***REQUIRE*** you to set district boundaries with the following criteria:

- . **Compact & Contiguous Territory**
- . **Less than 1% difference in population**

I also demand that you set the congressional districts using the same criteria as for legislative districts.

I am not asking for anything special. I am only asking you to follow the Montana Constitution and the law.

Sincerely
James M. Keller
1292 Two Mile Drive
Kalispell, Mt

From: [Jean Keller](#)
To: [Districting](#)
Subject: [EXTERNAL] Follow the Law and Constitution When Redistricting
Date: Monday, June 7, 2021 9:55:14 AM

Commissioners,

I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution ***REQUIRE*** you to set district boundaries with the following criteria:

- Compact & Contiguous Territory
- Less than 1% difference in population

I also demand that you set the congressional districts using the same criteria as for legislative districts.

I am not asking for anything special. I am only asking you to follow the Montana Constitution and the law.

Sincerely,

Jean Keller

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 4:54:20 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 16:54

Your Full Name:

Jerry P Kelly

Email Address:

Kellytrees@aol.com

Your Comment/Input:

Follow the Law and Constitution When Redistricting Commissioners, I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution REQUIRE you to set district boundaries with the following criteria: Compact & Contiguous Territory Less than 1% difference in population I also demand that you set the congressional districts using the same criteria as for legislative districts. I am not asking for anything special. I am only asking you to follow the Montana Constitution and the law. Sincerely, Jerry P Kelly

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 12:47:47 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 12:47

Your Full Name:
Delwin T. Kranzler

Email Address:
mtrd267rt@3rivers.net

Your Comment/Input:
Leave it alone it was fine as it is now! Why try to fix something that isn't broke and is working properly.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Friday, June 4, 2021 5:20:15 PM

Submit Your Input Regarding Redistricting in Montana

Date: 4th June 2021 17:20

Your Full Name:

Grace E Larson

Email Address:

lyleforever36@gmail.com

Your Comment/Input:

I support the same districts we had when we had 2 Congressmen. Split the state down the middle; Billings would be East and Missoula would be West which would give each district large populations. Anything else would be confusing and as far as I'm concerned decided from a political standpoint WHICH IS WRONG.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [SHELLEY LUSTMAN](#)
To: [Districting](#)
Subject: [EXTERNAL] Districting
Date: Monday, June 7, 2021 3:57:55 PM

I Shelley Lustman residing at 1492 lower valley rd Kalispell Mt 59901 , strongly recommend that you follow our constitutional laws ! Recent legislation have made this requirement, contiguous and with less than a 1 percent variable (which is easy to do with technology) no more breaking up communities! We had straight line districts 10 years ago and it worked fine! We the people are watching very closely as we are not going to stand for not having election integrity, thanking you in advance for your anticipated cooperation

Sent from my iPhone

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Saturday, June 5, 2021 8:07:53 AM

Submit Your Input Regarding Redistricting in Montana

Date: 5th June 2021 08:07

Your Full Name:

Carol McElwain

Email Address:

carolamcelwain@gmail.com

Your Comment/Input:

Please be sure the population of each District is within 1% and that the borders are contiguous and borders are not gerrymandered. Thank you for serving on this important commission.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Saturday, June 5, 2021 7:50:47 AM

Submit Your Input Regarding Redistricting in Montana

Date: 5th June 2021 07:50

Your Full Name:

Thomas O McElwain

Email Address:

tom.mcelwain@gmail.com

Your Comment/Input:

Thank you for serving on this important commission. Please be sure the population of each District is within 1% and that the borders are contiguous and borders are not gerrymandered.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [Darlene Meddock](#)
To: [Districting](#)
Subject: [EXTERNAL] Districting
Date: Monday, June 7, 2021 4:23:57 PM

It would seem using the continental divide would make sense as our population is pretty evenly divided that way.

Darlene Meddock

Great Falls

Sent from my iPhone

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 5:43:43 AM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 05:43

Your Full Name:

Thomas Millett

Email Address:

simplytom65@yahoo.com

Your Comment/Input:

Commissioners, I am writing to remind you that the law (MCA 5-11-115) and the Constitution REQUIRE you to set district boundaries with the following criteria: • Compact & Contiguous Territory • Less than 1% difference in population I also demand that you set the congressional districts using the same criteria as for legislative districts. I am not asking for anything special. I am only asking you to follow the Constitution and the law. Sincerely, Thomas Millett

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [Thomas Millett](#)
To: [Thomas Millett](#)
Subject: [EXTERNAL] Follow the Law and Constitution When Redistricting
Date: Monday, June 7, 2021 5:42:47 AM

Commissioner,

I am writing to remind you that the law (MCA 5-11-115) and the Constitution ***REQUIRE*** you to set district boundaries with the following criteria:

- Compact & Contiguous Territory
- Less than 1% difference in population

I also demand that you set the congressional districts using the same criteria as for legislative districts.

I am not asking for anything special. I am only asking you to follow the Constitution and the law.

Sincerely,

Thomas Millett

Marion, MT

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Saturday, June 5, 2021 7:35:42 PM

Submit Your Input Regarding Redistricting in Montana

Date: 5th June 2021 19:35

Your Full Name:

Cathy Mitchell

Email Address:

longlakenmf@msn.com

Your Comment/Input:

Commissioners, Please make the redistricting as equal as possibly can be. Districts should be compact, contiguous, and have less than a 1% error on "equal number" of people in each district. Sincerely, Cathy Mitchell 598 Prairie View Road Kalispell, MT 59901

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [Sephrie](#)
To: Jeff.Essmann@mtleg.gov; Joe.Lamson@mtleg.gov; Dan.Stusek@mtleg.gov; Kendra.Miller@mtleg.gov
Cc: [Districting](#)
Subject: [EXTERNAL] >>>Follow the Law and Constitution When Redistricting<<<
Date: Monday, June 7, 2021 11:45:01 AM

6/7/2021

Commissioners,

I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution and the recently passed and signed HB 506 REQUIRE you to set district boundaries with the following criteria:

- 1) The districts must be Compact & Contiguous Territory
- 2) The population of the districts must be "as equal as possible" That is there should be less than 1% difference in population from district to district.

I also demand that you set the congressional districts using the same criteria as for legislative districts.

It is your obligation and charge to follow the Montana Constitution and State law.

Please do not neglect your duty or engage in political schemes and gamesmanship.

Sincerely,

Joseph O'Rourke

197 Stage Bend Lane

Columbia Falls, MT 59912

O'Rourke
Sent with [ProtonMail \[protonmail.com\]](https://protonmail.com) Secure Email.

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 11:05:22 AM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 11:05

Your Full Name:

Joseph ORourke

Email Address:

sephrie@pm.me

Your Comment/Input:

6/7/2021 >>>Follow the Law and Constitution When Redistricting<<< Commissioners, I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution and the recently passed and signed HB 506 REQUIRE you to set district boundaries with the following criteria: 1) The districts must be Compact & Contiguous Territory 2) The population of the districts must be "as equal as possible" That is there should be less than 1% difference in population from district to district. I also demand that you set the congressional districts using the same criteria as for legislative districts. It is your obligation and charge to follow the Montana Constitution and the law. Please do not neglect your duty or engage in political schemes and gamesmanship. Sincerely, Joseph O'Rourke 197 Stage Bend Lane Columbia Falls, MT 59912

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

Public Comment of

Aleks Kajstura
Legal Director

&

Ginger Jackson-Gleich
Policy Counsel
Prison Policy Initiative

Submitted to the
Montana Districting and Apportionment Commission
regarding
Avoiding Prison Gerrymandering in Montana

May 25, 2021

Thank you, Presiding Officer Smith and members of the Commission for providing the opportunity to submit public comment on the upcoming Montana redistricting process.

This comment specifically addresses the problem known as “prison gerrymandering,” which arises from the Census Bureau’s practice of crediting incarcerated people to census blocks that contain prisons, rather than the census blocks that contain their home addresses. This results in a significant enhancement of representation in districts with prisons, and consequently a dilution of representation for the residents of all other districts.

We are the Legal Director of and Policy Counsel for the Massachusetts-based Prison Policy Initiative. For nearly two decades, our organization has been leading the national effort to urge the Census Bureau to count incarcerated people as residents of their legal home addresses, rather than as residents of the correctional facilities where they are detained. At the same time, we work closely with state and local governments to develop interim solutions to the harmful distortion of democracy caused by the Census Bureau’s current approach to counting incarcerated people.

Today, we urge the Redistricting Commission to avoid these distortions in the upcoming redistricting cycle by employing one of several solutions available to state governments. Many state governments have already adopted the approaches described here. For example, at least ten states now count incarcerated people as residents of their home communities by using data from their Departments of Corrections to adjust Census data. Other states minimize the impact of prison gerrymandering by using Census data to avoid concentrating prison populations within a single district.

By adopting one of the solutions proposed here, the Redistricting Commission can ensure that the vast majority of Montanans enjoy truly equal representation and do not have their political power diluted relative to those who live near the state's correctional facilities. In doing so, the state would join the national trend towards solving this critical problem.

The problem

As you know, population equality enables everyone to have equal representation from elected officials. However, the Census frustrates this principle by counting incarcerated people as residents of the places in which they are detained instead of at their home addresses. The Bureau does this even though (1) people in prison typically lack a constituent relationship with the elected officials serving prison districts, and (2) most incarcerated people remain legal residents of their home addresses while imprisoned and return home upon release.

Because of the divergence between these practical realities and Census practice, raw Census data fails to accurately reflect the number of local residents in places with correctional facilities. After the 2010 Census, prison gerrymandering affected numerous legislative districts in Montana. For example, state House District 78 is 17% incarcerated, while two other districts (House Districts 18 and 49) are both more than 5% incarcerated. These numbers mean that each group of 83 actual residents in House District 78 was given as much representation as 100 residents in districts without prisons (and that each group of 95 residents in House Districts 18 and 49 was given as much representation as 100 residents elsewhere). Importantly, the practice of counting incarcerated people as residents of the facilities where they are incarcerated is also inconsistent with Montana law, which explicitly states that a prison cell is not a residence. (Montana Annotated Code § 13-1-112(2).)

The optimal solution

As noted above, there are multiple solutions to the problem of prison gerrymandering, and all of them create more equitable districts than what results when prison gerrymandering is simply ignored. However, among those various solutions, the optimal one requires states to adjust the raw data they receive from the Census in order to count incarcerated people at their home addresses.

For states interested in pursuing the optimal solution, they must collect home residence data from incarcerated people and use that data to adjust the federal Census prior to redistricting. This procedure may sound arduous, but the Census Bureau will do the data adjustment for states that are able to provide it with

address data, and experienced demographers are also able to complete the adjustment with primarily automated processes.

Step-by-step implementation of the optimal solution

To pursue the optimal approach, the Redistricting Commission should request that the Department of Corrections (DOC) immediately report an electronic record of the legal residence, presumptively outside of the facility, and other demographic data for any person in its custody on Census Day (April 1, 2020). At a minimum, this record should contain the last known complete street address prior to incarceration, the person's race, whether the person is of Hispanic or Latino origin, and whether the person is over the age of 18.

It is important to note that home address datasets may be incomplete or imperfect (this may be especially likely in Montana, where Native American populations are disproportionately represented in the criminal justice system and may be less likely to report having a specific street address prior to becoming incarcerated). However, missing home address data should not foreclose adjustment of the Census data, and indeed all states that have adopted this approach have home address datasets in which addresses are missing for some percentage of people incarcerated in those states.

The data from the DOC should include:

- (i) a unique identifier, not including the name, or SID (state offender ID) number, for each incarcerated person subject to the jurisdiction of the department on the date for which the decennial census reports population. The unique identifier should permit the Commission to address inquiries about specific address records to the Department of Corrections, without making it possible for anyone outside of the Department of Corrections to identify the inmate to whom the address record pertains;
- (ii) the street address of the correctional facility in which such person was incarcerated at the time of such report;
- (iii) the last known address of such person prior to incarceration or other legal residence (if known);

(iv) the person's race, whether the person is of Hispanic or Latino origin, and whether the person is over the age of 18 (if known);

Notwithstanding any other provision of law, this information should not include the name of any incarcerated person or allow for the identification of any such person therefrom, except by the Department of Corrections. The information should be treated as confidential, and should not be disclosed by the Redistricting Commission except as redistricting data aggregated by census block.

The Redistricting Commission should also request that every agency that operates a federal facility in Montana that incarcerates persons convicted of a criminal offense to provide the Commission with a report including the information listed above. The Bureau of Prisons has historically refused to share this data with states, but it is best practice to request the data anyway.

Once the Redistricting Commission has the address data, they need to “geocode” the addresses – this is just a fancy term for “mapping.” Geocoding is a process that takes an address like “123 Main St.” and matches it to coordinates on a map. This step makes it possible to take the list of addresses from the DOC and match them up to their corresponding Census blocks.

Most GIS software can do this as an automated process. And the Census Bureau, acknowledging that many states are counting incarcerated people at their home addresses this decade, has instituted a new procedure for states to use the Bureau's geocoder tool for large batches of addresses (https://www.census.gov/programs-surveys/decennial-census/about/rdo/summary-files/2020/GQAssistance_CensusGeocoder.html).

We understand that Montana may have an unusually high number of incomplete addresses, particularly in rural areas. Automated geocoding will likely struggle to find effective matches for some of these addresses. But many could be manually mapped onto randomly assigned blocks within the home community. For example, if only a town name is available, and that town is so small that it will not be split when districts are drawn, it does not matter where in the town a person's address is located, and any random block in the town will do – for state or congressional redistricting purposes.

This data preparation should start immediately to eliminate any unnecessary delay once the Census releases the PL 94-171 redistricting data in August or September. Once all the home address data are mapped out, it will be a relatively quick process to adjust the block populations in the state's copy of the redistricting data received from the Census Bureau.

Policy considerations for the optimal solution

Making the data adjustment is sound policy that will remedy a significant distortion of Montana's democracy. Here, we address additional concerns that often accompany discussion of these sorts of adjustments, as well as some of the more subtle benefits.

Funding is not affected. Adjusting redistricting data to count incarcerated people at their home address does not impact funding formulas. The actions proposed here would result in the creation of a new dataset for use in state redistricting. This dataset would not affect the distribution of federal or state funds simply because there is no federal or state funding formula that is distributed on the basis of redistricting data.

Both state law and common sense dictate that incarcerated people are residents of their homes, not the correctional facilities where they are detained. The changes we propose here would make the data used for redistricting in Montana consistent with the state's statutory definition of residence:

“For registration, voting, or seeking election to the legislature, the residence of an individual must be determined by the following rules as far as they are applicable: The residence of an individual is where the individual's habitation is fixed and to which, whenever the individual is absent, the individual has the intention of returning. . . . An individual may not gain or lose a residence while kept involuntarily at any public institution, not necessarily at public expense; as a result of being confined in any prison; or solely as a result of residing on a military reservation.”
(Montana Annotated Code § 13-1-112(2).)

While correctional facilities may look permanent, the individuals who are inappropriately tabulated there are typically quite transient. We've occasionally heard the argument that it makes sense to count incarcerated people as residents of the prisons where they are detained because they will be incarcerated there for a long time. However, the reality is that prison populations are actually surprisingly transient. For example, the majority of people released from state prisons in 2014 served less than one year. In addition, most people in state prisons do not stay in any given facility for long. Incarcerated people are transferred frequently between facilities, at the discretion of the prison's administration, and nearly 75% of incarcerated people are moved between facilities before they return home. In fact, 30% of people in federal and state prisons have been at the current facility for less than six months. Half have been there for under a year.

An alternative stop-gap solution

A partial solution is also available if the Commission cannot get address data from the Department of Corrections; by adopting a stop-gap solution, the Commission can still limit the impact of prison gerrymandering in drawing the lines this redistricting cycle.

Essentially, the Commission can *minimize* prison gerrymandering when drawing the lines using unadjusted PL 94-171 redistricting data by distributing correctional facilities among multiple districts (rather than concentrating them within a small number of districts), and then using the allowable population deviations to correct for the distribution of the prison population.

Under this approach, the commission would use the deviation budget to lower the apparent populations in districts where incarcerated people disproportionately come from (knowing that many of their residents were counted toward the total of the districts containing correctional facilities). And similarly, they can should use the population deviations to include a bit of extra population in the districts that contain the prisons (knowing that their population on paper over-states their actual resident count.)

This alternative stop-gap solution is not as optimal as counting incarcerated people at their home addresses, but it is a valuable partial solution if collecting home address data proves impossible.

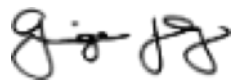
Conclusion

We hope that the Redistricting Commission will adopt the optimal solution discussed above – it is the best option for ensuring truly equal representation for Montanans. However, if that is not possible, we urge the Commission to distribute correctional facilities among multiple districts and use allowable population deviations to correct for the presence of prison populations. Both approaches would significantly enhance equality of representation in Montana and permit the state to join the national trend of jurisdictions choosing to end the practice of prison gerrymandering.

Please do not hesitate to contact us if we can answer any questions or provide you with additional resources. We thank you for the opportunity to present this testimony.



Aleks Kajstura
Legal Director
Prison Policy Initiative
69 Garfield Ave Floor 1
Easthampton, MA 01027
413-203-9790
akajstura@prisonpolicy.org



Ginger Jackson-Gleich
Policy Counsel
Prison Policy Initiative
69 Garfield Ave Floor 1
Easthampton, MA 01027
413-527-0845, ext. 310
gingerjg@prisonpolicy.org

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 1:32:00 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 13:31

Your Full Name:

Chad Rearden

Email Address:

chrearden@hotmail.com

Your Comment/Input:

Redistricting for the new Montana House seat must be done just as it was when we previously had two congressional seats. That would be based on an east/west divide. The economy, culture and demographics from east to west are obvious and anything else would deny realistic representation for the majority of Montanans. There must also be 0% margin variation allowed during the redistricting process

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 4:36:04 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 16:36

Your Full Name:

Pam Riley

Email Address:

pamriley456@protonmail.com

Your Comment/Input:

Follow the Law and Constitution When Redistricting Commissioners, I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution REQUIRE you to set district boundaries with the following criteria: Compact & Contiguous Territory Less than 1% difference in population I also demand that you set the congressional districts using the same criteria as for legislative districts. I am not asking for anything special. I am only asking you to follow the Montana Constitution and the law. Sincerely, Pam Riley - Kalispell MT

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 4:36:58 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 16:36

Your Full Name:

Brian Riley

Email Address:

brianriley@live.com

Your Comment/Input:

Follow the Law and Constitution When Redistricting Commissioners, I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution REQUIRE you to set district boundaries with the following criteria: Compact & Contiguous Territory Less than 1% difference in population I also demand that you set the congressional districts using the same criteria as for legislative districts. I am not asking for anything special. I am only asking you to follow the Montana Constitution and the law. Sincerely, Brian Riley - Kalispell MT

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [Pam Riley](#)
To: [Districting](#)
Subject: [EXTERNAL] Follow the Law and Constitution When Redistricting
Date: Monday, June 7, 2021 4:35:00 PM

Commissioners,

I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution **REQUIRE** you to set district boundaries with the following criteria:

- Compact & Contiguous Territory
- Less than 1% difference in population

I also demand that you set the congressional districts using the same criteria as for legislative districts.

I am not asking for anything special. I am only asking you to follow the Montana Constitution and the law.

Sincerely,

Pamela Riley
Kalispell Montana

Sent with [ProtonMail \[protonmail.com\]](#) Secure Email.

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 3:42:17 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 15:42

Your Full Name:

Lindsey Rowe

Email Address:

linzrax@yahoo.com

Your Comment/Input:

Commissioners, I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution REQUIRE you to set district boundaries with the following criteria: Compact & Contiguous Territory Less than 1% difference in population I also demand that you set the congressional districts using the same criteria as for legislative districts. I am not asking for anything special. I am only asking you to follow the Montana Constitution and the law.
Sincerely, Lindsey Rowe

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [Niki Sardot](#)
To: [Districting](#)
Subject: [EXTERNAL] Follow the Law & Constitution !!!!
Date: Monday, June 7, 2021 1:34:45 PM

Commissioners,

I am writing to remind you that the law (MCA 5-11-115) and the Montana Constitution ***REQUIRE*** you to set district boundaries with the following criteria:

- Compact & Contiguous Territory
- Less than 1% difference in population

I also demand that you set the congressional districts using the same criteria as for legislative districts.

I am not asking for anything special. I am only asking you to follow the Montana Constitution and the law.

Sincerely,

Niki Sardot
Missoula County Resident

Sent from my iPhone

From: [lola Galloway](#)
To: [Districting](#)
Cc: [lola Galloway](#)
Subject: [EXTERNAL] Districting and Apportionment Commission.REV2.pptx
Date: Sunday, June 6, 2021 9:24:27 PM
Attachments: [Districting and Apportionment Commission.REV2.pptx](#)

I would ask you to consider fair and bipartisan districts in Montana.

I ask that you remove the % of variance of population in each district.

I believe that eastern Montana has a different economy than western Montana. Their separate voices need to be heard in Washington DC. This is crucial to our state's economy.

Thank you for your consideration

Representative LOLA Sheldon-Galloway MT HD22
Sent from my iPhone



Districting and Apportionment Commission

Analysis and commentary by Derek Skees

Article V, Section 14; MT Constitution

- ▶ Districting And Apportionment
- ▶ Section 14. Districting and apportionment. (1) The state shall be divided into as many districts as there are members of the house, and each district shall elect one representative. Each senate district shall be composed of two adjoining house districts, and shall elect one senator. **Each district shall consist of compact and contiguous territory. All districts shall be as nearly equal in population as is practicable.**
- ▶ (2) In the legislative session following ratification of this constitution and thereafter in each session preceding each federal population census, a commission of five citizens, none of whom may be public officials, shall be selected to prepare a plan for redistricting and reapportioning the state into legislative districts **and a plan for redistricting the state into congressional districts.** The majority and minority leaders of each house shall each designate one commissioner. Within 20 days after their designation, the four commissioners shall select the fifth member, who shall serve as chairman of the commission. If the four members fail to select the fifth member within the time prescribed, a majority of the supreme court shall select him.
- ▶ (3) Within 90 days after the official final decennial census figures are available, the commission shall **file its final plan for congressional districts** with the secretary of state and it shall become law.
- ▶ (4) The commission shall submit its plan for legislative districts to the legislature at the first regular session after its appointment or after the census figures are available. Within 30 days after submission, the legislature shall return the plan to the commission with its recommendations. Within 30 days thereafter, the commission shall file its final plan for legislative districts with the secretary of state and it shall become law.
- ▶ (5) Upon filing both plans, the commission is then dissolved.
- ▶ **Please note, there is no direction on how to draw a Congressional District, except nearly equal populations. So when the Supreme Court says what we did in the House is Unconstitutional, how?**

2020 Commission



Left to right: Dan Stusek, Jeff Essman, Sheila Sterns (former presiding officer), Kendra Miller, Joe Lamson. The new presiding officer is Maylinn Smith.

Commissioner Contact Info

- ▶ **Maylinn Smith**, Presiding Officer, appointed by the Montana Supreme Court **Maylinn.Smith@mtleg.gov**
- ▶ **Jeff Essmann**, appointed by Senate Majority Leader Fred Thomas **Jeff.Essmann@mtleg.gov**
- ▶ **Joe Lamson**, appointed by Senate Minority Leader Jon Sesso **Joe.Lamson@mtleg.gov**
- ▶ **Dan Stusek**, appointed by House Majority Leader Brad Tschida **Dan.Stusek@mtleg.gov**
- ▶ **Kendra Miller**, appointed by House Minority Leader Casey Schreiner **Kendra.Miller@mtleg.gov**

<https://leg.mt.gov/districting/2020-commission/>

You can sign up for notifications here & submit comments.

The Commission has met
on the following dates,
and everything is
archived on:

[https://leg.mt.gov/
districting/2020commission/](https://leg.mt.gov/districting/2020commission/)

MAY 3, 2019

MAY 13, 2019

AUGUST 1, 2019

NOVEMBER 1, 2019

FEBRUARY 19, 2020

JUNE 10, 2020

AUGUST 4, 2020

AUGUST 20, 2020

(LEAGUE OF WOMEN VOTE PANEL)

MAY 25, 2021

Next Commission Meetings

July 8-9

August 17

This next meeting is critical, because it will be the vote adopting the mandatory and discretionary criteria the commission agrees upon to draw the district.

The GOP Commissioners will submit their suggested criteria by the end of next week, and the Dems will follow shortly.

Please pay attention to these suggestions, and you can then submit your written comments based upon those narratives.

Please note that the last time they did this (Dems had the majority then as well, due to the failed process in our Constitution), they agreed to drop the population deviation from 5% to 3%. This led once again, to democrat leaning districts were typically underpopulated and republican leaning ones were over-populated.

The Mandatory Criteria adopted May 28, 2010

NOTHING FOR THE CONGRESSIONAL SEATS, AS WE ONLY HAD 1 CONGRESSMAN.

LEGISLATIVELY:

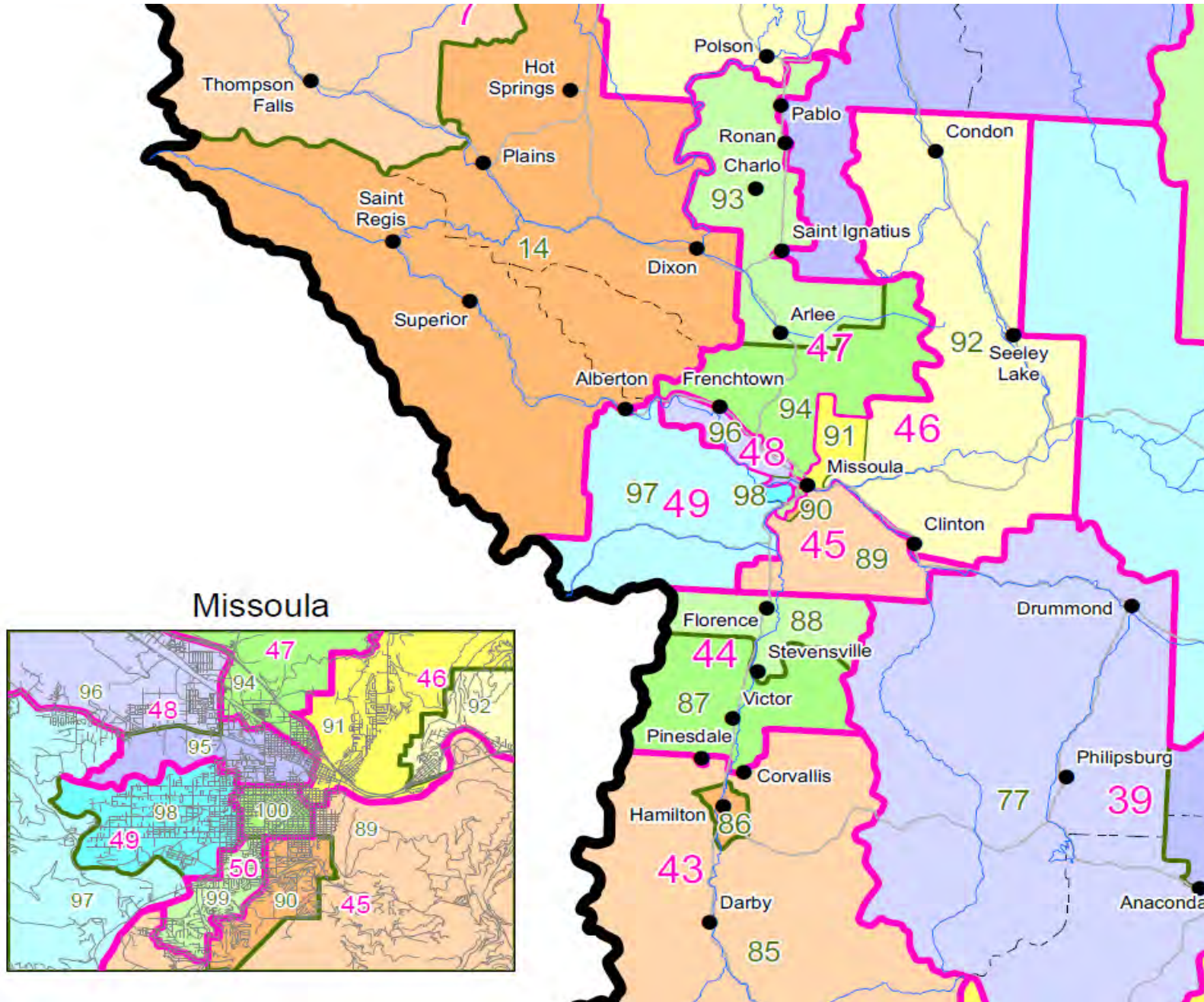
1. POPULATION EQUALITY AND MAXIMUM POPULATION DEVIATION. (3%)
2. COMPACT AND CONTIGUOUS DISTRICTS
3. PROTECTION OF MINORITY VOTING RIGHTS AND COMPLIANCE WITH THE VOTING RIGHTS ACT.
4. RACE CANNOT BE THE PREDOMINANT FACTOR TO WHICH THE TRADITIONAL DISCRETIONARY CRITERIA ARE SUBORDINATED.
(SHAW V. RENO, 509 U.S. 630 (1993)).



The Discretionary Criteria adopted May 28, 2010

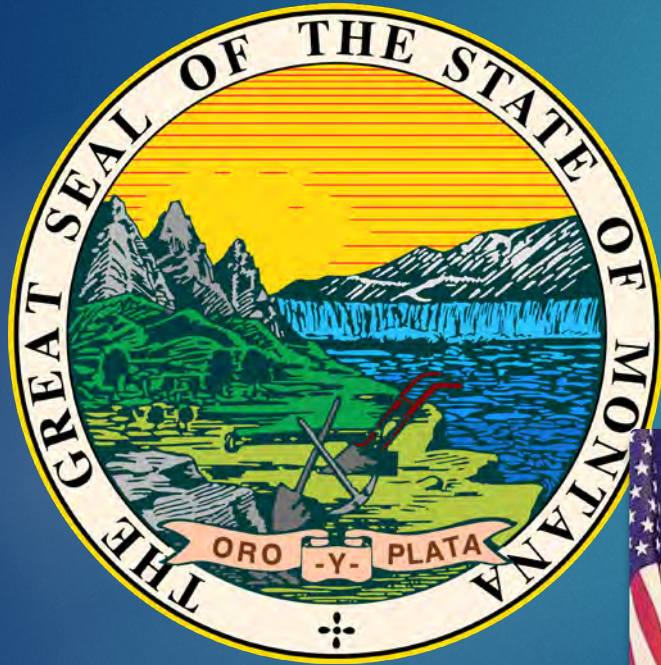
1. FOLLOWING THE LINES OF POLITICAL UNITS.
2. FOLLOWING GEOGRAPHIC BOUNDARIES.
3. KEEPING COMMUNITIES OF INTEREST INTACT.

The obvious problem with these discretionary categories, is they are listed as the commission "will consider". These categories should also be in the mandatory criteria.



Lessons learned from the last redistricting. The Missoula "Pie" shows it best.

HB 506



AN ACT GENERALLY REVISING ELECTION LAWS; establishing priorities for development of congressional districts; revising procedures for prospective electors to register and vote; clarifying requirements for a board of county canvassers; eliminating the experimental use of vote systems.

Signed into Law: 5/14/21

Rep. Paul Fielder

HB 506, Section 1. Amends 5-1-115 MCA

"5-1-115. REDISTRICTING CRITERIA. (1) **SUBJECT TO FEDERAL LAW, LEGISLATIVE AND CONGRESSIONAL DISTRICTS MUST BE ESTABLISHED ON THE BASIS OF POPULATION.**

(2) IN THE DEVELOPMENT OF LEGISLATIVE DISTRICTS, A PLAN IS SUBJECT TO THE VOTING RIGHTS ACT AND MUST COMPLY WITH THE FOLLOWING CRITERIA, IN ORDER OF IMPORTANCE:

(A) THE DISTRICTS MUST BE AS EQUAL AS PRACTICABLE, MEANING TO THE GREATEST EXTENT POSSIBLE, WITHIN A PLUS OR MINUS 1% RELATIVE DEVIATION FROM THE IDEAL POPULATION OF A DISTRICT AS CALCULATED FROM INFORMATION PROVIDED BY THE FEDERAL DECENNIAL CENSUS. THE RELATIVE DEVIATION MAY BE EXCEEDED ONLY WHEN NECESSARY TO KEEP POLITICAL SUBDIVISIONS INTACT OR TO COMPLY WITH THE VOTING RIGHTS ACT.

(B) DISTRICT BOUNDARIES MUST COINCIDE WITH THE BOUNDARIES OF POLITICAL SUBDIVISIONS OF THE STATE TO THE GREATEST EXTENT POSSIBLE. THE NUMBER OF COUNTIES AND CITIES DIVIDED AMONG MORE THAN ONE DISTRICT MUST BE AS SMALL AS POSSIBLE. WHEN THERE IS A CHOICE BETWEEN DIVIDING LOCAL POLITICAL SUBDIVISIONS, THE MORE POPULOUS SUBDIVISIONS MUST BE DIVIDED BEFORE THE LESS POPULOUS, UNLESS THE BOUNDARY IS DRAWN ALONG A COUNTY LINE THAT PASSES THROUGH A CITY.

(C) THE DISTRICTS MUST BE CONTIGUOUS, MEANING THAT THE DISTRICT MUST BE IN ONE PIECE. AREAS THAT MEET ONLY AT POINTS OF ADJOINING CORNERS OR AREAS SEPARATED BY GEOGRAPHICAL BOUNDARIES OR ARTIFICIAL BARRIERS THAT PREVENT TRANSPORTATION WITHIN A DISTRICT MAY NOT BE CONSIDERED CONTIGUOUS.

(D) THE DISTRICTS MUST BE COMPACT, MEANING THAT THE COMPACTNESS OF A DISTRICT IS GREATEST WHEN THE LENGTH OF THE DISTRICT AND THE WIDTH OF A DISTRICT ARE EQUAL. A DISTRICT MAY NOT HAVE AN AVERAGE LENGTH GREATER THAN THREE TIMES THE AVERAGE WIDTH UNLESS NECESSARY TO COMPLY WITH THE VOTING RIGHTS ACT.

5-1-115 MCA, Continued

(3) A DISTRICT MAY NOT BE DRAWN FOR THE PURPOSES OF FAVORING A POLITICAL PARTY OR AN INCUMBENT LEGISLATOR OR **MEMBER OF CONGRESS**. THE FOLLOWING DATA OR INFORMATION MAY NOT BE CONSIDERED IN THE DEVELOPMENT OF A PLAN:

- (A) ADDRESSES OF INCUMBENT LEGISLATORS OR **MEMBERS OF CONGRESS**;
- (B) POLITICAL AFFILIATIONS OF REGISTERED VOTERS;
- (C) PARTISAN POLITICAL VOTER LISTS; OR
- (D) PREVIOUS ELECTION RESULTS, UNLESS REQUIRED AS A REMEDY BY A COURT.

New Section 4, 5-1-115 MCA

(4) IN THE DEVELOPMENT OF CONGRESSIONAL DISTRICTS AND UNDER THE AUTHORITY GRANTED TO THE LEGISLATURE BY ARTICLE I, SECTION 4, OF THE UNITED STATES CONSTITUTION, A CONGRESSIONAL DISTRICTING PLAN IS SUBJECT TO THE VOTING RIGHTS ACT AND MUST COMPLY WITH THE FOLLOWING CRITERIA, IN ORDER OF IMPORTANCE:

(A) THE DISTRICTS MUST BE AS EQUAL AS PRACTICABLE.

(B) DISTRICT BOUNDARIES MUST COINCIDE WITH THE BOUNDARIES OF POLITICAL SUBDIVISIONS OF THE STATE TO THE GREATEST EXTENT POSSIBLE. THE NUMBER OF COUNTIES AND CITIES DIVIDED AMONG MORE THAN ONE DISTRICT MUST BE AS SMALL AS POSSIBLE. WHEN THERE IS A CHOICE BETWEEN DIVIDING LOCAL POLITICAL SUBDIVISIONS, THE MORE POPULOUS SUBDIVISIONS MUST BE DIVIDED BEFORE THE LESS POPULOUS, UNLESS THE BOUNDARY IS DRAWN ALONG A COUNTY LINE THAT PASSES THROUGH A CITY.

(C) THE DISTRICTS MUST BE CONTIGUOUS, MEANING THAT A DISTRICT MUST BE IN ONE PIECE. AREAS THAT MEET ONLY AT POINTS OF ADJOINING CORNERS OR AREAS SEPARATED BY GEOGRAPHICAL BOUNDARIES OR ARTIFICIAL BARRIERS THAT PREVENT TRANSPORTATION WITHIN A DISTRICT MAY NOT BE CONSIDERED CONTIGUOUS.

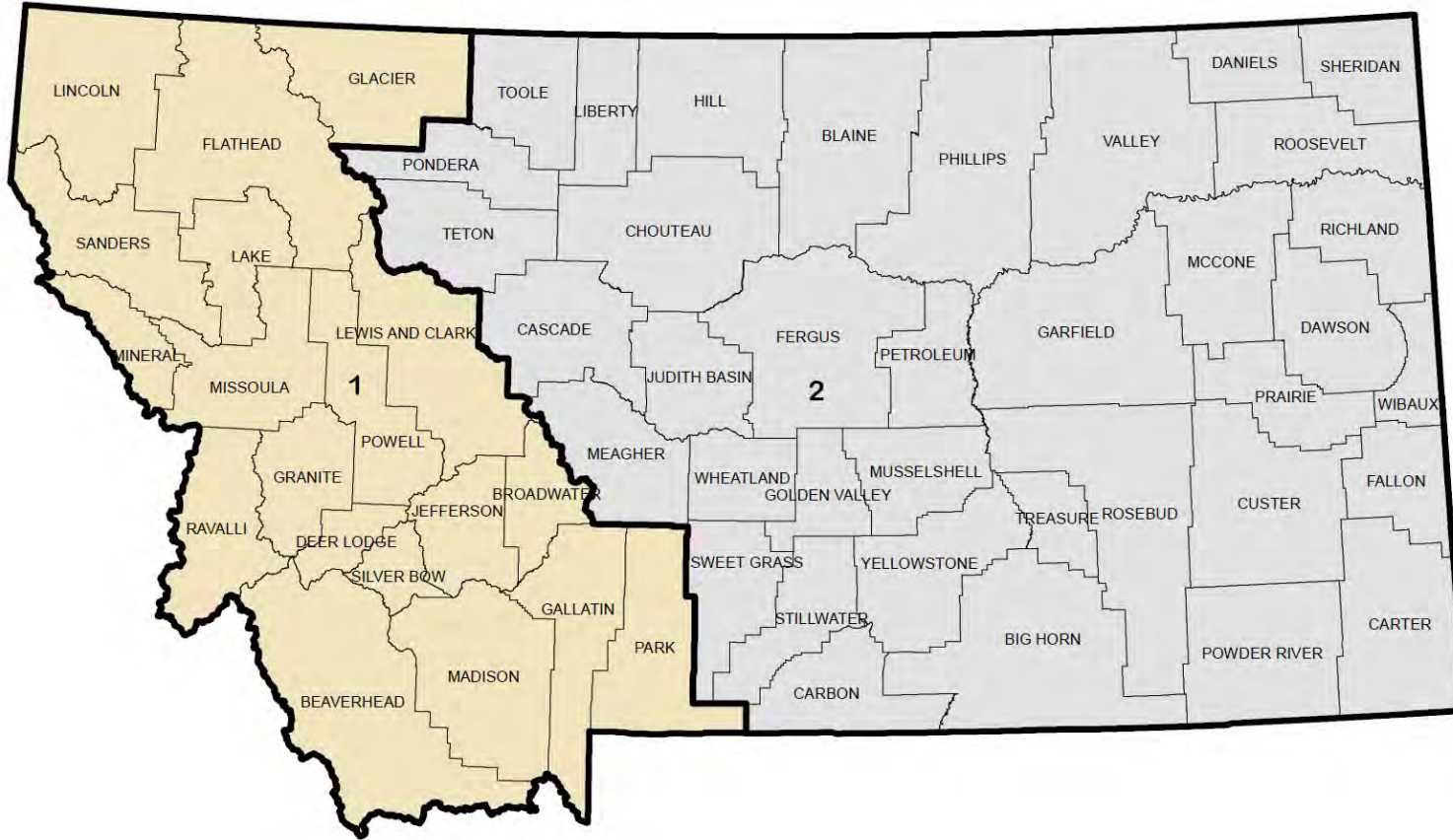
(D) THE DISTRICTS MUST BE COMPACT, MEANING THAT THE COMPACTNESS OF A DISTRICT IS GREATEST WHEN THE LENGTH OF THE DISTRICT AND THE WIDTH OF A DISTRICT ARE EQUAL. A DISTRICT MAY NOT HAVE AN AVERAGE LENGTH GREATER THAN THREE TIMES THE AVERAGE WIDTH UNLESS NECESSARY TO COMPLY WITH THE VOTING RIGHTS ACT."

What does the future look like?

We have 90 days (by the Montana Constitution) to have the final congressional district drawn, and that date is from the official federal census filing.

The thief in chief administration has given us preliminary data, but the official filing wont happen until September 30th 2021 (as we know today).

Montana Congressional Districts, 1984 - 1990

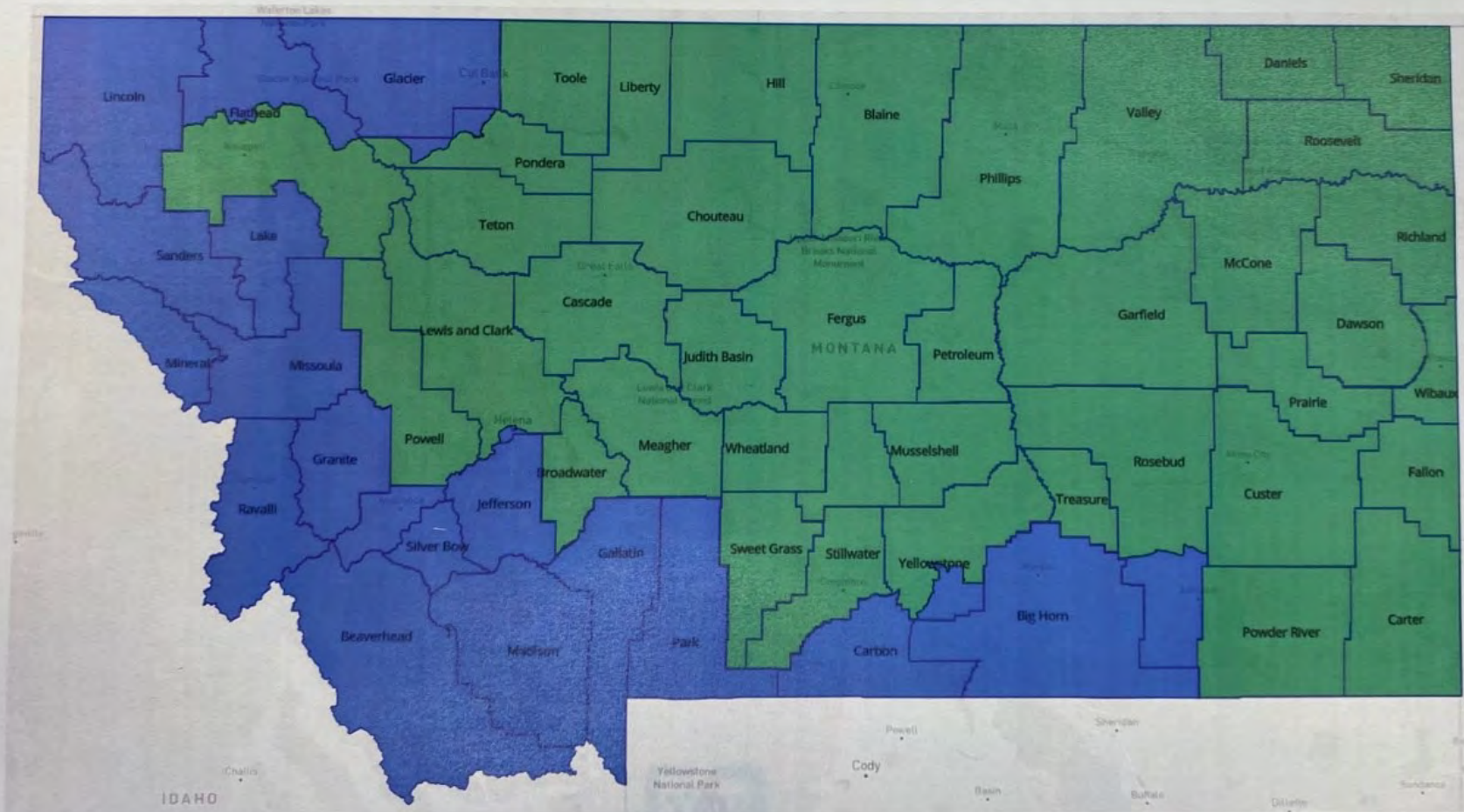


The last time
Montana had
two districts

Source: Report and Recommendations of the Montana Districting and Apportionment Commission
December 1982

Scenario #2

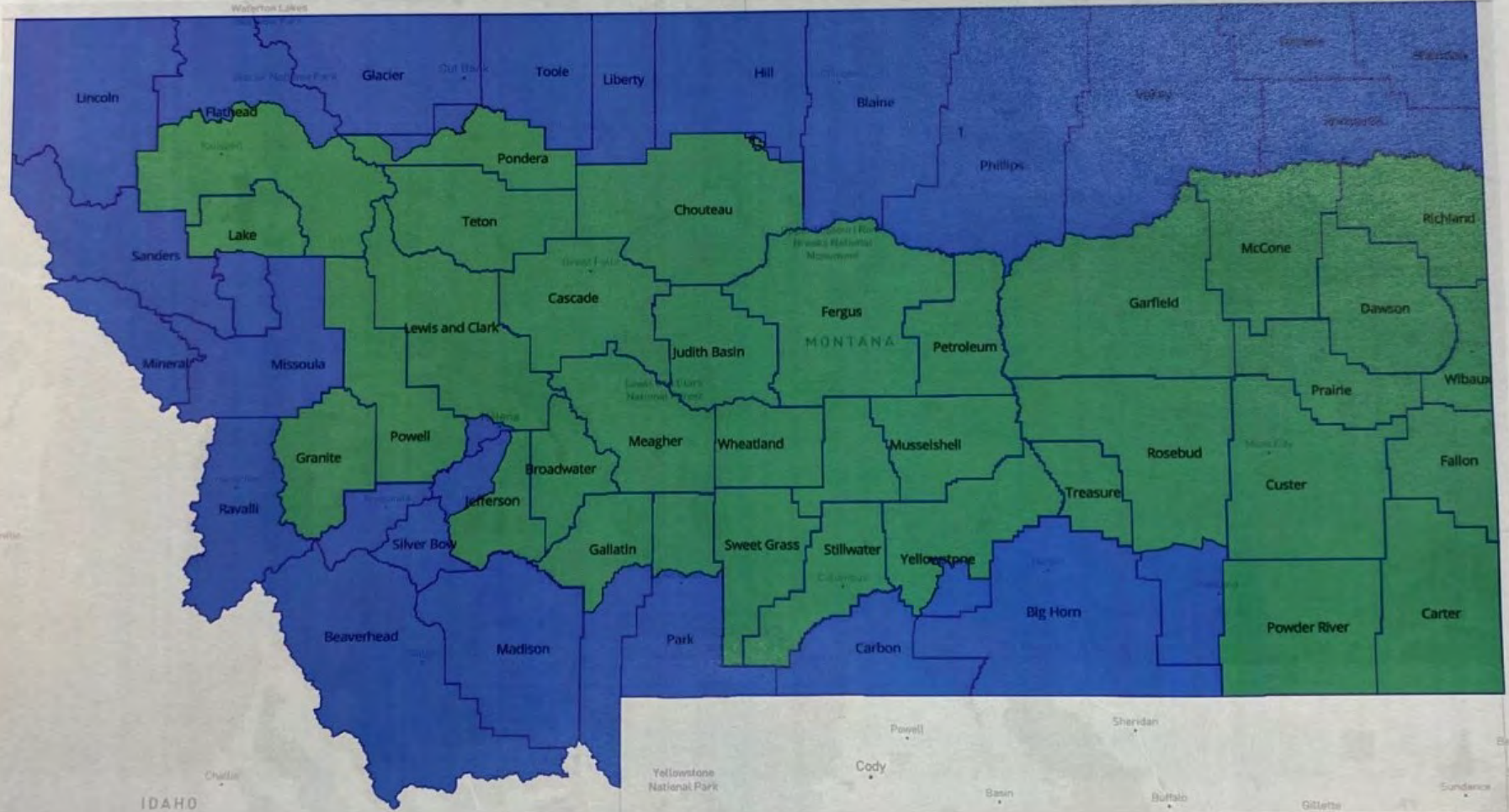
59.1% Dem, 40.9% Rep



First
nightmare
Democrat
idea

Scenario #1

60.2% Dem, 39.8% Rep



Confidential – Do not Distribute

Second
nightmare
Democrat
idea


The June 10, 2021, Districting and Apportionment Commission meeting is open to the public in the following ways:


- Members of the public may join the commission in the State Capitol meeting room.
- Members of the public who want to offer public comment remotely may join the meeting on Zoom for the public comment periods noted on the agenda.

The meeting will be streamed live at <https://leg.mt.gov/> and broadcast on the Montana Public Affairs Network (MPAN) if you wish to view it only. An archived recording of the meeting will also be made immediately available on <https://leg.mt.gov/>.

What can we do?

How do we get involved?

- 
- ▶ To offer public comment on Zoom, please contact Rachel Weiss at districting@mt.gov by 12 p.m. (noon) on June 9th with the following information:
 - ▶ 1. your name; and
 - ▶ 2. whether you'll be providing comment by telephone or through the Zoom meeting platform via your computer. A sturdy Internet connection and a microphone are required to provide comment by Zoom.
 - ▶ After providing that information, you'll receive instructions by 5 p.m. on June 9th for joining and participating in the meeting.

- 
- ▶ Written public comment provided by email, online, or regular mail in advance of the meeting is accepted and encouraged. Comments received by **5 p.m. on Monday, June 7** will be provided to commissioners in advance of the meeting.
 - ▶ Comments sent to the commissioners after that time or during or immediately after adjournment of the meeting will be provided to the commissioners prior to their next meeting.
 - ▶ Written comments may be emailed to **districting@mt.gov**, submitted at **<https://leg.mt.gov/districting/2020-commission/redistricting-input/>**
 - ▶ or mailed to Districting and **Apportionment Commission, PO Box 201706, Helena, MT, 59620.**

The Fight is ours to win

Please reach out to the folks on the commission, and flood them with your opinions. Develop the narrative by looking at the criteria they want to adopt, by what we said they should adopt in HB 506, and the GOP plan next week.



REDISTRICTING



Thank you

Contact info:

Derek Skees

derekskees@gmail.com

derek.skees@mtleg.gov

derekskees.com

406-212-5493

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 4:04:12 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 16:04

Your Full Name:

Derek Skees

Email Address:

derekskees@gmail.com

Your Comment/Input:

Dear members of the Districting and Apportionment Commission, Thank you for your hard work to date on this critical role you Constitutionally hold. I am writing to ask that you adhere to the guidelines we set for you in HB 506 during the 67th Legislature. There has been grumblings that the bill was unconstitutional, but it is clear our Constitution does not spell out the districting for Congressional seats, except Article V, Sec 14 (1) "All districts shall be as nearly equal in population as is practicable." The obvious conclusion, as elsewhere in the same Constitution, we see the Legislature has the authority to clarify in law the implementation, where it is not specifically defined. Therefore, please adhere to the clearly spelled out rules now found under MCA 5-1-115, new section 4 (HB 506) in your adoption of Mandatory Criteria. I also ask that you further reduce the maximum population deviation to 1%. Today's modern census capabilities, the old school process allowing for wide discrepancies no longer exists. We can get to a much more exact number of folks per precinct. Anything else is just gaming totals to get desired outcomes based on political considerations. Lastly, I ask that you keep all the criteria in the mandatory section, by including following the lines of political boundaries, following geographic boundaries, and keeping communities of interest intact. Allowing these critical elements to be discretionary (as the last commission did), results in poorly drawn amoeba districts. Which are only a desire for a political outcome, and not one of true commitment to these principles. Thank you again for your hard work, and I look forward to a set of districts that Montanans can be proud of, districts that adhere to the beliefs we all can agree upon. Allowing for fair elections, bereft of political gamesmanship.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: [Derek Skees](#)
To: [Districting](#)
Cc: maylinn.smith@mtleg.gov; jeff.essmann@mtleg.gov; joe.lamson@mtleg.gov; dan.stusek@mtleg.gov; kendra.miller@mtleg.com
Subject: [EXTERNAL] Criteria for the Districts
Date: Monday, June 7, 2021 4:02:16 PM

Dear members of the Districting and Apportionment Commission,

Thank you for your hard work to date on this critical role you Constitutionally hold. I am writing to ask that you adhere to the guidelines we set for you in HB 506 during the 67th Legislature. There has been grumblings that the bill was unconstitutional, but it is clear our Constitution does not spell out the districting for Congressional seats, except Article V, Sec 14 (1) "All districts shall be as nearly equal in population as is practicable."

The obvious conclusion, as elsewhere in the same Constitution, we see the Legislature has the authority to clarify in law the implementation, where it is not specifically defined. Therefore, please adhere to the clearly spelled out rules now found under MCA 5-1-115, new section 4 (HB 506) in your adoption of Mandatory Criteria.

I also ask that you further reduce the maximum population deviation to 1%, with today's modern census capabilities, the old school process allowing for wide discrepancies no longer exists. We can get to a much more exact number of folks per precinct. Anything else is just gaming totals to get desired outcomes based on political considerations.

Lastly, I ask that you keep all the criteria in the mandatory section, by including following the lines of political boundaries, following geographic boundaries, and keeping communities of interest intact. Allowing these critical elements to be discretionary (as the last commission did), results in poorly drawn amoeba districts. Which are only a desire for a political outcome, and not one of true commitment to these principles.

Thank you again for your hard work, and I look forward to a set of districts that Montanans can be proud of, districts that adhere to the beliefs we all can agree upon. Allowing for fair elections, bereft of political gamesmanship.

--

Derek Skees
Republican Legislator
HD 11

NOTICE: Legislators are publicly elected officials. Legislator emails sent or received involving legislative business, may be subject to the Right to Know provisions of Montana's Constitution and may be considered a "public record" pursuant to Montana law. As such, email sent or received, its sender and receiver, and the email's contents, may be subject to public disclosure, except as otherwise provided by Montana law.

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 4:27:33 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 16:27

Your Full Name:

Ron Staley

Email Address:

twocampers@myexcel.com

Your Comment/Input:

Please return our Montana Congressional Districts to the original district boundaries that were in place before the 2000 Census or draw a line to separate the eastern part of the state from the western part of the state.

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Thursday, June 3, 2021 4:03:26 PM

Submit Your Input Regarding Redistricting in Montana

Date: 3rd June 2021 16:03

Your Full Name:
James L. Thompson

Email Address:
jt-thompson@outlook.com

Your Comment/Input:
We want the redistricting process to be done that way it was done previously. That was fair. What is being proposed now is gerrymandering. Sincerely, James L. Thompson

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Thursday, June 3, 2021 4:00:49 PM

Submit Your Input Regarding Redistricting in Montana

Date: 3rd June 2021 16:00

Your Full Name:

Sharon Thompson

Email Address:

jt-thompson@outlook.com

Your Comment/Input:

We want the redistricting policy to go back to the former way it was in the past. That was fair. What is being proposed now is gerrymandering. Sincerely, Sharon Thompson

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 4:03:16 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 16:03

Your Full Name:

Sally Tucker

Email Address:

Kickingasparagus@gmail.com

Your Comment/Input:

Please return our MT Congressional Districts to the original district boundaries, that were in place, pre-2000 Census. If that is truly unworkable, please establish clear East and West districts, to ensure fair representation of citizens and their interests. From recent maps of populations, the East/West solution seems the most fair representation for Montana. Montanans are counting on you to ensure this process is transparent and reasonable. Please do not let us down. Thank you! Sally Tucker

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: barry.usher@mtleg.gov
To: [Districting](#)
Cc: [Usher, Barry](#)
Subject: [EXTERNAL] 2021 Redistricting
Date: Monday, June 7, 2021 3:50:09 PM
Attachments: [image001.png](#)

Commissioners,

Montana is a very diverse state. We have everything from mountains of the west to prairies of the east, farmers, ranchers, pro cultivation of natural resources to environmentalists and those who have lived here all their lives to those who have been drawn here for Montana beauty, charm, our way of life and Montana values

It is my understanding that the growth in population in Montana has been much greater in the western ½ of our great state.

I would like to ask that you consider all of that when you create boundaries for the new US Congressional seat and redistricting our PSC, State House & Senate boundaries.

Please try to keep a fair and non-partisan frame of mind.

Redistricting is NOT how our state should be winning or losing seats for a particular party.

I would like to ask you to consider raising the variance % for each district.

Thank you for your consideration

Barry M. Usher
Representative
Montana House District 40
(406) 252-2888 x1116
Barry.Usher@MTLeg.gov



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From: [Marianne Vigeland](#)
To: [Districting](#)
Subject: [EXTERNAL] comments to the commission
Date: Thursday, June 3, 2021 10:20:44 AM

We support a non-partisan approach to redistricting. Please seriously consider the reasons our constitution calls for an even- handed approach to this process. Both parties and all citizens will be living with these decisions for a long time. Fashionable rhetoric must give way to the long view.

We are looking for respectful dialogue and rational compromise.

Best Regards, Tor and Marianne Vigeland

From: [Kathy Workman](#)
To: [Districting](#)
Subject: [EXTERNAL] Redistricting
Date: Monday, June 7, 2021 2:22:55 PM

I am writing as a concerned citizen, I was able to see a potential proposed Map of the new districting? I would like to think it was a joke, however we are in a season of a lot of one sided biases. To do a large C that includes all the reservations and Democratic cities is beyond wow! East West or North South cut seems to me to make the most sense. We will be watching to see what basis are played out.

Sincerely,

Kathy Workman

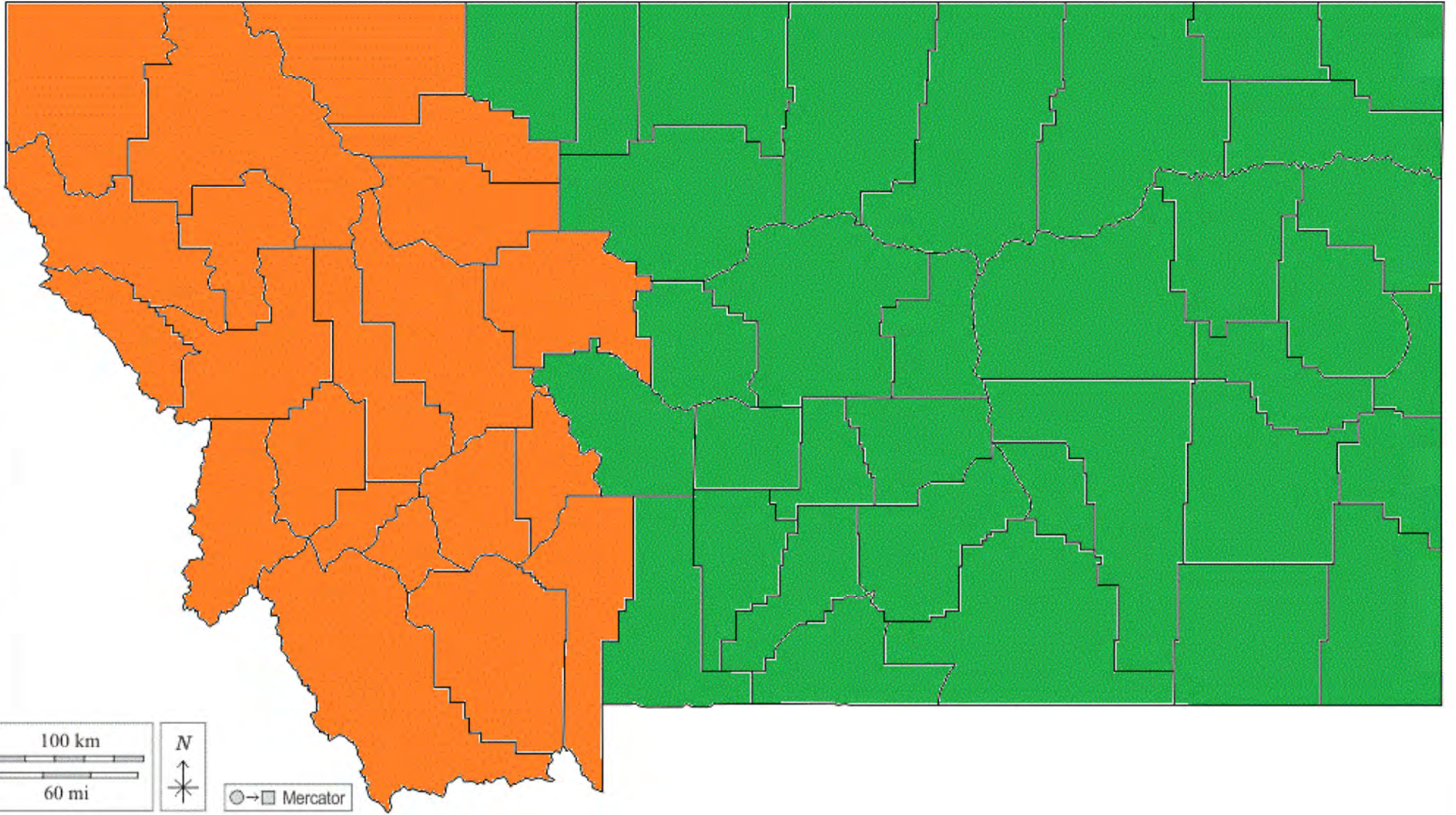
From: [j.w](#)
To: [Maylinn Smith](#); [Weiss, Rachel](#); jeff.essmann@mtleg.gov; Joe.Lamson@mtleg.gov
Subject: [EXTERNAL] Proposed Congressional Map Templates for 2022
Date: Tuesday, May 25, 2021 2:51:37 PM

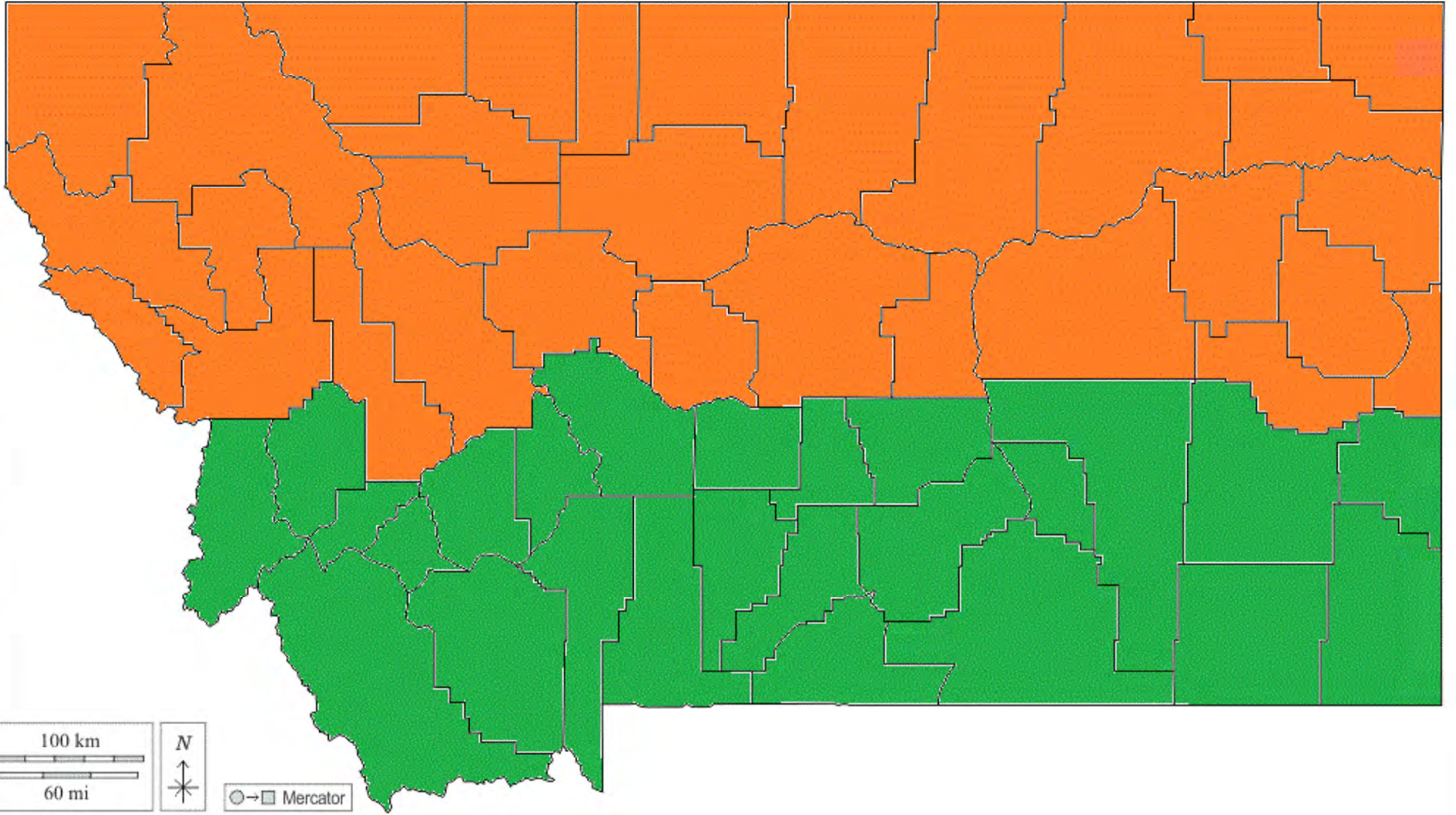
Hello,

Here are my East-West and North-South Congressional House map templates. I don't have knowledge on the actual population of each district and based each map on the county lines with competitiveness in mind. Cascade county/Great Falls should be put in the West district because it is a swing county and it often votes for the stronger candidate, regardless of party.

Thank you,
John Wright

Sent from [Mail \[go.microsoft.com\]](mailto:Mail[go.microsoft.com]) for Windows 10





From: [j.w](#)
To: maylinn.smith@mtleg.gov; Joe.Lamson@mtleg.gov; jeff.essmann@mtleg.gov; dan.stusek@mtleg.gov; kendra.miller@mtleg.gov; [Weiss, Rachel](#)
Subject: [EXTERNAL] Election reforms for more competitive elections ideas
Date: Tuesday, May 25, 2021 3:03:59 PM

5-25-2021

Hello,

You might want to look into Jungle Primary or Ranked Choice voting to ensure more competitive elections in the future. This can be done through a recommendation to the legislature for the 2023 session. I have provided videos to provide additional information on these reforms.

Jungle Primary Explained:

<https://www.youtube.com/watch?v=uqGICBfN4TM> [youtube.com]

Ranked Choice Voting Explained:

<https://www.youtube.com/watch?v=8Z2fRPRkWvY> [youtube.com]

Thank you,
John Wright
Westby, MT

Sent from [Mail \[go.microsoft.com\]](mailto:) for Windows 10

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Friday, May 28, 2021 12:38:59 PM

Submit Your Input Regarding Redistricting in Montana

Date: 28th May 2021 12:38

Your Full Name:

John Wright

Email Address:

jwright68@hotmail.com

Your Comment/Input:

Please have one North-South Map and one East-West Map for public comment. Each map could be created by one Democrat and one Republican to ensure bipartisanship. This way you should know which map is preferred by most citizens and how the districts should be drawn based on unbiased public testimony. The population deviations need to be 3% or less for the legislative districts, and 1% or less for the Congressional districts. Thank you

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/

From: leg-noreply@mt.gov
To: [Weiss, Rachel](#)
Subject: Submission from Redistricting Input Form
Date: Monday, June 7, 2021 2:31:25 PM

Submit Your Input Regarding Redistricting in Montana

Date: 7th June 2021 14:31

Your Full Name:

Nancy Yager

Email Address:

n.yager@hotmail.com

Your Comment/Input:

Dear Commisioners, I'm reaching out to you to remind you that the law (MCA 5-11-115) and our Montana Constitution Require you to set district boundaries with the following criteria stated below> I'm not asking I'm demanding for you to set congregational districts using the same criteria as you do for the legislative districts. I'm hoping your conscience will be remembering to follow our Montana Constitution and the law! Sincerely, Nancy Yager

Sent via leg.mt.gov/districting/2020-commission/redistricting-input/