



# Montana Districting and Apportionment Commission

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September 20, 2021

The Honorable Jon Tester  
311 Hart Senate Office Building  
Washington, DC 20510-2604

Dear Senator Tester,

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 Montanans 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, this work would be simpler if Congress enacts legislation prior to the 2030 Census to require the U.S. Census Bureau to count prisoners at their most recent 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