

A LEGISLATIVE REAPPORTIONMENT COMMISSION RESOLUTION

1 Providing for residence of incarcerated individuals for the
2 purpose of creating the reapportionment plan for the General
3 Assembly.

4 WHEREAS, The Legislative Reapportionment Commission and the
5 Legislative Data Processing Center obtained from the Department
6 of Corrections information, including, for each individual
7 incarcerated in a State correctional facility at the time of the
8 Federal Decennial Census of 2020:

9 (1) a unique identifier, not including the name, of the
10 individual;

11 (2) the last known address of the individual prior to
12 being sentenced to incarceration;

13 (3) the census block of the facility where the
14 individual is incarcerated; and

15 (4) the race, ethnicity and age of the individual, if
16 known;

17 and

18 WHEREAS, The Pennsylvania State Data Center, using geocoding

1 tools, successfully geocoded 83.17% of in-state inmates to their
2 last known address; and

3 WHEREAS, Article II, Section 17 of the Constitution of
4 Pennsylvania grants the commission the exclusive authority to
5 reapportion the Commonwealth; and

6 WHEREAS, The practice of counting inmates as residents of
7 their prisons rather than from the districts from which they
8 came artificially inflates the population count of districts
9 where prisons are located and artificially reduces the
10 population count of districts from which the inmates came,
11 likely continue to have ties to and likely will return to post
12 incarceration; therefore be it

13 RESOLVED, That the population total used after the Federal
14 Decennial Census of 2020 by the Legislative Reapportionment
15 Commission for the purpose of legislative reapportionment for
16 the General Assembly:

17 (1) not count an individual who:

18 (i) is incarcerated in a State correctional
19 facility, as determined by the census; and

20 (ii) was not a resident of this Commonwealth
21 immediately prior to being sentenced to incarceration;
22 and

23 (2) count an individual who is incarcerated in a State
24 correctional facility, as determined by the census, and who
25 was a resident of this Commonwealth immediately prior to
26 being sentenced to incarceration:

27 (i) at the address, as reported by the Department of
28 Corrections, where the individual was last domiciled in
29 this Commonwealth immediately prior to being sentenced to
30 incarceration;

1 (ii) if the individual was homeless immediately
2 prior to being sentenced to incarceration, at the
3 location in this Commonwealth, as reported by the
4 department, where the individual regularly stayed or
5 regularly received services immediately prior to being
6 sentenced to incarceration;

7 (iii) if there is no address under subparagraph (i)
8 and no location under subparagraph (ii), at the facility
9 where the individual is incarcerated; or

10 (iv) if the individual is subject to a sentence of
11 life imprisonment, at the facility where the individual
12 is incarcerated;

13 and be it further

14 RESOLVED, That, in order to ensure that each individual
15 incarcerated in a State correctional facility who was a resident
16 of this Commonwealth immediately prior to being sentenced to
17 incarceration is counted under the first Resolved Clause, in
18 reapportioning the General Assembly, the information under the
19 first and second Whereas Clauses is used to adjust the
20 population data for this Commonwealth received under 13 U.S.C. §
21 141(c) (relating to population and other census information);

22 and be it further

23 RESOLVED, That the Pennsylvania State Data Center adjust the
24 population data under the second Resolved Clause and maintain a
25 detailed log of the process used and the adjustments made to the
26 population data, subject to the direction of any subsequent
27 memorandum approved by a majority vote of the commission.