A LEGISLATIVE REAPPORTIONMENT COMMISSION RESOLUTION

Provisioning for residence of incarcerated individuals for the
purpose of creating the reapportionment plan for the General
Assembly.

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

(1) a unique identifier, not including the name, of the
individual;
(2) the last known address of the individual prior to
being sentenced to incarceration;
(3) the census block of the facility where the
individual is incarcerated; and
(4) the race, ethnicity and age of the individual, if
known;

and

WHEREAS, The Pennsylvania State Data Center, using geocoding
tools, successfully geocoded 83.17% of in-state inmates to their
last known address; and

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

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

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

(1) not count an individual who:

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

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

and

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

   (i) at the address, as reported by the Department of
   Corrections, where the individual was last domiciled in
   this Commonwealth immediately prior to being sentenced to
   incarceration;
(ii) if the individual was homeless immediately prior to being sentenced to incarceration, at the location in this Commonwealth, as reported by the department, where the individual regularly stayed or regularly received services immediately prior to being sentenced to incarceration;

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

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

and be it further

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

and be it further

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