

AN ACT CONCERNING THE DETERMINATION OF THE RESIDENCE OF INCARCERATED PERSONS FOR PURPOSES OF LEGISLATIVE DISTRICTING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (Effective July 1, 2016)

(a) In each year in which the federal decennial census is taken but in which the United States Bureau of the Census allocates incarcerated persons as residents of correctional facilities, the Department of Correction shall by May 1st of that same year deliver to the Secretary of State:

(1) a unique identifier, not including the name, or CT DOC inmate 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 shall enable the Secretary of State or the Office of Legislative Research to address inquiries about specific address records to the Department of Correction, without making it possible for anyone outside of the Department of Correction to identify the inmate to whom the address record pertains;

(2) the street address of the correctional facility in which such person was incarcerated at the time of such report;

(3) if known, the last known address of such person prior to incarceration or other legal residence;

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

(5) any additional information as the Secretary of State may request pursuant to law.

(b) The department shall provide the information specified in paragraph (a) of this subdivision in such form as the Secretary of State shall specify.

(c) Notwithstanding any other provision of law, the information required to be provided to the Secretary of State pursuant to this subdivision shall not include the name of any incarcerated person and shall not allow for the identification of any such person therefrom, except to the Department of Correction. The information shall be treated as confidential, and shall not be disclosed by the Secretary of State or the Office of Legislative Research except as redistricting data aggregated by census block for purposes specified in Section 4.

Sec. 2. (NEW) (Effective July 1, 2016) In each year in which the federal decennial census is taken but in which the United States Bureau of the Census allocates incarcerated persons as residents of correctional facilities, The Secretary of State shall request each agency that operates a federal facility in this State

that incarcerates persons convicted of a criminal offense to provide the Secretary of State with a report including the information listed in subsection (a) of section 1 of this act.

Sec. 3. (NEW) (Effective July 1, 2016) In each year in which the federal decennial census is taken but in which the United States Bureau of the Census allocates incarcerated persons as residents of correctional facilities:

(a) The Secretary of State shall promptly provide the reports including information listed in section 1 or 2 of this Act to the Office of Legislative Research. For each person included in a report received under Sections 1 and 2, the Office of Legislative Research shall determine the geographic units for which population counts are reported in the federal decennial census that contain the facility of incarceration and the legal residence as listed according to the report.

(b) For each person included in a report received under Sections 1 and 2, if the legal residence is known and in this State, the Office of Legislative Research shall:

(1) Ensure that the person is not represented in any population counts reported by the Office of Legislative Research for the geographic units that include the facility at which the person was incarcerated, unless that geographic unit also includes the person's legal residence.

(2) Ensure that any population counts reported by the Office of Legislative Research reflect the persons' residential address as reported under Sections 1 and 2.

(c) For each person included in a report received under Sections 1 and 2 for whom a legal residence is unknown or not in this State, and for all persons reported in the census as residing in a federal correctional facility for whom a report was not provided, the Office of Legislative Research shall:

(1) Ensure that the person is not represented in any population counts reported by the Office of Legislative Research for the geographic units that include the facility at which the person was incarcerated.

(2) Allocate the person to a state unit not tied to a specific determined geography, as other state residents with unknown state addresses are allocated, including but not limited to military and federal government personnel stationed overseas.

(d) The data prepared by the Office of Legislative Research pursuant to this section shall be completed and published no later than 30 days from the date that federal decennial PL94-171 data is published for the state of Connecticut.

(e) The Secretary of State shall notify local governments that Section 4 requires local governments to use the data prepared by the Office of Legislative Research pursuant to this Section for redistricting purposes.

Sec. 4. (NEW) (Effective July 1, 2016) The Office of Legislative Research shall prepare redistricting population data to reflect incarcerated persons at their residential address, pursuant to Section 3. The data prepared by the Office of Legislative Research pursuant to Section 3 shall be the basis of state house of representative districts, state senate districts, and all local government districts that are based on population. Incarcerated populations residing at unknown geographic locations within the State, as determined under subsection (c)(2) of Section 3 shall not be used to determine the ideal population of any set of districts, wards, or precincts.

Sec. 5. (NEW) (Effective July 1, 2016) The Department of Correction shall, starting within 6 months of the effective date of this statute, collect and maintain an electronic record of the legal residence, presumptively outside of the facility, and other demographic data, for any person entering its custody. At a minimum, this record shall 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. To the degree possible, the Department of Correction shall also allow the legal residence to be updated as appropriate.

Sec. 6. (NEW) (Effective July 1, 2016) The data prepared by the Office of Legislative Research in Section 3 shall not be used in the distribution of any state or federal aid.

Statement of Purpose:

To provide for the adjustment of population data so as to count incarcerated persons as residents of their last town of residence rather than as residents of the town in which the correctional facility is located.