

Submission of League of Women Voter

Received: 8/31/21

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Will Hayward <will@democracymaine.org>

Dear Commission Members,

Attached please find additional public comment from the League of Women Voters of Maine communicating our view on the importance of public and timely draft maps. We would be happy to follow up with any additional information the commission should request. Thank you for your time.

Sincerely,

Will Hayward

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Will Hayward (he/him)

Advocacy Program Coordinator, Democracy Maine

League of Women Voters of Maine and Maine Citizens for Clean Elections

Learn more about our collaboration

[www.DemocracyMaine.org](http://www.DemocracyMaine.org)

207-200-7492



TO: Maine Apportionment Commission

DATE: August 31, 2021

RE: Request for Public and Timely Maps

FROM: Anna Kellar, Executive Director

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Thank you for your continued work and interest in public input to the redistricting process. We are submitting this public comment today to request that the Commission prioritize the timely release of draft maps to maximize opportunities for public comment and community engagement, and to release these draft maps in formats that allow for public engagement and analysis.

During your August 18th meeting, there was a robust discussion about the shared need and desire for public comment and participation. As we shared at the time, we, too, believe this is a vital part of the redistricting process. In order to facilitate public feedback, we urge the Commission to share maps with the public as soon as possible. As the League has conducted outreach on redistricting with our members and other community organizations, one recurring piece of feedback we have received is that members of the public do not feel able to offer comment without maps to remark on. We understand the Commission has a difficult balance between time to develop maps and time to consider public comment and revisions, but it is critically important to give the public a meaningful opportunity to comment while public input can still be considered and reflected in the Commission's decisions. The League believes the public has a substantial interest in having maps available for public comment as soon as possible, even if these maps are party map proposals and not compromise maps.

We also urge the Commission to implement an online portal for submission of comments; as the League observed during the legislative session, such a portal can be very effective for generating comment from members of the public not traditionally involved in such processes.

Finally, it is important for draft maps to be presented in a format that readily allows for public engagement and analysis. This format would include:

- A list of the counties and towns in each proposed district
- Description of how towns are divided for districts that divide towns, using geographic features or electoral districts
- A map of the proposed districts, that the public may review without mapping software, for instance in a pdf format
- Maps of divided towns at the granular level showing where the proposed district boundaries would go, suitable for review by members of the public without access to mapping software

August 31, 2021

Because there are a number of publicly accessible automated tools to help ordinary citizens assess mapping proposals, we also highly recommend that you release:

- ESRI shapefiles of the proposed districts, including population counts
- A census block assignment file for the proposed districts.

Thank you for your consideration of this vital issue, and we look forward to continuing to engage with this work.

Submission of Kevin LaMoreau, Augusta

Received: 8/18/21

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Maine State House Redistricting in Augusta  
Potential House district boundary lines

The (entire) Kennebec River (within Augusta):

Description: The centerline of the Kennebec River (or to be precise the set of census tract boundary lines that follow roughly the centerline of the Kennebec River in Augusta (and pass entirely through water)) from the Vassalboro and Sidney lines to the Hallowell line (the Hallowell line hits the river slightly north of the Chelsea line).

Population (and 1/151sts of Maine's population) (and % of Augusta's population) on either side in 2020: 9,216 (1.0215) (48.76%) to the east; 9,683 (1.0732) (51.24%) to the west.

Possible application: as the western boundary of an "Augusta East" House district in a scenario where Augusta has two whole House districts and one partial House district (as at present), but where (unlike at present) the remainder comes out of the west side.

Relationship with ward boundaries: Follows the current 3-4 and 1-4 boundaries throughout their length (from the Vassalboro and Sidney lines to Calumet Bridge at Old Fort Western) and the current 1-2 boundary from Calumet Bridge to Memorial Bridge where that boundary takes off to the southeast. So this line would divide the current Ward 2 along the Kennebec River into "Ward 2 East" (in an "Augusta East" House district) and "Ward 2 West" (either in the other all-Augusta House district or in a district with Hallowell, etc.; presumably that small area wouldn't be further divided, or any portion of "Ward 2 West" drawn into a different House district from the rest of it could be moved into Ward 1).

Kevline Sewall:

Description: The "centerline" of the Kennebec River (as defined above) from the Vassalboro and Sidney lines south to Memorial Bridge; then southeast and east along Memorial Bridge and Memorial Drive to Memorial Circle (or "to State Street"); then south on State Street to Capitol Street; then west on Capital Street to Sewall Street; then south on Sewall Street to the Hallowell line. Not that it matters, but I place all traffic islands along Memorial Circle to the northwest side of this line (you'd have to enter Memorial Circle from Sewall Street and exit on Memorial Bridge Drive to legally drive along this part of the line; of course you wouldn't be able to drive along the Kennebec River in any case).

Population (and 1/151sts of Maine's population) (and % of Augusta's population) on either side in 2020: 9,873 (1.0943) (52.24%) to the east; 9,026 (1.0004) (47.76%) to the west.

Possible application: as the eastern boundary of an all-Augusta House district in a scenario where Augusta has two whole House districts and one partial House district (as at present), with the remainder

coming out of the east side of this line (also as at present), but not necessarily east of the Kennebec River (see special note below).

Relationship with ward boundaries: Follows the current 3-4, 1-4 and 1-2 boundaries throughout their length (from the Vassalboro and Sidney lines to the Hallowell line).

Special note regarding the above two lines:

Population (and 1/151sts of Maine's population) (and % of Augusta's population) between Kevline Sewall and the Kennebec River in 2020: 657 (0.0728) (3.48%)

This area (the portion of the current Ward 2 west of the Kennebec River) could possibly be placed in a House district with Hallowell, etc.

Kennebec-Sewall Steps:

Description: The "centerline" of the Kennebec River (as defined above) from the Vassalboro and Sidney lines south to Memorial Bridge; then southeast along Memorial Bridge to Gage Street, then south on Gage Street to its end on Capitol and Union Streets, then south and west on Union Street to State Street, then south on State Street to Gray Street, then west on Gray Street to South Grove Street, then south on South Grove Street to Maine Street, then west on Maine Street to Sewall Street, then south on Sewall Street to the Hallowell line.

Population (and 1/151sts of Maine's population) (and % of Augusta's population) on either side in 2020: 9,450 (1.0474) (50.003%) to the east; 9,449 (1.0473) (49.997%) to the west. Talk about close!

Possible application: as the boundary between two all-Augusta House districts in a scenario where Augusta has two whole House districts, no more, no less. I searched for a line like this after a line I had thought up several years ago failed to have both hypothetical districts within acceptable range, but it was still possible for Augusta to two whole House districts with no remainder. That line, Kevline State, was the same as Kevline Sewall except for that it continued south on State Street from Memorial Circle to the Hallowell line instead of turning west on Capitol Street to continue its southern journey along Sewall Street. The population of Augusta west of that line is within range (3.67% above the ideal), but the population of the city east of that line is outside what I consider a 5% rule of thumb for population deviations (it's 5.81% above the ideal).

Relationship with ward boundaries: Follows the current 3-4 and 1-4 boundaries throughout their length (from the Vassalboro and Sidney lines to Calumet Bridge at Old Fort Western) and follows the current 1-2 boundary from where the Kennebec River crosses under Calumet Bridge to the intersection of Memorial Drive and Gage Street at the western end of Memorial Bridge, and again from the western end of Maine Street along Sewall Street to the Hallowell line. Only divides Ward 2, and the portion of Ward 2 to the northwest of this line could be moved into Ward 1, and while this would make the southeastern Ward 2 a bit too small (although technically not too small if the other three wards all had the same population as each other), the northeastern Ward 4 is already too big (with the same caveat)

by that same amount, and the most logical ward to take in territory from Ward 4 is Ward 2 on (mostly) the same side of the river.

#### Northeast Corner Line:

Description: Cross Hill Road and Bolton Hill Road (the name changes when you cross North Belfast Avenue) from the Vassalboro line south to South Belfast Avenue, then east on South Belfast Avenue to the Windsor line.

Population (and 1/151sts of Maine's population) (and % of Augusta's population) on either side in 2020: 904 (0.1002) (4.78%) to the north and east; 17,995 (1.9945) (95.22%) to the south and west.

Possible application: as the boundary between a conglomerate of 2 House districts entirely in Augusta and a district mostly outside Augusta including (but not limited to) Vassalboro and/or Windsor (like the current House District 80). I originally had Church Hill Road as the part of this line from the Vassalboro line to South Belfast Avenue, and that could still work, but the math is a lot tighter, with two House districts in Augusta to the south and east of that line averaging 3.09% on the small side.

Relationship with ward boundaries: South Belfast Avenue is the current 2-4 boundary in this area, so this line would divide the current Ward 4 along Cross Hill and Bolton Hill roads (arguably different sections of the same road) into "Ward 4 East" (in a House district with Vassalboro and/or Windsor, etc.) and "Ward 4 West" (in a House district entirely in Augusta, assuming it's not further divided between the two all-Augusta House districts). The current boundary line in Augusta between House Districts 80 and 85, by contrast, runs entirely through Ward 4 and consists of three or four streets (Riverside Drive, Route 3 (the Alford Connector and North Belfast Avenue) and Weeks Mills Road) plus a brief jog along a set of power lines that doesn't seem to affect any residents.

#### Northwest Corner Line:

Description: Bog Road from the Sidney line (it's Middle Road in Sidney) south to Civic Center Drive (including the one-way portion south of Old Belgrade Road, where you could only legally drive the other way), then Civic Center Drive south to Leighton Road, then Leighton Road south to Bond Brook, then west (upstream) on Bond Brook following the tributary that flows in from Manchester to the Manchester line. A census tract boundary follows this tributary and Bond Brook itself from the Manchester line to the Kennebec River, and the City of Augusta seems to treat that tributary as part of Bond Brook in describing its ward boundaries, although some maps show Bond Brook itself as never leaving Augusta (beginning at the pond just north of Commerce Drive between the Maine Revenue Services office and the MaineGeneral Express Care building, flowing southeast and going near the Maine Veterans Memorial Cemetery (the one by Mount Vernon Road) before turning east) and call the tributary flowing in from Manchester Tanning Brook.

Population (and 1/151sts of Maine's population) (and % of Augusta's population) on either side in 2020: 734 (0.0814) (3.88%) to the north and west; 18,165 (2.0134) (96.12%) to the south and east.

Possible application: as the boundary between a conglomerate of 2 House districts entirely in Augusta and a district mostly outside Augusta including (but not limited to) Manchester and/or Sidney. I originally had I-95 as the part of this line from the Sidney line to Bond Brook, and that could still work (the two House districts in Augusta to the south and east of that line would average just 1.50% on the small side), but it wouldn't work with the Kennebec River being the boundary between those two all-Augusta House districts that would seem desirable if you're going to have the surplus population of Augusta come out of the west side. The area between such a line and the Kennebec River would be 5.15% below the ideal, just outside the common 5% deviation range. The area between the Northwest Corner Line as I now have it and the Kennebec River, however, would be just 0.83% below the ideal.

Relationship with ward boundaries: Bond Brook (including the tributary flowing in from Manchester) is the current 1-3 boundary until you get to an extension of North Street well east of Leighton Road (it's clear from ward maps I've looked at that the boundary follows that tributary, which again is a census tract boundary), so this line divides Ward 3 (along three roads all running roughly from north to south where they coincide with this line) into "Ward 3 East" (in a House district entirely in Augusta, assuming it's not further divided between the two all-Augusta House districts) and "Ward 3 West" (in a House district with Manchester and/or Sidney, etc.).

#### Southeast Corner Line:

Description: Cony Road from the Chelsea line north to South Belfast Avenue, then east on South Belfast Avenue to the Windsor line.

Population (and 1/151sts of Maine's population) (and % of Augusta's population) on either side in 2020: 973 (0.1078) (5.15%) to the south and east; 17,926 (1.9869) (94.85%) to the north and west.

Possible application: as the boundary between a conglomerate of 2 House districts entirely in Augusta and a district mostly outside Augusta including (but not limited to) Chelsea and/or Windsor.

Relationship with ward boundaries: South Belfast Ave. is the current 2-4 boundary in this area, so this line would divide the current Ward 2 along Cony Road into "Ward 2 East" (in a House district with Chelsea and/or Windsor, etc.) and "Ward 2 West" (in a House district entirely in Augusta, assuming it's not further divided between the two all-Augusta House districts).

#### Southwest Corner Line:

Description: I-95 (either carriageway) from the Hallowell line north to Bond Brook, then west (upstream) on Bond Brook following the tributary that flows in from Manchester to the Manchester line.

Population (and 1/151sts of Maine's population) (and % of Augusta's population) on either side in 2020: 448 (0.0497) (2.37%) to the south and west; 18,451 (2.0451) (97.63%) to the north and east.

Possible application: as the boundary between a conglomerate of 2 House districts entirely in Augusta and a district mostly outside Augusta including (but not limited to) Hallowell and/or Manchester.

Relationship with ward boundaries: Bond Brook (including the tributary flowing in from Manchester) is the current 1-3 boundary until you get to an extension of North Street well east of I-95, so this line divides Ward 1 along I-95 into "Ward 1 East" (in a House district entirely in Augusta, assuming it's not further divided between the two all-Augusta House districts) and "Ward 1 West" (in a House district with Hallowell and/or Manchester, etc.).

If a portion of Augusta is to be drawn in a district with Hallowell, I would consider the portion of Ward 2 west of the Kennebec River (the area between Kevline Sewall and the Kennebec River) to be preferable, even if Manchester was also in that district, as that would avoid a split of Ward 1 (Ward 2 would be presumably split along the Kennebec River in this scenario, and could be the only split ward in Augusta). On the other hand, Granite Hill Estates crosses the Augusta-Hallowell line in this area, which would argue in its favor over the western part of Ward 2. And this area is far better connected to Manchester than the area north and west of the Northwest Corner Line, so if Augusta was to be in a 3-district conglomerate with Manchester but neither Hallowell nor Sidney, then the territory south and east of this line might be the best option if the numbers fit.

Okay, that's all the lines I have. I hope this has been as enjoyable to review as it was to compose.

Maine State House Redistricting in Augusta  
Ranking of some potential "minimal conglomerates" of  
whole towns and whole House districts including Augusta

1. Augusta as its own 2-House district conglomerate, with no "partial" House districts.  
Population permitting (Augusta having between 1.9000 and 2.1000 "House quotas").  
Would allow for a single line between the two districts.  
Line would preferably coincide with the Kennebec River north of the Memorial Bridge.  
Kevline State would be a likely possibility here.
2. Augusta at the "end" of a conglomerate with Hallowell, etc.  
Would allow for the (entire) Kennebec River (within Augusta) and Kevline Sewell (or possibly Kevline State) to be used, population permitting.  
The area in between those lines would be in a House district with Hallowell, etc.

Note: The "etc.s" could include other towns bordering Augusta, including those mentioned further down.

3. Augusta at the "end" of a conglomerate with Sidney, etc.  
Would allow for the portion of Augusta east of the Kennebec River to be one House district, population permitting.  
The Northwest Corner Line could be the other boundary line used within Augusta, population permitting (with the "corner area" being in a district with Sidney, etc.).

4. Augusta at the “end” of a conglomerate with Manchester, etc.
  - Would allow for the portion of Augusta east of the Kennebec River to be one House district, population permitting.
  - The Southwest Corner Line or Northwest Corner Line could be the other boundary line used within Augusta, population permitting (with the “corner area” being in a district with Manchester, etc.).
  
5. Augusta at the “end” of a conglomerate with Vassalboro and/or Windsor, etc.
  - Would allow for Kevline Sewell (or possibly Kevline State) to be used, population permitting.
  - The Northeast Corner Line could be the other boundary line used within Augusta, population permitting (with the “corner area” being in a district with Vassalboro, etc.).
  - The “middle district” in Augusta would have kind of an upside-down T-shape.
  
6. Augusta at the “end” of a conglomerate with Chelsea and/or Windsor, etc.
  - Would allow for Kevline Sewell (or possibly Kevline State) to be used, population permitting.
  - The Southeast Corner Line could be the other boundary line used within Augusta, population permitting (with the “corner area” being in a district with Chelsea and/or Windsor, etc.).
  - The “middle district” in Augusta would have kind of a “Tetris S” shape, so the Northwest Corner Line would be preferred if Windsor but not Chelsea was in the conglomerate, population permitting.
  
7. Augusta at the “end” of a conglomerate with Whitefield, etc. (but nothing above)
  - Potentially worse than #8 below.
  - Augusta has only a tiny boundary with Whitefield.
  - Would allow for Kevline Sewell (or possibly Kevline State) to be used, population permitting.
  - The Southeast Corner Line could be the other boundary line used within Augusta, population permitting (with the “corner area” being in a district with Whitefield, etc.).
  - In addition to the very odd-shaped district including Whitefield, the “middle district” in Augusta would have kind of a “Tetris S” shape.
  
8. Augusta “in the middle” of a conglomerate (other than “between” Chelsea and Windsor)
  - Potentially not as bad as #7 above (definitely not in the Chelsea + Windsor case, although that’s not great itself).
  - The Maine Constitution seems to require that for a municipality like Augusta, there are as many “whole” districts as it’s entitled, and any remainder can’t be split. So such a plan would result in a snaky remainder connecting towns not bordering each other.
  - The “least bad” possibility here might be Chelsea and Vassalboro, but not Windsor (you would still have to divide two current wards to connect those two towns).

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Submission of the League of Women Voters  
Received: 8/11/21

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Dear Commission Members,

Attached please find follow up testimony from the League of Women Voters of Maine providing additional information relating to prisons and the redistricting process requested at your July 7th meeting. We would be happy to follow up with any additional information the commission should request. Thank you for your time.

Sincerely,

Will Hayward

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Will Hayward (he/him)

Advocacy Program Coordinator, Democracy Maine

League of Women Voters of Maine and Maine Citizens for Clean Elections

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207-200-7492



TO: Maine Apportionment Commission

DATE: August 11, 2021

RE: Follow-up on Incarcerated Population and Redistricting

FROM: Anna Kellar, Executive Director

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Thank you for the opportunity to follow up and provide additional information relating to prisons and the redistricting process as you requested at your July 7 meeting. In testimony that we submitted for that meeting, we noted that redistricting raises special questions relating to census data and people incarcerated in Maine's prison facilities. Counting those people as part of the population in the area where their prison is located could potentially lead to somewhat different maps than counting them in their home residential location, effectively transferring representation from their home district to their prison district. This is sometimes called prison gerrymandering when it results in a significant forcible shift in representation. Where prison populations are large enough, counting those persons as residents of the prison district can hinder some of our goals for the representative system.

Accompanying this memorandum are two documents from the Prison Policy Initiative that provide additional information. The first document addresses how the counting of incarcerated people at prisons for redistricting purposes may skew representation and suggests possible remedies, and the second document addresses why these remedies would not impact state or federal funding to the prison district drawn in by the Census. Additionally, we have attached Maine Department of Corrections data on prison populations on March 30, 2020, and April 6, 2020, which illustrate the numbers around the April 1 date on which the Census data is based.

Ultimately we look forward to a day when, for redistricting purposes, the Census counts incarcerated people as living in their last municipality of residence.<sup>1</sup> In the meantime, there are practical and permissible steps that the Commission could take to correct or mitigate this problem. The best approach -- the one that comes closest to actually correcting the problem on the basis of objective data -- would be to request incarcerated persons' address of origin data from the Maine Department of Corrections (DOC) and use that data to adjust the Census data. We understand that many states have good quality, accessible data in a format that could easily be used for this purpose.<sup>2</sup> We believe the Department of

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<sup>1</sup> The Census data does currently include information on the number of prisoners in each location as part of the Group Quarters Table (P5). While the Census does not yet provide address of origin for incarcerated people, it is entirely permissible for the Commission to augment the Census data as suggested here.

<sup>2</sup> The Census Bureau will be providing a Geocoder tool for bulk processing address lists to assign prison populations to their home address for redistricting purposes. More information is available here:

August 11, 2021

Corrections would readily be able to provide the home addresses for every prisoner with a home town in Maine. In the event that the home address for a few prisoners cannot be determined, there are techniques to mitigate the effect of this missing data.

One such mitigation approach, where the home address of some incarcerated people cannot be resolved or is not available at all, would be to assign them an “at large” status, complete the redistricting process with an “at large” district, and then reallocate the at-large population proportionately at the end. We understand that this is what New York State did when they went through this process in 2011.

If no home town data is available through the Department of Corrections or if that data is incomplete, another approach would be to count those people in their prison district, but then draw maps for districts with prisons to approach the high end of permissible deviation. We understand that Massachusetts used this approach during their 2011 redistricting. The average state house district population in Maine this year, according to the Census data, will be 9,030, meaning the permissible (+/- 5%) deviation will be 8,579 to 9,481. We recommend using this small degree of flexibility to include higher population numbers (closer to 9,481) in districts that contain prisoners whose hometown and voting residence is, in fact, elsewhere but who cannot be assigned to another town due to the lack of data. This ensures that the number of nonincarcerated residents of these districts reaches or approaches the acceptable range.

Using these practical tools is important in addressing the distortions of districts caused by the counting of incarcerated people at prisons. The best practice would be to assign as many prisoners to their home district as possible using DOC information, then use the mitigation strategies to correct for any data problems. We hope this Commission will implement this practice to ensure that districts provide more equal representation. Thank you for your consideration, and we are happy to answer additional questions and provide additional resources as requested.

# How can states address prison gerrymandering?

*There are multiple options for states seeking to avoid or mitigate the problem.*

## PrisonersOfTheCensus.org

Population equality among legislative districts enables everyone to have equal representation from elected officials. However, the Census frustrates this goal by counting more than 2 million incarcerated people as residents of the places in which they are detained instead of at their home addresses. This happens 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. The resulting Census data lead to the creation of districts distorted by correctional facilities; this “prison gerrymandering” skews representation in favor of districts with prisons and other correctional facilities.

## Reallocating people to their home addresses

Ideally, states wishing to address the issue of prison gerrymandering will adjust their redistricting data by reallocating incarcerated people back to their home addresses. The Census Bureau has recognized that many jurisdictions now make (or wish to make) such adjustments, so this cycle it will be publishing a special table (the P5) within the PL 94-171 redistricting data; this table reports the number of people in correctional facilities in each Census block. A state wishing to reallocate incarcerated people to their home addresses can use the P5 table alongside home address data from its Department of Corrections to count incarcerated people as residents of their home communities. Importantly, states that reallocate people to their home addresses in this way can amplify the impact of their solution by making the adjusted data available to any local jurisdictions wishing to take the same approach.

So far, eleven states — Maryland, New York, Delaware, California, Washington, Nevada, New Jersey, Colorado, Virginia, Illinois, and Connecticut — have adopted this solution to ensure that districts are drawn with data that counts incarcerated people at home. It should also be noted that modifying the redistricting data in this way does not alter the data kept by the Census or alter the data used by the state, the federal government, or any agency to determine funding to states or local governments.

## Using permissible deviations to equalize constituent populations

Where reallocating incarcerated people to their home communities is not feasible, states seeking to address prison gerrymandering sometimes utilize permissible deviations to equalize districts’ constituent populations. This approach involves “overpopulating” districts that have correctional facilities in them, and “underpopulating” the districts from which a disproportionate number of incarcerated people come (within traditionally accepted population deviations — typically +/- 5% of the ideal district size). Doing so helps to ensure that the people elected to represent districts that contain correctional facilities actually represent the same number of residents as do the people elected to represent the districts that contain the home addresses of incarcerated people.

## Distributing correctional facilities among multiple districts

Alternatively, states that are not able to reallocate incarcerated people back into their home communities can mitigate the harms of prison gerrymandering by distributing correctional populations among many districts, rather than just a few. This can be done by using data from the Census to identify correctional populations and then simply making sure that no district has more than the fewest possible correctional facilities within its boundaries. Massachusetts, for example, has adopted this approach; its legislature has also called on the Census Bureau to implement a more holistic and universal solution.

## Only the Census Bureau can provide a permanent national solution

This cycle, the Census Bureau has made an important, if subtle, change to the way it shares the data relevant here: it will publish prison-population data earlier than it has in the past, in order to help states and counties with reallocating or accounting for incarcerated populations during the 2020 redistricting process. The Group Quarters Table will now be included *with* the traditional (PL 94-171) redistricting data, rather than becoming available later. Ideally, the Bureau will go even further in the future by actually counting incarcerated people as residents of their legal home addresses and not as correctional facilities residents. As the Bureau plans for the 2030 Census, it should do everything it can to move toward that solution.

## THE CENSUS BUREAU'S PRISON MISCOUNT: IT'S ABOUT POLITICAL POWER, NOT FUNDING

### Most funding formulas are too sophisticated to be fooled by the prison miscount

It is important that the Census counts everyone. Census population determines how legislative districts are drawn and plays a major role in how federal funds are distributed. But where incarcerated people are counted has very little effect on those funding distributions for two reasons:

First, the majority of federal funding is in the form of block grants to states, so it does not matter where in any given state an incarcerated person is counted.

Second, most other funding programs are quite sophisticated and the funding distributions are calculated in ways that directly or indirectly ignore prison populations. For example, federal funds intended for low-income schools are based not on the total population counted for the area but rather on the number of low-income children counted in the Census or the number of students in a school's discounted lunch program. Therefore, a large prison near a school would not increase funding to the school district.

The rare funding programs that are skewed by prison populations tend to be very small, and focused solely on distributions within particular regions. For example, total population plays a minor part in the grants distributed by the Appalachian Regional Commission in a way that gives communities with a prison a slightly larger share of the available funds, and similarly situated rural communities without prisons receive less. Communities that are outside the eligible Appalachian counties are entirely unaffected.

Further, **state legislation ending prison gerrymandering could never affect funding distributions** because no federal or state funding formula is distributed on the basis of state or local redistricting data. This analysis has been confirmed by decades of experience of hundreds of local governments that have excluded prison populations when drawing local districts without any effect on the funding they receive. Moreover, it is possible to end prison gerrymandering while also explicitly prohibiting the data from being used in distribution of aid. Our model bill, as well as recent legislation in Colorado (Colo. Rev. Stat. §2-2-902(7)), states "The data ... shall not be used in the distribution of any state or federal aid."

To recap, the prison miscount has a severe impact on elections, but the impact on funding in rural prison-hosting areas tends to be minor, and the funding impact is nonexistent in urban high-incarceration communities.

### Surprised? It's understandable.

News articles often spread the common misconception that there is a direct connection between the prison miscount and the formula grants received, but none of these claims have ever withstood scrutiny.

These stories about an impact which does not exist threaten the longstanding rural-urban coalition for Census reform.

For more information and references, contact Aleks Kajstura, Legal Director of the Prison Policy Initiative at <http://www.prisonpolicy.org/contact.html>

## In-State Facility Capacity and Population

Male Prisoners	Capacity		Population		Available Beds	
	GP	SM	GP	SM	GP	SM
<b>Correctional Facility</b>						
Bolduc Correctional Facility	225	0	204	0	21	0
Maine Correctional Center	566	16	422	2	144	14
Maine State Prison	993	87	855	50	138	37
Mountain View Correctional Facility	445	3	373	1	72	2
<b>Total:</b>	<b>2229</b>	<b>106</b>	<b>1854</b>	<b>53</b>	<b>375</b>	<b>53</b>
<b>Contracted Capacity in County Jails</b>						
Maine Coast Regional Reentry	25	0	3	0	22	0
<b>Total:</b>	<b>25</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>22</b>	<b>0</b>
<b>Total Males (GP+SM) (excluding SCCP)</b>	<b>2254</b>	<b>106</b>	<b>1857</b>	<b>53</b>	<b>397</b>	<b>53</b>
<b>Total Males (excluding SCCP)</b>	<b>2360</b>		<b>1910</b>		<b>450</b>	

Female Prisoners	Capacity		Population		Available Beds	
	GP	SM	GP	SM	GP	SM
<b>Correctional Facility</b>						
Maine Correctional Center	141	8	86	1	55	7
SMRC	107	0	84	0	23	0
<b>Total:</b>	<b>248</b>	<b>8</b>	<b>170</b>	<b>1</b>	<b>78</b>	<b>7</b>
<b>Total Females (GP+SM) (excluding SCCP)</b>	<b>248</b>	<b>8</b>	<b>170</b>	<b>1</b>	<b>78</b>	<b>7</b>
<b>Total Females (excluding SCCP)</b>	<b>256</b>		<b>171</b>		<b>85</b>	

Total In-State Capacity and Population	Capacity		Population		Available Beds	
	<b>2616</b>		<b>2081</b>		<b>535</b>	

Out-of-State Population	
Interstate Active Detainer	34
Interstate Compact	26
<b>Total Out-of-State Population:</b>	<b>60</b>

Supervised Community Confinement	
Male SCCP Clients	36
Female SCCP Clients	25
<b>Total SCCP Population:</b>	<b>61</b>

<b>Total MDOC In-State and Out-of-State Population</b>	<b>2202</b>
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## In-State Facility Capacity and Population

Male Prisoners	Capacity		Population		Available Beds	
	GP	SM	GP	SM	GP	SM
<b>Correctional Facility</b>						
Bolduc Correctional Facility	225	0	198	0	27	0
Maine Correctional Center	566	16	426	1	140	15
Maine State Prison	993	87	844	51	149	36
Mountain View Correctional Facility	445	3	366	1	79	2
<b>Total:</b>	<b>2229</b>	<b>106</b>	<b>1834</b>	<b>53</b>	<b>395</b>	<b>53</b>
<b>Contracted Capacity in County Jails</b>						
Maine Coast Regional Reentry	25	0	1	0	24	0
<b>Total:</b>	<b>25</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>24</b>	<b>0</b>
<b>Total Males (GP+SM) (excluding SCCP)</b>	<b>2254</b>	<b>106</b>	<b>1835</b>	<b>53</b>	<b>419</b>	<b>53</b>
<b>Total Males (excluding SCCP)</b>	<b>2360</b>		<b>1888</b>		<b>472</b>	

Female Prisoners	Capacity		Population		Available Beds	
	GP	SM	GP	SM	GP	SM
<b>Correctional Facility</b>						
Maine Correctional Center	141	8	80	0	61	8
SMRC	107	0	89	0	18	0
<b>Total:</b>	<b>248</b>	<b>8</b>	<b>169</b>	<b>0</b>	<b>79</b>	<b>8</b>
<b>Total Females (GP+SM) (excluding SCCP)</b>	<b>248</b>	<b>8</b>	<b>169</b>	<b>0</b>	<b>79</b>	<b>8</b>
<b>Total Females (excluding SCCP)</b>	<b>256</b>		<b>169</b>		<b>87</b>	

Total In-State Capacity and Population	Capacity		Population	Available Beds
	2616		2057	559

Out-of-State Population	
Interstate Active Detainer	34
Interstate Compact	26
<b>Total Out-of-State Population:</b>	<b>60</b>

Supervised Community Confinement	
Male SCCP Clients	40
Female SCCP Clients	23
<b>Total SCCP Population:</b>	<b>63</b>

<b>Total MDOC In-State and Out-of-State Population</b>	<b>2180</b>
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Submission of Jim Fox

Received: 8/9/21

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Coach Jim Fox <coachjimfox@cox.net>

Hello Maine Apportionment Commission,

Thank you for the critical work you are doing on redistricting.

Please make sure your maps stop gerrymandering. Gerrymanderers are deflecting from the importance of this fundamental goal. Redistricting criteria are very important. Gerrymanderers focus on some of these criteria and build maps that stress particular criteria AND the map is STILL GERRYMANDERED. Beware of this ploy. Do not allow gerrymanderers to implement other redistricting criteria in a way that hinders the eradication of gerrymandering. Please, keep your eye on the fundamental goal of stopping gerrymandering.

Advocates of particular redistricting criteria should be aware that maps can be drawn that stop gerrymandering and achieve other redistricting criteria. But, in addition to advocating for particular criteria, make sure that gerrymandering is defeated and representative democracy prevails. The Guide to Fair Redistricting provides, for a wide range of states, examples of maps that advance specific redistricting criteria and prevent gerrymandering. <https://preprints.apsanet.org/engage/api-gateway/apsa/assets/orp/resource/item/60e46f7ea4e06bf9217014db/original/fair-and-square-redistricting.pdf> (more than 1550 views and 800 downloads) Representational Fairness eliminates gerrymandering.

Best Wishes in the Pursuit of Fair Maps,  
Jim Fox