

April 16, 2019

Dear Chair Holvey and members of the House Rules Committee:

I am writing in support of **HB 2492**. I have also included a suggestion for an amendment.

In 2011 I participated in a year-long City Club of Portland study that looked at the redistricting process in Oregon. One recommendation in the City Club report states that, "For purposes of redistricting, inmates of prisons and jails in Oregon should be counted in the district in which they last resided before incarceration." House Bill 2492 would do just this.

In studying the redistricting process we learned the importance of fair and proportional representation, or the principle of "one person, one vote," as well as the importance of recognizing the integrity of communities of interest when drawing the lines in Oregon. Our current practice of counting prisoners in the districts where they are incarcerated rather than where they formerly resided violates these principles.

Counting prisoners where they are incarcerated creates a distortion of representation in communities with significant prison populations. Because prisoners cannot vote, the votes of residents in these districts have more weight than those in districts with no prison population. I don't believe that this distortion is intentional; it is just a factor of how the census has traditionally been carried out. However, in certain Oregon districts, this distortion is real, such as District 60 in Eastern Oregon where 5% of the population is inmates. It also appears in the Salem area and in Pendleton.

Counting prisoners in the district where they last resided makes it far more likely that they will be part of a community of interest that best represents them. Very few prisoners actually remain in their place of incarceration after release. In fact, according to state law (ORS 144.270 (6)(a)), they will be returned to their county of residence before incarceration. The separation from their community of interest can be particularly true for prisoners belonging to racial or other minorities. For example, Native Americans make up about one percent population of Oregon yet they are more than four percent of the prison population. They are likely to be incarcerated far from their homes. This can have the effect of diluting the power and voice of their home community.

HB 2492 asks the state of Oregon to join states like California, New York, Delaware, and Maryland in doing what ultimately the U.S. Census Bureau should do when counting those who are incarcerated. The City Club of Portland has joined with the Redistricting Matters Coalition (Oregon Common Cause, the League of Women Voters of Oregon, and AARP), and with many other Oregonians in supporting the principle of counting prisoners in the precinct where they last resided. It is a practical and fair approach that will allow us to better honor the principle of "one person, one vote" as well as the integrity of communities of interest.

**Suggestion for amendment:**

Congressional districts are not mentioned in this bill. I suggest that the same demographic data criteria be used for establishing congressional districts as for our state legislative seats barring some legal reason that would prevent this.

Respectfully submitted,  
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