

SENATE BILL REPORT

SB 5583

As Passed Senate, February 8, 2022

Title: An act relating to requiring the adjustment of census data for local redistricting to reflect the last known place of residence for incarcerated persons.

Brief Description: Requiring the adjustment of census data for local redistricting to reflect the last known place of residence for incarcerated persons.

Sponsors: Senators Trudeau, Hunt, Das, Dhingra, Hasegawa, Keiser, Kuderer, Lovelett, Mullet, Nguyen, Nobles, Randall, Rivers, Saldaña, Stanford, Wellman and Wilson, C..

Brief History:

Committee Activity: State Government & Elections: 1/19/22, 1/21/22 [DP, w/oRec].

Floor Activity: Passed Senate: 2/8/22, 28-21.

Brief Summary of Bill

- Requires each unit of local government with a governing body elected by districts to redistrict using the last known place of residence of inmates in adult correctional facilities and residents of juvenile justice or involuntary commitment facilities.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Majority Report: Do pass.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa.

Minority Report: That it be referred without recommendation.

Signed by Senators Wilson, J., Ranking Member; Hawkins.

Staff: Samuel Brown (786-7470)

Background: Local Redistricting. Each county, city, and special purpose district which

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elects its governing body based on internal director, council, or commissioner districts must adjust internal district boundaries based on information collected at each decennial census. Jurisdictions electing governing body members in 2022 were required to complete redistricting by December 31, 2021. Other jurisdictions must complete redistricting by November 15, 2022. In future redistricting cycles, all jurisdictions conducting redistricting will be required to complete the process by November 15th of each year ending in one.

Each district must:

- have as equal a population as possible;
- be as compact as possible; and
- be geographically contiguous.

Local redistricting plans may not be drawn purposely to favor or discriminate against any political party or racial group. To the extent reasonable, district boundaries must coincide with natural boundaries and preserve communities of interest.

Counting Persons in State Custody. Under Washington state law, persons incarcerated in state adult correctional facilities, committed to involuntary behavioral health treatment, or residing or placed in juvenile justice facilities are considered residents of their last known places of residence when calculating population for congressional and legislative redistricting. There is no corresponding provision for such persons with regard to local redistricting.

Summary of Bill: Each unit of local government that conducts redistricting must deem each person as residing at the person's last known place of residence, rather than at a correctional, juvenile justice, or involuntary commitment facility, and conduct redistricting with data adjusted accordingly. The unit of local government must use the location of the facility where a person is incarcerated, committed, or resides if the person's last known address is out of state or cannot be determined.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a simple fix to ensure that there are the same practices on the state and local levels, giving underrepresented communities the resources they deserve. All districts have people who end up in prison, and they should be counted as residents of the areas they are going to return to. The use of census data currently over-represents areas with prisons, incentivizing building more prisons and mass incarceration. Communities disproportionately impacted by mass incarceration shouldn't

also have less representation. We're happy this is correcting efforts around the country making it harder for minorities to participate in the political process.

Persons Testifying: PRO: Senator Yasmin Trudeau, Prime Sponsor; Andrew Hong, Redistricting Justice for Washington; Jazmine Smith, The Washington Bus; Darrell Powell, NAACP Alaska, Oregon and Washington State Region, Margot Spindola, Redistricting Justice for Washington.

Persons Signed In To Testify But Not Testifying: No one.