

Dear Senator Padilla,

We are writing to seek your assistance as we work to provide the people of California with the best possible redistricting.

As you are aware from your time as a legislator and as Secretary of State, the Legislature, in AB 991, requested the Citizens Redistricting Commission “to deem each incarcerated person as residing at that person’s last known place of residence, rather than at the institution of that person’s incarceration, and to use the information furnished to it pursuant to subdivision (a) in carrying out its redistricting responsibilities under Article XXI of the California Constitution.”

We have been briefed by the Statewide Database and other stakeholders on the implications and challenges of implementing the Legislature’s request, and we have already taken a decision to do so.

While AB 991 / Elections Code Section 21003 also stipulates that “The Department of Corrections and Rehabilitation shall exclude all inmates in federal custody in a facility within California from the information furnished pursuant to this section”, it is our understanding from our briefings that this stipulation was included due to the Federal Bureau of Prisons’ reluctance to provide information that we could use to appropriately reallocate the population of individuals in federal custody.

It is our hope that given your experience addressing this issue in California and your membership on the Senate Committee on the Judiciary, which has oversight over national penitentiaries, you might be able to help break any logjams that are preventing us from receiving data that would assist us in our work.

We are requesting your assistance in obtaining from the Federal Bureau of Prisons any useful information on the previous residence of individuals held in Federal facilities as of April 2, 2020 (ideally individuals held in facilities located in California as well as Californians held out of state) for this redistricting cycle.

We further ask that you work with your colleagues on the Judiciary Committee to ensure that such information is available to the 2030 California Citizens Redistricting Commission and its counterparts in other states going forward.

Thank you for your attention in this matter. We would be happy to respond to any questions that you or your staff might have.

Sincerely,

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