



# DENISE MERRILL

SECRETARY OF THE STATE  
CONNECTICUT

## Judiciary Committee Public Hearing Testimony March 21, 2011

- Good morning Chairman Coleman, Chairman Fox and members of the Judiciary Committee.
- For the record my name is James Spallone, and I am Deputy Secretary of the State of Connecticut.
- Thank you for the opportunity to testify in front of you; Secretary Merrill wanted to be here this morning but unfortunately she could not and sends her regrets.
- I am here this morning to testify about Senate Bill 1193 "AN ACT CONCERNING THE DETERMINATION OF THE TOWN OF RESIDENCE OF INCARCERATED PERSONS" and House Bill 6606 "AN ACT CONCERNING THE DETERMINATION OF THE RESIDENCE OF INCARCERATED PERSONS FOR PURPOSES OF LEGISLATIVE DISTRICTING"
- I will be testifying on both bills at the same time because the differences between them are minor.
- These bills would provide for the adjustment of population data so as to count incarcerated persons as residents of their last town of residence – prior to their incarceration – rather than as residents of the town in which the correctional facility housing them is located.
- This is already state law, since state statute (Sec. 9-14) says that incarceration in a state facility is NOT a permanent address to determine residence.
- As a practical matter, this is not observed and inmates are generally counted as among the population in the communities where their correctional institutions are located.

- If this legislation is enacted, inmates would declare their last place of residency at the beginning of their sentence and would remain legal residents at that address for the duration of their incarceration.
- This legislation will not affect the residency status of anyone serving life in prison or to any Connecticut inmate from out of state.
- This is a reform that Delaware, Maryland and New York have recently enacted.
- Secretary Merrill strongly supports the concept of this legislation, because it would give a more accurate population count of our urban areas.
- It is a simple fact that many of the inmates serving time in Connecticut prisons are from our major cities.
- The fact that they are counted as residents of some of the communities with major correctional facilities has the affect of artificially inflating the reported of the populations of those communities, and conversely depressing the population count in some of our major cities.
- This can have significant consequences for federal and state funding for many different programs such as Medicaid, education, infrastructure, and of course legislative representation.
- Enacting this bill would increase the number of residents counted in those cities and therefore the number of House and Senate members from urban areas – or at least prevent urban caucuses from shrinking. Therefore, this is a strong concept that the Secretary supports in principle.
- Unfortunately, the Secretary of the State's office cannot support the bill as drafted. But we do have a suggestion that, if adopted by this committee, should make this a workable bill.
- As this bill is currently written, the state Department of Corrections would give information to the Secretary of the State's office regarding the residency of their inmate populations in the various facilities.
- Our office would then be responsible for analyzing that data and adjusting the population counts of every town and city in the state to reflect the population picture including the incarcerated.
- Simply put, our office does not have the personnel or the sophisticated computer software to be able to perform the allocation function effectively.

- In order for our office to accomplish this kind of population and data analysis, there would need to be significant investments made that quite frankly in our current budget climate are untenable.
- Though we understand the desire of the supporters of this legislation for a neutral third party to analyze the data and adjust the populations accordingly, it is not the most practical solution to house or analyze the data at the Secretary of the State's office.
- The reason I say this is because there already several state agencies that receive population and census data and analyze it for purposes very similar to those sought by the supporters of this legislation – to determine federal or state funding levels and legislative representation.
- Thus, no further investment in personnel or software would be needed to perform this additional function and there would be capable, non-partisan civil servants available to analyze the data and adjust the population counts to reflect the incarcerated.
- What we would suggest – as a compromise – is that the Secretary of the State's office could act as a facilitator to make sure this important data was collected, reported, and that local population figures were adjusted accordingly.
- We would be happy to collect the data from the Department of Corrections and transfer it to the appropriate state body that would be charged with doing the analysis, reporting, and adjustment of population counts.
- If that change were made, Secretary Merrill and the Office of the Secretary of the State would very strongly support this bill.
- Thank you very much and I will be happy to answer any questions you have.

