

OPINION NO. 415  
Answered by Letter (Siddens)

October 26, 1966



Honorable Thomas D. Graham  
Speaker, House of Representatives  
Jefferson City, Missouri

Dear Mr. Graham:

This is in response to your request for an opinion relating to the reapportionment of the City Council of the City of Jefferson. We have observed by the local press that the City Council of the City of Jefferson has decided to reapportion the City Council Districts based upon the 1960 Federal Decennial Census. In the light of this decision it appears that the problem has become moot.

We do however wish to say that we have done considerable research on this problem and have been unable to find any law which precisely deals with the problems which you raise particularly with respect to prisoners and students. While it is possible that some court faced with the precise facts involved in the Jefferson City situation might hold that such population does not have to be considered in apportionment of city councils, nevertheless the courts in general have held that representatives of the people represent people and not voters. We therefore, think that the safest procedure is, as we are informed the Council has decided to do, that is, be governed by the last available federal census.

Yours very truly,

NORMAN H. ANDERSON  
Attorney General