

OBSERVER-DISPATCH

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Prisoner counts could be changed

Budget provision would cost Rome, Marcy population

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UTICA – Several of the Mohawk Valley’s legislative districts could be affected if a provi-

NUMBER OF PRISONERS

- ▶ Marcy Correctional Facility, Marcy: 1,112.
- ▶ Mid-State Correctional Facility, Marcy: 1,452.
- ▶ Mohawk Correctional Facility, Rome: 1,174.
- ▶ Oneida Correctional Facility, Rome: 943.

Source: State Department of Correctional Services

sion in the state’s revenue bill becomes law.

If passed, prisoners would be counted as residents of their last addresses for the purpose of drawing up legislative districts. Cur-

rently, they are counted as residents of the district of whatever prison they’re in at the time of the census.

The subject has a history of controversy – especially in the Mohawk Valley and its environs, where there are four prisons with a total population of 4,681 inmates. Two of them are in Marcy and two are in Rome.

But despite concerns about how it might affect population-based state and federal aid, at least one think tank says reapportionment is the only fair thing to do.

“What really matters is a huge voting
Please see **GRIFFO, 3A**

Griffo wants vote on budget provision

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enhancement," said Peter Wagner of the nonprofit Prison Policy Initiative, which focuses primarily on the issue. "Padded legislative districts need fewer real people to constitute a district."

Wagner pointed out that the bill would not drastically affect the Mohawk Valley's legislative districts, since there aren't enough prisoners relative to actual residents.

It skews districts on the local level as well - O-D stories in the past year have chronicled Oneida County and Rome districts where a significant level of the population is prisoners.

Questions persist

But one local lawmaker questioned the process for the provision, and said serious questions remain to be considered on the issue. The first impact of such a change would come with redistricting for the next decade based on the Census 2010 count.

State Sen. Joseph Griffo, R-Rome, whose district has two prisons, said the issue should stand on its own for an up-and-down vote and not be buried in another bill.

Griffo said the issue should have been discussed before the census began, and that it isn't being considered with related topics such as how college students and military dependents should be counted.

He did say that local jurisdictions should have more control over how prison populations are counted within their boundaries.

Griffo denied that his position on the issue comes from the pos-

sibility of losing population in his district.

"There are service impacts on the community," he said. "Our public safety departments still have to provide utilities, and there's an impact on hospitals."

Wagner responded to that argument by saying most state and federal funding is not tied to population estimates but rather specific needs.

"The question is, 'Are the people part of that community?'" Wagner said. "The answer is clearly, 'no.'"

The provision was originally proposed in a bill by State Sen. Eric Schneiderman, a Democrat whose district covers upper Manhattan and a portion of the Bronx, where many prisoners call home.

"The practice of prison-based gerrymandering distorts the democratic process and undermines the principle of 'one person, one vote,'" Schneiderman said in a statement. "This bill simply applies that fair standard to the drawing of state legislative districts and makes it easier for counties to do the same by providing them with an accurate data set."

State Sen. David Valesky, D-Oneida, whose district also includes two prisons, released a short statement Thursday about the issue indicating he has not yet taken a stance.

"I am reviewing this proposal within the context of final budget negotiations," he said.

Support amidst confusion

State Assemblywoman RoAnn Destito, D-Rome, has historically objected to the bill because of concerns about how it would

affect aid to local communities.

She said she's secured assurances from the Assembly's attorneys that the law would not affect population-based aid, and said there is no other rational objection because the state constitution is clear on the subject.

"I'm not sure how you argue with it if it's part of our constitution," she said.

It's currently unclear how likely the provision is to become law. The state Senate has put off

voting on final bills until after July 4, and Gov. David Paterson has been vetoing many of the changes to the budget added by the Legislature.

Paterson's office said he does have the power to veto line items in bills that have been passed, but did not return a message seeking comment on the governor's opinion on the prison issue.

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Contributing: The Associated Press.