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Rights groups rejoice in election change

Somerset district will no longer count inmates at Eastern Correctional Institution

By Liz Holland
Staff Writer

ANNAPOLIS — Civil rights officials are cheering the recent passage of a bill that excludes inmates in state prisons from being counted as part of local election districts.

The measure — signed into law this week by Gov. Martin O'Malley — would affect a district in Somerset County where the nonvoting, majority black population at Eastern

Correction Institution is counted as part of District 1 — considered the county's minority district.

Officials with the American Civil Liberties Union of Maryland, who co-authored the bill, have said counting inmates in that district is at the expense of local residents.

The "No Representation Without Population Act" requires prisoner populations be counted in their home districts, not where they are incarcerated.

"This new law holds great civil rights promise for Somerset County," said Kirkland Hall, president of the Somerset County branch NAACP. "We believe that with the passage of this bill, democracy will have more meaning, because counties like Somerset will finally be able to achieve elected representation that better reflects our population."

The bill will also affect election districts in Western Maryland, which is home to four state correctional facilities.

In Somerset County, which is 42 percent African-American, no black candidate has ever been elected as a County

Commissioner.

However, the new law wasn't passed in enough time for this year's election for several county seats. County officials have said they will look at redrawing the election district boundaries using data from the 2010 U.S. Census, and will be required to make any changes before the 2012 election.

The law would not apply to anyone locked up in county jails, nor would it affect federal aid to states, which uses a formula based on census numbers, because most of the inmates would still be counted as Maryland residents, ACLU officials said.

Last month, the group asked the Maryland Attorney General to exclude inmates when Somerset County redraws its election districts.

The ACLU and NAACP sent a 14-page letter to Attorney General Douglas Gansler outlining the reasons why inmates should not be counted as part of the election district.

The letter came on the heels of a report by the Somerset County Task Force on Diversity which details racial disparities in the county.

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