

About the Census

Prison Inmates, Redistricting and the 2010 Census

The Problem

The Census currently counts prison inmates in the prisons where they are serving time. This practice skews the drawing of local and state legislative districts resulting in “prison districts” where a relatively small number of voting citizens wield disproportionate voting power, violating the principle of “one person, one vote.”

In addition to creating districts that are disproportionately powerful, the current method for counting inmates also results in districts that are significantly less powerful than they should be. That is because most inmates come from urban areas. In Illinois for example, 60% of the state’s prison inmates come from Chicago, but 99% of them are in prisons outside Chicago. Consequently, Chicago is losing out on representation.

An Example

Iowa: The 2005 city council race in Anamosa, Iowa is a good example. In 2005 Danny R. Young was elected to the Anamosa City Council with only two votes. Like Anamosa’s other city council districts, Mr. Young’s district had roughly 1,400 residents. However, in Mr. Young’s district 1,300 of those residents were non-voting inmates of Iowa’s largest penitentiary. As a consequence of the way in which the Census counted the prisoners in his district, Mr. Young and his un-incarcerated neighbors had roughly 25 times the voting power of people in Anamosa’s other city council districts.

New York: Though only a fraction of the New York prison population comes from upstate, over 90% of prisoners are incarcerated there, mostly in rural communities. The biggest loser in representation is the New York City area. It accounts for most of the state’s prison population. In drawing districts, the city loses population to the upstate rural areas where they’re serving time. The legislature can use incarcerated non-voting populations to inflate legislative districts for political gain. There are numerous other examples of voting districts that would not even exist were it not for the fact that they contain prisons.

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Ending Prison Gerrymandering

Ultimately, Congress will need to act in order to change where prisoners are counted, counting them at their home address, rather than at the prison in which they are incarcerated. Meanwhile, the Census can and must provide states with population counts that factor out people in correctional facilities, allowing states the option to draw local and state legislative districts that do not include prison populations, as many already do.

Visit www.prisonersofthecensus.org to learn more.