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Dealing with loss of prison population

An aerial view of the Hudson Correctional Facility in the city's Third Ward, taken from Mt. Merino last winter. A shift in the way inmate populations are counted may have a big impact on the city's weighted voting structure. (David Lee/Hudson-Catskill Newspapers)

Posted: Wednesday, September 29, 2010 1:00 am

By Lindsay Suchow
Hudson-Catskill Newspapers | 0 comments

Editor's Note: A previous version of this story stated that the Third Ward held the highest weighted vote in the City of Hudson. The Fifth Ward actually holds the highest weighted vote. We apologize for this error.

City officials are trying to determine how best to handle the loss of hundreds of residents of the Third Ward, where roughly a third of the population is comprised of inmates at the Hudson Correctional Facility.

The state budget passed in August included a measure which would no longer count prisoners as residents of the municipalities in which they are incarcerated, but rather, of their home towns.

The city currently operates under a system of weighted voting — a system which City Attorney John Connor says is not all that common in municipalities — in which political power is apportioned in accordance with the populations of the individual wards.

Losing the inmates who reside in the Third Ward will likely have a deep impact on how much weight Alderwoman Ellen Thurston and Alderman Christopher Wagoner's votes would hold.

In a twist, while the city will be losing its Hudson Correctional Facility population, it would actually gain Hudson residents who are incarcerated in other municipalities across the state. The bill signed by Gov. David Paterson last month

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2011) — and then possibly wait another year for LATFOR to determine the home towns of New York’s prisoners.

Or the city could do both — which means going through the process twice.

“I would recommend doing it sooner ... (The state) hasn’t said when that data will be made available yet,” said Wagner. “I don’t think they know. The city could argue that taking the prison population out is doing the same thing as counting people back at home.”

LATFOR conducts its redistricting studies every 10 years, and judging by the years that the task force created its last two district maps — 1992 and 2002 — it’s likely the city won’t have any hard numbers in hand as to how many Hudson residents are incarcerated elsewhere until 2012.

“So do we want to go back (to 2000 figures) now and do the weighted vote, or do we wait for 2010 figures?” asked Connor at the Common Council Legal Committee’s most recent meeting. “It would be pretty simple to take the 2000 figures and just drop 618 people.”

Another factor for the city to take into consideration is whether to use the Banzhaf method, named after Professor John Banzhaf, who created a new mathematical technique for determining voting power in weighted voting systems.

Very simply put, the Banzhaf method is a mathematical equation which ensures that no one district — whether it be a city ward, a municipality within a weighted vote county, et cetera — be so small that it never has the ability to affect the outcome of a vote.

“The real question is, if they are (restructuring the wards’ weighted votes) using the Banzhaf method — does that make it more complicated, or too expensive, to do it twice?” said Wagner. “There are counties that don’t do sophisticated work like that — they could (figure out the weighted votes) in five minutes.”

Connor said Banzhaf was based out of Rutgers University in New Jersey. However, Banzhaf’s website, <http://banzhaf.net>, seems to indicate that the professor teaches public interest law at George Washington University Law School in Washington, D.C.

To reach reporter Lindsay Suchow call 518-828-1616 ext. 2259 or e-mail lsuchow@registerstar.com.

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would use data from the Department of Corrections to identify the home addresses of inmates, and include them in their home towns’ population counts before redistricting takes place.

According to Connor, 618 people were incarcerated at the Hudson Correctional Facility as per the 2000 U.S. Census. But state Office of Public Information spokesperson Linda Foglia told the Register-Star in August that the facility housed 358 inmates.

The New York State Legislative Task Force on Demographic Research and Reapportionment, or LATFOR, is the state-appointed agency in charge of redrawing the state’s legislative district boundaries every 10 years by analyzing Census Bureau population figures.

According to Peter Wagner, executive director of the Prison Policy Initiative — the Massachusetts-based nonprofit dedicated to documenting the impact of mass incarceration on communities — LATFOR would be the body responsible for determining how many Hudson residents are incarcerated in other areas of the state.

The city is now faced with two choices on how to deal with the issue of reapportioning the wards’ weighted votes, said Wagner: Officials can either use the 2000 Census figures for the time being and simply deduct the number of inmates from the overall population, or they can wait until the 2010 Census figures are released (which will apparently be between March and May

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