VALLEY Advocate
FREE NEWS & ARTS WEEKLY WWW.VALLEYADVOCATE.COM NOVEMBER 14 - 20, 2013

Does Your Town Meeting Have Phantoms?

A new report from the Easthampton-based Prison Policy Initiative shows that the federal census' method of counting prisoners harms that bastion of New England democracy—the town meeting—including in Ludlow.

The report is the latest in PPI's ongoing work on what it calls "prison gerrymandering": the skewing of democratic representation by local prison populations. At the heart of the problem is the U.S. Census' practice of counting people who are incarcerated in the communities where they are locked up, not the communities they lived in before their sentencing (and, in many cases, will return to after their release).

That census data is used to draw legislative districts on the federal, state and local level. Those districts are based on population, which means that communities that host prisons and jails see their populations—and, by extension, their political power—artificially boosted by their prisoner populations. Meanwhile, communities (largely urban areas) with significant portions of their populations incarcerated elsewhere see their populations, and therefore their political influence, artificially decreased.

Heightening the problem: in 48 states, including Massachusetts, incarcerated felons cannot vote, so while they plump up the population in the district where they're locked up, they don't actually have a say in selecting that district's representative. (See "The Prison Town Advantage," Oct. 8, 2009, www.valleyadvocate.com.)

While PPI has emerged as a national expert on the issue of prison-based gerrymandering, the new report takes a very local view, examining its effect on Massachusetts' town meetings. Titled "Prison Gerrymandering in Massachusetts: How the Census Bureau Prison Miscount Invites Phantom Constituents to Town Meeting," it found that in seven towns that host prisons—including Ludlow, home to the Hampden County Correctional Center—the presence of a correctional facility causes an imbalance in political power between precincts.

In Ludlow, for instance, 35 percent of the town meeting representatives from the precinct where the prison is located can actually be attributed to the prisoner population. "That gives any 65 people who live in those precincts the same voice at town meeting as 100 residents from any other precinct," the report noted.

"Everybody is supposed to get the same representation across all the precincts, but five of the representatives in Precinct 5 aren't there because of the actual residents of that precinct—they're there solely because the population in the local correctional facility gives that precinct the illusion of having [a larger] population," explained Aleks Kajstura, the report's author. As a result, "unless you live in Precinct Five in Ludlow, your voice is weaker at Town Meeting."

The report found a similar situation in Plymouth, where 35 percent of town meeting representatives in the precinct where the Plymouth County Correctional Center is located can be attributed to the prison population. In the other communities looked at—Billerica, Dartmouth, Dedham, Framingham and Walpole—the population at the local correctional facility accounted for anywhere from 17 to 30 percent of the town meeting representation in its precinct.

Much of the research on prison-based gerrymandering shows that the problem tends to hurt urban communities, from which a disproportionate percentage of prisoners come, and help communities in rural areas, where correctional facilities are more likely to be located, Kajstura added. The new PPI report, however, shows that adverse effects can also be felt by host communities, she said.

So what's the solution? There are a few options, Kajstura said: individual towns can adjust the way they draw precincts, excluding the prison population or reapportioning Town Meeting members to counteract the prison effect. Even better, she said, the Secretary of the Commonwealth, who provides maps and other technical support to municipalities when they're drawing precincts, could provide those communities data showing the effects of their prison populations and guidance on avoiding the problem of prison gerrymandering.

Ultimately, though, the most comprehensive solution would come from the Census Bureau, which could change its policy on where it counts incarcerated people rather than leave individual states or local governments to make their own adjustments. Right now, the Census Bureau is researching the issue, Kajstura said—and pressure from the states could help influence its decision.

Indeed, after Massachusetts' most recent redistricting process, the legislative Special Joint Committee on Redistricting, co-chaired by state Sen. Stan Rosenberg (D-Amherst), released a report that noted the problem of prison-based gerrymandering and called for a change in the way prisoners are counted. A resolution calling on the Census Bureau to count prisoners at their last address is now pending at the Statehouse.• ***—MT***