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Counties will have to follow suit with prison population change

THURSDAY, JANUARY 5, 2012

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That's because every county in New York will have to follow the state's rule change on counting prisoners for the purposes of redistricting. Previously, they had been counted as residents of the prison in which they are incarcerated. Now, the state will use the inmates' last-known address as their official residence.

Much has been made of the effect it will have on state legislative districts, but one part of the law also extends it to counties. It has gone overlooked, and some counties aren't even sure whether they have to follow it.

"People miss that part of the bill," said Peter Wagner of the Prison Policy Institute, which advocated for the change.

Every 10 years, the state and counties redraw their political boundaries to account for population shifts. Jefferson and St. Lawrence counties will have to contend with a shift that will be profound in a few select areas: the loss of prisoners. The district represented by Republican Michael J. Docteur, for example, will lose around 800 residents because Cape Vincent Correctional Facility inmates won't be counted there anymore. Jefferson County lawmakers represent about 7,750 residents, and Mr. Docteur's district included 8,162 residents after the 2000 Census.

The district represented by Republican Robert D. Ferris will lose about 560 residents because Watertown Correctional Facility inmates won't be counted there anymore. Mr. Ferris's district included 7,441 residents after the 2000 Census.

That doesn't mean that figuring out how many residents Mr. Docteur and Mr. Ferris will need to

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make up for is a simple math equation, though. Population within the districts may have grown since the last Census, so the changes could be negligible. The county Planning Department is set to crunch numbers soon, said Robert F. Hagemann III, the county administrator.

Natural population growth and the population loss because of the rule change “might counteract one another. If not, it may have some bearing on the specific districts of legislators for the next 10 years,” Mr. Hagemann said.

Mr. Docteur said that while he disagrees with the rule change, he’s not worried about the effect it will have.

“As far as this actually affecting Legislature District 1, I don’t think it’ll have a great effect. District 1 was somewhat on the high side for a population count, so I doubt it would be affected greatly,” Mr. Docteur said.

In St. Lawrence County, Republican Legislator Donald A. Peck is likely to lose most, if not all, of the 980 inmates at Gouverneur Correctional Facility. Legislator Mark A. Akins, R-Lisbon, will lose 1,124 residents because Ogdensburg Correctional Facility and Riverview Correctional Facility inmates will no longer be counted as residents. The ideal district in St. Lawrence County is about 7,500 residents.

The law that takes prison population away from the prisons still could be overturned; indeed, Mr. Ferris, of the town of Watertown, is a plaintiff on a lawsuit that seeks to nullify it. A state Supreme Court threw out the challenge from Mr. Ferris and other Republican lawmakers, but it was soon appealed to a higher court. The appeal has yet to be resolved, but the lawsuit highlighted the divisions that the rule change caused. Republicans called it a downstate power grab — it would mean more residents in Democratic-friendly areas. Democrats, meanwhile, said it was only right that prisoners be counted at their last known address because, they reasoned, inmates aren’t truly residents of the prisons.

“Although they don’t require a great deal of services, they do use Jefferson County and state roads. That population should be counted where they reside,” Mr. Docteur said.

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Most prisoners won't be counted in counties, either

By **BRIAN AMARAL**
TIMES STAFF WRITER
FRIDAY, JANUARY 6, 2012

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Times staff writer Martha Ellen contributed to this report.

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Inmates Cut Out Of Population Count

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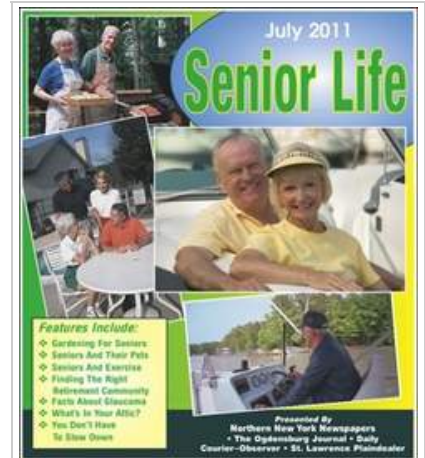
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Prison Population Rule Affects County Districts

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FRIDAY, JANUARY 6, 2012

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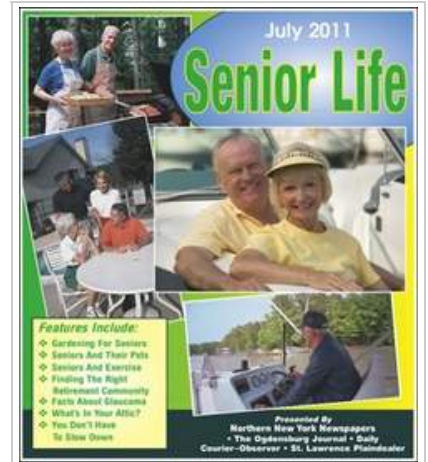
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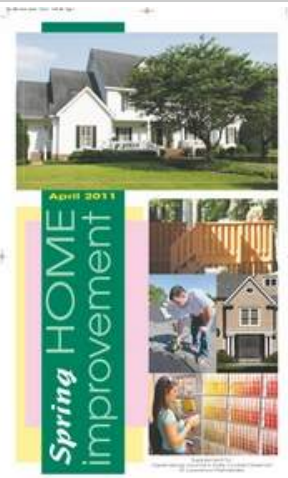
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