

# Maryland's Big Step on Prison Census Reform

by Matt Kelley · April 14, 2010



Yesterday, Maryland became the first state in the U.S. to pass a law requiring that prisoners be counted where they lived before incarceration — and not in their cells.

Maryland's law is a major step in the fight to stop prison-based gerrymandering, which concentrates power across the country in the rural counties that house prisons while stripping it from urban neighborhoods.

Signed by Gov. Martin O'Malley (left), the No Representation Without Population Act will allow the poor

urban communities that are the permanent homes for most prisoners to receive a fairer distribution of state resources.

Want to get an idea of how badly prison-based gerrymandering has distorted power in Maryland? In just one district of Somerset County, for example, prisoners make up 64% of official residents — meaning non-prisoners in that area have 2.7 times the influence of their neighbors in other districts.

Let's hope, as Prison Policy Initiative Executive Director Peter Wagner puts it, that Maryland's move will encourage other states to "end the distortions caused by counting incarcerated persons in the wrong place."

For those who are curious about the effects of miscounting prisoners in other states, Wagner's group recently posted [a map](#) including that data for all 50 states. He points to one legislative district in New York that includes 7% prisoners, another in Texas that houses 12% prisoners and one in Montana with 15%.

Prison Policy Initiative and Demos provided support in Maryland to the two champions of the state's reform legislation: the Maryland ACLU and the state's Legislative Black Caucus. PPI and Demos were also critical to the federal government's announcement in February of [a policy change](#) that will make a host of additional reforms possible as we count every citizen in the 2010 U.S. Census.

Specifically, census director Robert M. Groves announced that his agency would make localized data available to states that would allow states to avoid counting prisoners in the census altogether. It's hard to believe, but even as a last-resort act, making prisoners invisible in the census is a better solution than counting them in the wrong place. (More on this ironic but important move is [here](#).)

By choosing to count prisoners where they lived before prison (and where they'll likely return), Maryland has gone a step further. Other states should follow.

*Photo Credit: [chesbayprogram](#)*



[Matt Kelley](#) is the Online Communications Manager at the Innocence Project and a graduate of the Medill School of Journalism at Northwestern University. Follow him on Twitter [@mattjkelley](#).