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Karen Humes,
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Dear Ms. Humes,

Voice of the Experienced (VOTE) is a grassroots organization engaged in a local, state, and national movement to reverse the negative impacts mass incarceration has had on our communities. We were initially formed in the Louisiana State Penitentiary (the Angola Special Civics Project). VOTE has grown immensely over the past decade, and contributed to major campaigns such as Ban the Box, ending public housing discrimination, and reducing the size of the local jail. We are currently the lead plaintiff in *VOTE v. Louisiana*, a class action suit to restore voting rights to people living in our community and paying taxes while on probation or parole.

We are deeply disturbed by the Census Bureau's proposed decision to continue counting caged people as residents of the towns where they have been imprisoned. The constitutional purpose of the Census is to count people for political representation. Your course of action, long since brought to your attention, is a perversion of that purpose.

America is the global leader of incarcerating its own citizens and aspires (rightly so) to be the global leader in democracy. While the most fundamental right of citizenship is voting, less than 1% of people incarcerated in state or federal prisons (those in Maine and Vermont) maintain that basic connection to the democratic process. We have 1.6 million people taken against their will, stripped of political power, and internally displaced throughout the nation in state and federal prisons. These people are then tabulated where they are being held against their will.

Our 1.6 million family members are being held within a network of prison towns. Sadly, many of these towns have only a few local employers, and the prison industry becomes paramount to their survival. I encourage you to view many of the great stories on the problem of prison towns, such as the documentary film "Up The Ridge," or the recent *Mother Jones* journalism series by Shane Bauer, who worked in Winn Correctional Facility in Winnfield, Louisiana. Both portrayals underscore the challenges America faces in post-manufacturing America- where the local commodity is either on Walmart shelves or humans in cages. More humans, more cages, more people paid to watch the cages. And more cages, under the Census Bureau's policy, means more political power for that prison town.

The demographics of the criminal justice system have repeatedly been revealed to be racially discriminatory at every level and every point of discretion. The Equal Employment Opportunity Commission said as much in their 2012 guidance on background checks in

employment. Judges have acknowledged this time and again, including the last Circuit-level felon disenfranchisement case in America, *Farrakhan v. Gregoire*, a case that was ultimately lost because the racial discrimination was not intentional.

The challenge we put to you, the Census Bureau, is what do you do when you know the policies are racially skewed? Although nobody currently at the Census Bureau created the policies, you are intentionally continuing them. You are intentionally taking a group of people that is majority people of Color (primarily Black and Latino) and counting them in districts that are majority-White. You are exacerbating the problem.

In Louisiana, incarcerated people are two-thirds Black in a state that is two-thirds White. The number of people sentenced in prison is the size of a state House district. In our largest city of New Orleans, over 13,000 people will be counted in other parts of the state and throughout the federal prison system. This is one example of the three perversions of democracy by the Census Bureau:

First, the metropolitan areas will need larger geographic districts than they should have to account for all the people not being counted in their homes. Political representatives will be dealing with constituents who have fractured homes, with family members sent to the prison towns. To gain enough households to be “equal” in size, the representative will need to walk additional streets and speak with additional schools and meet with additional residents than they should need to. Political representatives in these gutted districts will not even have authority over their own residents who have been shipped off into the state prison system. Their safety, health, rehabilitation, reentry, and family needs will be within the power of another district. By contrast, deployed military people and off-to-school college students (a) have contact with their politicians, (b) are part of politically protected groups, and (c) will likely be back in the district often during the ten years. These “feeder” districts have the highest rates of Black and Latino people in any state.

Second, the prison districts will have smaller geographic areas because they have dozens of high-rises bulging with people transported into the district against their will. To shrink the district down so it will be “equal” in size, political representatives will have the luxury of walking fewer streets and deal with fewer schools and fewer everything. This “receiver” district is a prison town, a majority-White ‘free resident’ district, and representatives *do not* consult their incarcerated residents. In fact, the economic survival of the town is tied to a failed government program, a program using cages to address mental illness, substance use, homelessness, unemployment, and violence. Further distorting this is that, in New Orleans, for instance, even people awaiting trial can be shipped into far-off districts. If the Census were tomorrow, several hundred New Orleans residents currently awaiting trial will be counted the farthest corner of the state. Certainly in some parts of America, a district could be drawn that is all prison guards and prisoners. The state legislature would always have at least one advocate for increasing the use of prisons to solve our community problems, and would likely accept all possible state and financial support for incarceration. Prison guards are disproportionately White, and their political interests will be represented in a district that could easily be a Majority-Minority district.

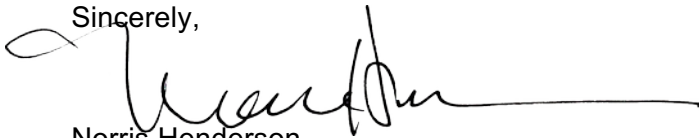
Third, it is the gutted feeder districts who actually represent the interests of the internally displaced people, living far away in cages. Those areas must deal with the impacts of mass incarceration, including disrupted parenting, educational barriers, unemployment, housing needs, mental health treatment, substance abuse, and myriad other counterproductive policies,

such as the 389 different employment barriers in Louisiana¹, and the current policy of the Census Bureau that affirmatively furthers racial disparities. That feeder district must deal with the family that is left behind, and prepare for the person who will be home- typically before the next Census is taken.

Louisiana has a tortured history regarding race and political representation. There is no one culprit for that past, but all of us including the Census Bureau must take responsibility for the present and the future. The Census Bureau's support of internal displacement and shifting political power is simply wrong, and reinforces the theft of our bodies for political and economic gain. The current Census Bureau leadership has the opportunity to do its part to end this overt racial inequity. To do otherwise is to intentionally allow a discriminatory system to continue in America.

We call on you to NOT count people where they are incarcerated and unrepresented. We call on you to count them where their homes and families are.

Sincerely,

A handwritten signature in black ink, appearing to read "Norris Henderson", with a long horizontal flourish extending to the right.

Norris Henderson
Executive Director

¹ American Bar Association Criminal Justice Section's National Inventory of the Collateral Consequences of Criminal Convictions.