

**Congress of the United States**  
**Washington, DC 20515**

April 1, 2013

Mr. Thomas Mesenbourg  
Acting Director  
U.S. Census Bureau  
4600 Silver Hill Road  
Washington, DC 20233

Dear Mr. Mesenbourg:

We are writing to request that the Census Bureau begin counting incarcerated people as residents of their home addresses rather than of the prisons in which they are confined. The Census Bureau has long maintained that an accurate census count yields not only a correct number of residents, but also the correct location for each resident. We believe additional thought should be given to the deemed place of residence in this unique situation. As Members of Congress, we have an interest in ensuring that the decennial enumeration provides fair and equitable representation for all.

In 2011, nearly 1 in 107 adults in the United States was imprisoned.<sup>1</sup> The Census Bureau's current "residence rules" count incarcerated individuals as residents of the prisons where they are serving their sentences. These incarcerated individuals normally have no ties to the prison location, cannot vote, and most often return to their home communities upon release. The designation of a prison cell as a residence prevents populations in more than 1,500 Federal and state prisons that are largely male, urban, and African-American or Latino from being counted as residents of their home communities.

Four states containing 21% percent of the U.S. population have enacted legislation to adjust census data to ensure that prisoner counts do not comprise legislative districts. Maryland and New York enacted legislation to ensure that incarcerated people are counted by home addresses, and Maryland's "No Representation without Population Act" was recently upheld by the U.S. Supreme Court.<sup>2</sup>

We applaud the Census Bureau's decision to release prison data from the 2010 census to assist individual state and local governments in their redistricting efforts. We hope the Census Bureau will develop a standardized national solution to the problem of redistricting distortion, relieving state and local governments from the need to make piecemeal adjustments to ensure prisoners are accurately assigned to their home residences and accurately allocated among

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<sup>1</sup> Office of Justice Programs, Bureau of Justice Statistics, *Correctional Populations in the United States, 2011* (Nov. 27, 2012) (online at [www.bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=4537](http://www.bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=4537)).

<sup>2</sup> *Fletcher v. Lamone*, \_\_ U.S. \_\_, 2012 WL 1030482 (June 25, 2012).

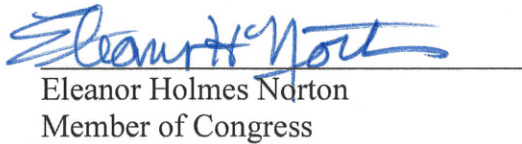
legislative and Congressional districts. We therefore urge the Census Bureau to take the steps necessary to ensure that Census 2020 counts prisoners at their home addresses to assist state and local governments in accurately representing these populations.

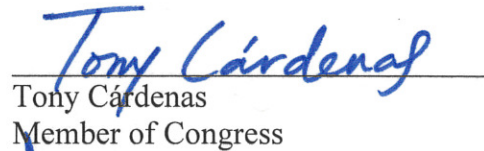
We thank you for your careful consideration of this issue.

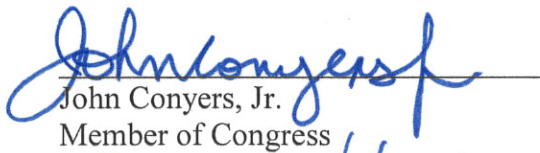
Sincerely,

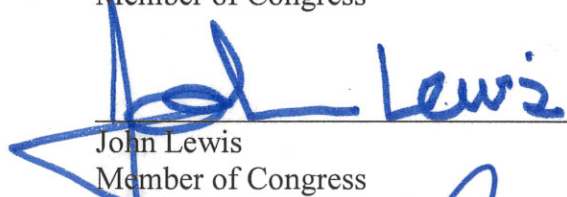
  
Elijah E. Cummings  
Member of Congress

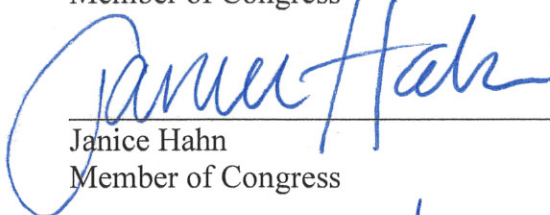
  
Wm. Lacy Clay  
Member of Congress

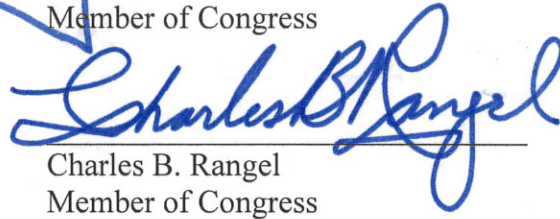
  
Eleanor Holmes Norton  
Member of Congress

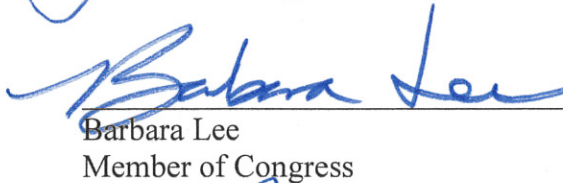
  
Tony Cardenas  
Member of Congress

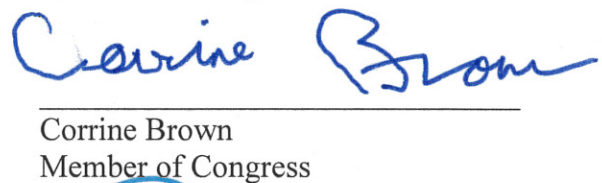
  
John Conyers, Jr.  
Member of Congress

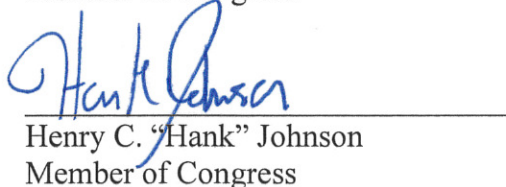
  
John Lewis  
Member of Congress

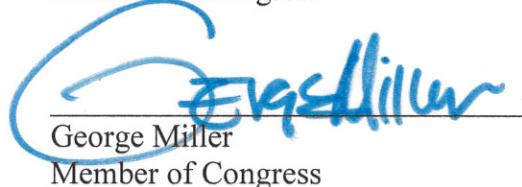
  
Janice Hahn  
Member of Congress

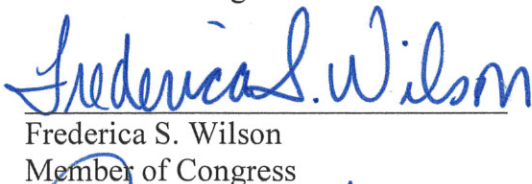
  
Charles B. Rangel  
Member of Congress

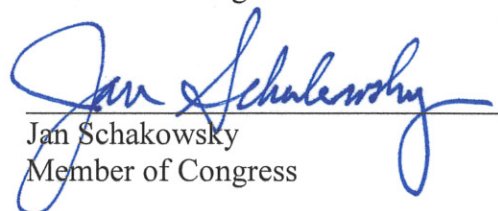
  
Barbara Lee  
Member of Congress

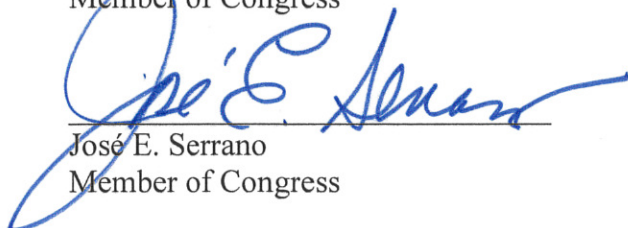
  
Corrine Brown  
Member of Congress

  
Henry C. "Hank" Johnson  
Member of Congress

  
George Miller  
Member of Congress

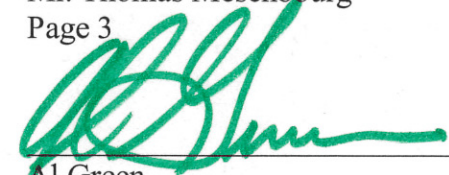
  
Frederica S. Wilson  
Member of Congress

  
Jan Schakowsky  
Member of Congress

  
José E. Serrano  
Member of Congress

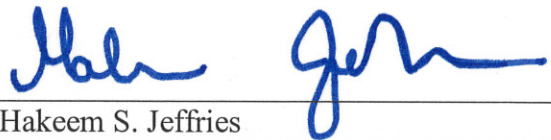
Mr. Thomas Mesenbourg

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Al Green  
Member of Congress



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Hakeem S. Jeffries  
Member of Congress



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Sheila Jackson Lee  
Member of Congress