



For more information about Prison-Based Gerrymandering, see our website and weekly newsletter at <http://www.prisonersofthecensus.org>

Prison-Based Gerrymandering in Jefferson County, NY

The Supreme Court requires counties to update their legislative districts once per decade so that each district contains the same population, giving each resident equal representation in county government. The US Census Bureau counts people where they are incarcerated, not where they are from, and when the Census figures do not reflect the county's population, democracy suffers.

The problem

- The Census Bureau counts incarcerated people as residents of the prison, but the New York State Constitution says that incarceration does not change a person's residence.
- Jefferson County legislature uses 2,150 state prisoners to pad the populations of two legislative districts.
- District 1 (Cape Vincent and Clayton) derives 15% of its population from 1,291 people incarcerated at the Cape Vincent Correctional Facility; effectively giving each group of 85 people in District 1 as much of a say over county matters as 100 people elsewhere.
- District 11 (Watertown and Rutland) derives 11% of its population from the 859 people incarcerated at the Watertown Correctional Facility; effectively giving each group of 89 people in District 11 as much political clout as 100 people elsewhere.

What other counties do

- Thirteen New York counties with large prisons exclude the prison population when apportioning local government.
- In 2004, the then Chairman of the Franklin County Board of Legislators told North Country Public Radio that ignoring the prison population when drawing districts was a "no brainer."

Solutions for Jefferson County

- Jefferson County should exclude the prison population when it next updates its legislative districts in 2012.
- Residents of Jefferson County should support the passage of bills S1633 and A5946, pending in the state legislature, to require the state to distribute adjusted counts for county use in redistricting.

Essex County Solution

In 2003, Essex County not only ignored the prison population when apportioning the Board of Supervisors, it enacted a local reapportionment law with the following explanation:

"Persons incarcerated in state and federal correctional institutions live in a separate environment, do not participate in the life of Essex County and do not affect the social and economic character of the towns.... The inclusion of these federal and state correctional facility inmates unfairly dilutes the votes or voting weight of persons residing in other towns within Essex County...."