



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

Prison-Based Gerrymandering in Oneida County

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.
- Oneida County legislature uses 6,055 state prisoners to pad the populations of legislative districts in Westmoreland and Marcy.
- District 8 (Marcy) derives 38% of its population from its prisons; effectively giving each group of 62 people in District 8 as much of a say over county matters as 100 people elsewhere.
- District 28 (Westmoreland and Rome) derives 33% of its population from its prisons; effectively giving each group of 67 people in District 28 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 Oneida County

- Oneida County should exclude the prison population when it next updates its legislative districts in 2012.
- Residents of Oneida County should support the passage of bills S6725A and A9834A, 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...."