

GWEN MOORE
4TH DISTRICT, WISCONSIN

COMMITTEE ON
FINANCIAL SERVICES
HOUSING AND INSURANCE
MONETARY POLICY AND TRADE, BANKING MEMBER

COMMITTEE ON BUDGET

DEMOCRATIC STEERING AND
POLICY COMMITTEE



WASHINGTON OFFICE:
2245 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4572

DISTRICT OFFICE:
316 N. MILWAUKEE ST, SUITE 406
MILWAUKEE, WI 53202
(414) 297-1140
FAX: (414) 297-1086

Congress of the United States House of Representatives

August 23, 2016

Ms. Karen Humes, Chief, Population Division
U.S. Census Bureau
4600 Silver Hill Road, Room 5H174
Washington, DC 20233-0001

Dear Ms. Humes,

I am submitting this comment in response to the Census Bureau's federal register notice regarding the Residence Rule and Residence Situations, 81 FR 42577 (June 30, 2016). I urge you to count incarcerated people at their home address, rather than the Bureau's proposal to continue counting incarcerated people at the particular facility that they happen to be located at on Census Day ignoring the reality of incarceration: prisons are not a "usual residence".

Since my days in the Wisconsin State Senate, I have attempted to end the gerrymandering of prisoners in order to ensure equal representation. The Wisconsin Legislature did not accept my motion to change how prisoners were counted in the Census. In Wisconsin, prisoners do not remain in the communities in which they were incarcerated, but rather, they return to their home communities. The growth in the prison population over the past decades necessitates the Census Bureau to update its methodology, as it relates to incarcerated persons.

As recently as the 1980s, the incarcerated population in the U.S. totaled less than half a million and now the number of incarcerated people has more than quadrupled, to over two million people behind bars. This longstanding flaw in the Census counts incarcerated people as residents of the prison location, even though they cannot vote and are not part of the surrounding community. The manner in which this population is counted now has huge implications for the accuracy of the Census.

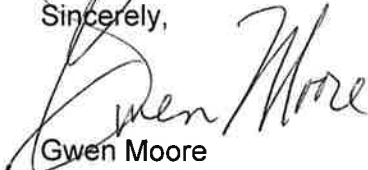
The reality is that when my constituents are incarcerated, they are often sent to prisons outside my district, but they still rely on me for *representation* and remain my constituents. Their home in my district remains their only stable, permanent, "usual" residence. Counting them as if they were residents of the facility where they happen to be held on Census day doesn't reflect the modern day reality of our communities. Further, the designation of a prison cell as a residence in the 2010 Census concentrated a population that is disproportionately male, urban, and African-American or Latino into just 5,393 Census blocks that are located far from the actual homes of incarcerated individuals.

In Wisconsin for instance, Milwaukee County contains 18% of the state population but the state's prison population is made up of 42% of Milwaukee County residents. Virtually all of the state's prison cells are located outside of the county. In effect, each group of 9 residents in one particular district has as much political power as 10 residents elsewhere in the state. Wisconsin has historically drawn legislative districts so that their population-sizes are within 2% of the average. However, with the way incarcerated individuals are counted, Wisconsin awards greater political representation to districts with prisons than to those without them.

On a final note, your proposed method of counting the incarcerated population is inconsistent with how you count other groups that eat and sleep in a location that is not their usual residence. For example, I noticed that your proposed rules will count boarding school students at their home address even if they spend most of their time at the school. The same approach should be taken when counting incarcerated people.

Thank you for this opportunity to comment on the Residence Rule and Residence Situations as the Census Bureau strives to count everyone in the right place in keeping with changes in society and population realities. I believe that in order to produce an accurate 2020 Census, the Bureau must count incarcerated people as residents of their home address.

Sincerely,



Gwen Moore
Member of Congress

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