

1818 North Taylor Street, #140 Little Rock, AR 72207 (501) 366-3647

July 3, 2015

Dear Karen Humes,

Arkansas Voices for the Children Left Behind submits this comment in response to the Census Bureau’s federal register notice regarding the Residence Rule and Residence Situations, 80 FR 28950 (May 20, 2015). We urge you to count incarcerated people at their home address, rather than at the particular facility that they happen to be imprisoned at on Census day.

Arkansas Voices for the Children Left Behind advocates for the children of incarcerated parents and, therefore, we are very concerned about ensuring equal representation for the home communities of these children.

As you know, American demographics and living situations have changed drastically in the 225 years since the first Census, and the Census has evolved in response to many of these changes in order to continue to provide an accurate picture of the nation. Today, the growth in the prison population requires the Census to update its methodology again.

The need for change in the “usual residence” rule, as it relates to incarcerated persons, has been growing over the last few decades. As recently as the 1980s, the incarcerated population in the U.S. totaled less than half a million. But since then, the number of incarcerated people has more than quadrupled, to over two million people behind bars. The manner in which this population is counted now has huge implications for the accuracy of the Census.

I frequently visit Arkansas prisons and have observed a few similarities between the different prisons in the state. First, the prisons are located far away from the home communities of incarcerated people. It often takes a significant amount of time and expense for children to visit their incarcerated parents, straining incredibly important relationships. Second, the prisons are located in parts of the state with vastly different demographics than the home communities of incarcerated people. Nationally, by designating a prison cell as a residence in the 2010 Census, the Census Bureau

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 people.

Because Arkansas is not one of the four states that have found a statewide solution to counting incarcerated people at home, particular Arkansas counties are underrepresented politically because the state’s prison population comes disproportionately from some counties such as Sebastian County (home for 4.3% of the state but 8.3% of its incarcerated people) and Crittenden County (home for 1.8% of the state, but 3.9% of its incarcerated people). Further, since Blacks are overrepresented in Arkansas prisons and jails, they are going to bear the brunt of prison gerrymandering. Blacks are incarcerated four times more than Whites in Arkansas.

In addition to the handful of states that have ended prison gerrymandering, there are over 200 counties and municipalities that have individually adjusted their population data to avoid prison gerrymandering, but this ad hoc approach is not always possible. The Massachusetts legislature, for example, concluded that the state constitution did not allow it to pass similar legislation, so it sent the Bureau a resolution in 2014 urging the Bureau to tabulate incarcerated persons at their home addresses. *See* The Massachusetts General Court Resolution “Urging the Census Bureau to Provide Redistricting Data that Counts Prisoners in a Manner Consistent with the Principles of 'One Person, One Vote'” (Adopted by the Senate on July 31, 2014 and the House of Representatives on August 14, 2014).

Thank you for this opportunity to comment on the Residence Rule and Residence Situations. Arkansas Voices for the Children Left Behind previously called upon the Census Bureau to change its practice back in February 2013, and we are glad to see that the Bureau is taking a step forward to count everyone in the right and most accurate place. Because Arkansas Voices for Children Left Behind believes in a population count that accurately represents communities — especially those hardest hit by incarceration — we urge you to count incarcerated people as residents of their home address.

Sincerely,

Dee Ann Newell, MA