

PUBLIC POLICY AND EDUCATION FUND OF NEW YORK

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END PRISON-BASED GERRYMANDERING

THE PROBLEM:

The US Census Bureau counts people in prison as residents of the districts in which they are incarcerated, instead of the communities they came from and are most likely to return. New York State uses the Census data to draw legislative district lines, inflating the size, and the power, of some communities at the expense of others.

ONE PERSON, ONE VOTE:

This practice is a violation of the New York State Constitution. It says “For the purpose of voting, no person shall be deemed to have gained or lost a residence, ...while confined in any public prison.” A series of Supreme Court decisions in the 1960s determined that legislative districts in the United States must have equal population to ensure the democratic principle of ‘one person, one vote.’

IT'S ABOUT RACIAL JUSTICE:

In New York, 80% of the people in prison are African American or Latino, and they are incarcerated in districts that are overwhelmingly white. The racial injustice that has plagued America for centuries continues to exist within New York's criminal justice system. Prison-based gerrymandering disproportionately punishes families and communities of color, and reminds us of a time when slaves were counted as three-fifths of a person for the apportionment of the members of the United States House of Representatives.

UPSTATE COUNTIES HAVE SOLVED THE PROBLEM:

Thirteen upstate counties have already taken the initiative to correct the Census data, removing the prison population before redistricting to avoid dilution in their districts. Essex County said “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...”

New York must end prison-based gerrymandering to ensure all communities receive fair and equal representation.

For more information, contact us at info@ppefny.org

Public Policy and Education Fund of New York was founded in 1986 to address critical social, economic, racial and environmental issues facing low and moderate income New York State residents.

