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Prison-Based Gerrymandering in the City of Rome, NY

The Supreme Court requires cities to update their legislative districts once per decade so that each district contains the same population, giving each resident equal representation in city 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 city'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.
- The City of Rome Common Council uses 2,451 people incarcerated at the Mohawk and Oneida Correctional facilities to pad the population of the 2nd ward.
- The city's council wards average 5,000 city residents, but 49% of Ward 2 is incarcerated.
- Each resident of Ward 2 has twice as much political influence over the future of Rome as each resident of other wards.

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."

What does the Utica Observer-Dispatch say?

- "Prisoners don't pay local property taxes. They don't drive on county roads. They don't vote, or attend county meetings, or advocate for or against local issues. The vast majority of them are not even from our region. So assigning them to legislative districts makes absolutely no sense."

Solutions for the City of Rome

- Rome should exclude the prison population when it next updates its city council wards in 2012.
- Residents of Rome should support the passage of bills S6725A and A9834A, pending in the state legislature, to require the distribution of adjusted counts for local 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...."