



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

Prison-Based Gerrymandering in Livingston 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.
- Each of the 17 Supervisors in Livingston County represents a town and gets a number of votes in proportion to the population.
- The census counted about 3,500 people in Groveland in 2000, about 2,100 of whom are in prison.
- Groveland derives 62% of its population from the prison, which results in the Groveland Supervisor exercising 107 votes instead of the 40 he would be entitled to without the prison.
- The Supervisor of Groveland, James C. Merrick, is the currently the Chair of the Livingston County Board of Supervisors.

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 Livingston County

- Livingston County should exclude the prison population when it next updates its legislative districts in 2012.
- Residents of Livingston 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...."