

Prison gerrymandering disproportionately harms Texas' Black residents

Prison gerrymandering reduces the political power of nearly all Texas residents by allowing a few districts with large correctional facilities to claim residents from all over the state. And while it does that, it also enshrines the racial inequities of mass incarceration into the state's democratic institutions.

What is prison gerrymandering?

Everyone in Texas is supposed to have an equal voice in their government's decisions, but an outdated and misguided Census Bureau policy that counts incarcerated people in the wrong place gives a few residents of the state a megaphone.

Every ten years, when the Census Bureau conducts its official tally of the nation's population, it incorrectly counts incarcerated people as residents of prison cells rather than in their home communities. When state officials then use that Census data in the legislative redistricting process, they inadvertently inflate the populations of those areas — in violation of constitutional principles of equal representation. This gives residents of state legislative districts that contain correctional facilities a particularly loud voice in government, at the expense of nearly every other person in the state.

In two Texas State House of Representatives districts — districts 12 and 8 — correctional facilities account for a significant portion of the population. In District 12, for example, correctional facilities make up 10% of the population. That means that just 90 residents of that district have as much political clout as 100 residents in other districts.

Disproportionate impact for Black residents

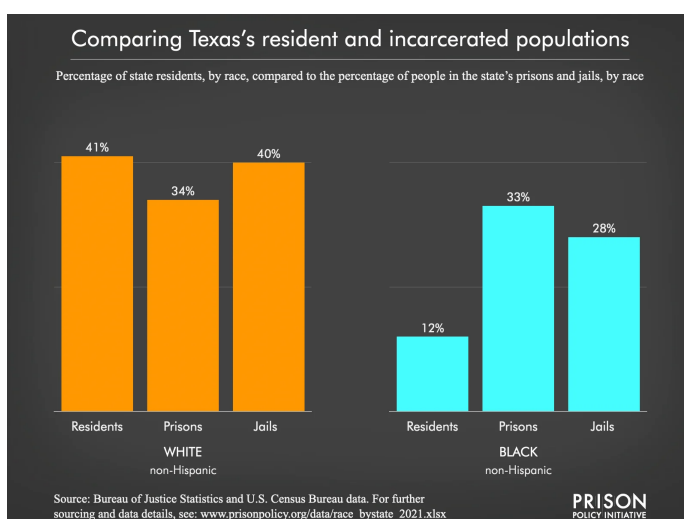
In Texas, like across the country, mass incarceration has a disproportionate impact along racial lines. Black and Native American residents are incarcerated at disproportionate rates and therefore counted in the wrong place more often than Texas' white residents:

- Black residents make up less than 12% of the state population, but 33% of people in prisons and 28% of people in jails.
- Counting incarcerated people in the wrong place adds up. In just the two most prison gerrymandered districts alone, over 13,000 Black people were counted in the wrong place.

Texas needs to end prison gerrymandering now

Nearly half of the US population now lives in a place that corrects redistricting data they receive from the Census to avoid prison gerrymandering. States that have ended prison gerrymandering include deep "blue" states like California, "purple" states like Maine and Pennsylvania, and deep "red" states like Montana — where prison gerrymandering-reform legislation received wide bipartisan support.

It's now time for Texas to pass legislation ending prison gerrymandering and count incarcerated people at home when drawing districts.



Our full report on prison gerrymandering in Texas is available at <https://www.prisonersofthecensus.org/news/2025/09/30/texas-prison-gerrymandering/>