



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

## Prison-Based Gerrymandering in the City of Appleton, WI?

The Supreme Court requires cities to update city council wards once per decade so that each ward 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's location, but Wisconsin law says that incarceration does not change a person's residence. Wis. Stat. § 6.10
- The 2010 Census just counted incarcerated people at the Outagamie County Jail as if they resided at the location of the jail, rather than at their actual home addresses.
- If the City of Appleton draws its Common Council wards based on unadjusted Census population data, it would draw a ward where 12% of the "resident" population is actually the incarcerated population of the prison.
- Including the prison population in redistricting the Common Council would give every 88 actual residents who live near the facility the same voice as 100 residents living anywhere else in the city.
- Giving some residents more say in city affairs just because their ward contains a prison runs counter to the basic democratic principle of "one person, one vote."

### What local governments in other states do

- Mississippi, Colorado and New Jersey require counties with prisons to remove the prison population prior to redistricting, and Virginia law encourages it. Many other counties decide on their own to exclude the prison population prior to redistricting.
- Lima Ohio, Ionia Michigan, and Crest Hill Illinois are all small cities with large prison populations in their Census data. These three cities — and over 100 other similar cities and counties around the country — choose to ignore the prison when drawing legislative districts.

### Solutions for the City of Appleton

- The City of Appleton should exclude the prison population when it updates its Aldermanic wards.
- In May 2011 the Census Bureau will be publishing the correctional facility and other group quarters counts, so that cities can choose to use Census data to remove prison populations from the redistricting data. In decades past, these counts were published too late to be useful.

For more information on prison-based gerrymandering in Wisconsin, see our campaign page at: <http://www.prisonersofthecensus.org/wisconsin.html>

### "a false presentation"

"The study found 64 percent of Adams County's 5th and 6th districts, 59 percent of Dodge's 31st District and 53 percent of Dodge's 29th District are prisoners. In these districts, constituents get double the electoral power of other voters. James Layman, the Dodge 31st supervisor, who describes himself as a conservative-leaning independent, says the inequality should be addressed. 'I think that's a false presentation because I don't represent those people,' he says of the prisoners."

—"Fuzzy Math: Is the Census Bureau creating unfair politics in Wisconsin?", by Evan Solocheck, Milwaukee Magazine March 2008