

Prison gerrymandering disproportionately harms West Virginia's Black residents

Prison gerrymandering reduces the political power of nearly all West Virginia 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Everyone in West Virginia is supposed to have an equal voice in their government's decisions, but an outdated and misguided Census Bureau policy that counts incarcerated people in the wrong place gives a few residents of the state a megaphone.

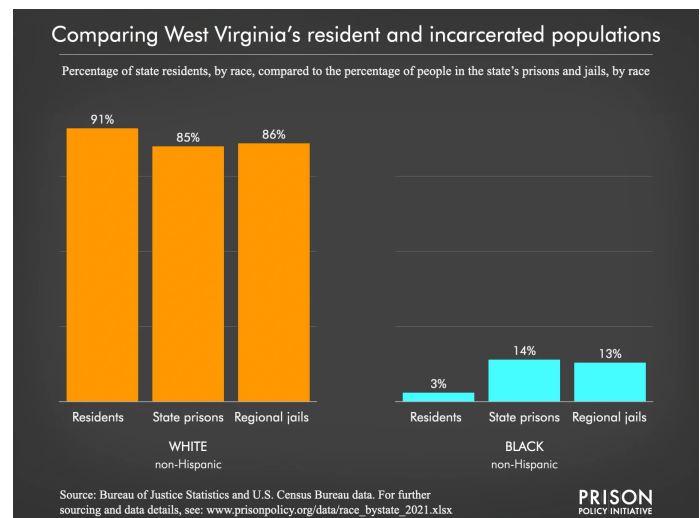
Every ten years, when the Census Bureau conducts its official tally of the nation's population, it incorrectly counts incarcerated people as residents of prison cells rather than in their home communities. When state officials then use that Census data in the legislative redistricting process, they inadvertently 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 three West Virginia House of Delegates districts — districts 83, 45, and 63 — correctional facilities account for as much as 18% of the population. In District 83, for example, correctional facilities make up roughly 18% of the population. That means that just 82 residents of that district have as much political clout as 100 residents in other districts.

Disproportionate impact for Black residents

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

- Black residents make up just 3% of the state population, but a whopping 14% of people in prisons and 13% of people in jails.
- The racial impact of prison gerrymandering is so strong that, for example, over half of the Black people counted in House of Delegates District 66 were actually behind bars, rather than living in the community.



West Virginia 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 West Virginia to pass legislation ending prison gerrymandering and count incarcerated people at home when drawing districts.

Our full report on prison gerrymandering in West Virginia is available at <https://www.prisonersofthecensus.org/news/2025/06/12/west-virginia-prison-gerrymandering/>