

Ms. Karen Humes

Chief, Population Division U.S. Census Bureau, Room 6H174

Washington, DC 20233

Re: Proposed 2020 Census Residence Criteria and Residence Situations

Dear Ms. Humes:

Thank you for the opportunity to share our thoughts concerning the Census Bureau's federal register notice regarding the Residence Rule and Residence Situations, 81 FR 42577 (August 31, 2016).

Daily Kos urges the Bureau to change the method it uses to count incarcerated persons. We strongly recommend that incarcerated people be recorded as located in their home communities and permanent addresses – not as residents of the facilities where they are imprisoned.

Many important comments from academics, experts, associations, organizations, politicians, and lawyers have been submitted, which are publicly available; argue the electoral, moral, and legal logic for counting incarcerated people at their permanent residence.

At Daily Kos, we echo these arguments and sentiments and will add to the conversation by illustrating the public support for this policy with the strength of our community.

Daily Kos is the largest progressive political publication in the country. Our site reaches 12 million unique readers every month. We reach twice as

many people more via social media outlets like Facebook and Twitter. We provide a million community members with a platform to report news, connect with each other, and make change in their communities. The Daily Kos community numbers more than 2 million who are contacted daily via email with current news and opportunities to affect change with online campaigns.

Over the last month, Daily Kos has reached hundreds of thousands of people around the country to inform them about the practice of prison gerrymandering. With this information, over 29,000 community members contacted the Census Bureau to express their concern with the current practice and advocate for a change in the way the Census Bureau counts incarcerated people.

Additionally, we are submitting the signatures of 48,314 community members who signed an online petition.

Our Message to the U.S. Census Bureau:

Prison-based gerrymandering is inaccurate, outdated and distorts the democratic process. Four states and hundreds of municipalities have already moved to end this practice. Update the residence guidelines for the 2020 Census to eliminate prison-based gerrymandering nationally.

Below are some of the personal excerpts from our community, speaking to the breadth and depth of the impact of the policy of the Census Bureau's residency criteria and the upcoming census count.

People from all walks of life are aware of the need for a change and felt compelled to comment at the agency. The Daily Kos community urges you to understand the impact of wrongfully counting incarcerated people at prisons during the census count, and change your practice for the upcoming count.

- "As the sister of an incarcerated sibling, she is not and will never be a resident of the state she is incarcerated in. This is forced occupation and she should be counted in the state she calls home."
- "My husband and I work through our church with incarcerated people. From our personal experience, we have seen prisoners moved without notice within a short time for various reasons (as the stressed system tries to deal with overcrowding). It makes much more sense to count each person once in his/her home community, especially as that is where the person will need services once released."
- "As a former addictions counselor in several majority-black areas, I am well aware of the difficulties African American people face in making their voices heard and listened to in our country, as well as the unequal arrest rates and sentencing practices faced by African Americans. Shifting some of their political representation to other places compounds the inequalities they face."
- "As a former Director of Libraries for a state prison, these prisoners are quickly transferred from one place to another, so not using permanent addresses...does indeed skew the system of population count; certainly by county and political divisions."
- "Although legislators represent all the people in their district including non-voters, non-citizens, and children, counting prisoners at their prison instead of in their home community is uniquely problematic. Unlike other categories of non-voters, prisoners do not pay taxes, receive services, work, participate in civic life, or even interact with the general population in the community outside the prison. However, prisoners will participate in these activities in their home communities before incarceration and upon release. For these reasons among others, the Census should not count prisoners at their prison in order to ensure equitable political representation between differing communities in redistricting."
- "My brother was previously in prison for almost 5 years in a different Florida county from his permanent home address and so was not included correctly in the census. It would have made a difference..."
- "The census count is critical for FAIR representation and counting incarcerated people in facilities takes representation away from home communities--especially those of low income or communities of color. I know of a man who has been moved in the state of Florida 4 times, each

time to a different voting district. If we really want our elections to be DEMOCRATIC, and all people represented in a FAIR way the census MUST be counted in the HOME place of the prisoner."

- "As a former prison inmate, I know first-hand how gerrymandering skews democracy..."
- "I am a retired sociologist. I have been a professor for decades, and I still use the Census. I have the highest respect for the Census Bureau. As a social scientist, an urban resident and a citizen, I believe that the Bureau's proposed plan to count inmates at their confinement facility rather than their permanent address is outdated and inaccurate. It will affect the integrity of our data and the very core of our democracy's electoral base. I encourage you to not continue this practice for the 2020 Census. How this population is counted has enormous implications for representational government."
- "As a former certified/commissioned law enforcement officer I ask you to please ensure an accurate census by counting incarcerated people at their permanent address. This will ensure a more just democracy and representation for communities.
- "I live in Del Norte Co home of Pelican Bay State Prison. When you count prisoners who cannot vote you almost DOUBLE our small, poor population."
- "The small community I live near has two state prisons that have increased the population census of Somerset, Pennsylvania (with incarcerated individuals) by at least 2000 individuals, maybe more. I am retired from the Department of Corrections system and was employed at the larger of the two facilities."
- "I've seen the consequences of this in Lassen County CA where the town of Susanville is the center of three different types of prisons (two state, one federal). Counting the prison population as part of the area's census makes Susanville appear as a much larger population than actually has access to services and retail outlets. People have lost income due to franchises being available to them even though the population wasn't enough to support the added retail."
- "I'm a clinical psychologist with fifteen years of experience working in a prison setting. If you will read the comments below and act on them, you

can have a direct effect on recidivism and reduce the costs associated with prison systems."

- "I teach in an area with my students whose parents are incarcerated. This would greatly help with families and students."
- "As a recent Census worker, it confounded me that it wasn't always done this way! Many of the people in prison are NOT there for 10 years! That adds to the harm to specific communities and gives that representation to the wrong (wholly prison-based cities/towns) areas! This needs to be corrected and the census is coming very soon!"
- "I am deeply concerned because I live in a city that might be unfairly underrepresented due to prison gerrymandering."
- "I am a retired professor of political science. When I taught at the University of Kentucky I specialized in the study of incarceration. I believe the current Census Bureau policy regarding prison populations produces a biased description of the distribution of the population within the states. Please end the woefully inaccurate process of counting incarcerated people at prisons for the 2020 Census."
- "As one who conducts genealogical research and relies on the decennial for invaluable information it is inconceivable that incarcerated people aren't allowed to be counted at their permanent address. You might be surprised how many citizens of the United States of America conduct genealogical research and how many of these have members of their families who are incarcerated. Be proactive and set the census correct for eliminating distortion of political representation and helping people conducting genealogical research."
- "I live near Florence, Arizona, Pinal County, a place that is home not to one but SEVEN prisons. Only one of them, the county lock-up, houses local people. The other six have inmates from as far away as New England...

How this population is counted has enormous implications for representational government. Florence, AZ, is only one small example, albeit a significant one given that Florence is home only to about 26,000 citizen-residents. "

- "I implore the Census Bureau to discontinue prison-based

gerrymandering and move towards a model that is more representative of communities that house prisoners and prisoners are counted where they are actually from.

Counting inmates where they are incarcerated, rather than their permanent address implies that they are no longer a part of their home community, and are not likely to be re-integrated into their home community. Having worked for the U.S. Census Bureau for 30 years, I understand the rules for institutionalized persons, but those rules are primarily to ensure that all persons are counted SOMEWHERE. It would be more accurate to count incarcerated persons as part of their home communities..."

- "As a public health professional I have had the opportunity to delve into census data for various projects. Although I appreciate knowing the number of people incarcerated in jails it prisons in an area, I don't think it is right to count those people as part of the communities' population. It warps numbers for Pitcairn purposes and it also distorts the actual age, sex, and racial makeup of a community. For example, in Frio county Texas, prisoners comprise almost 10% of the population, contributing mostly younger men, making this community appear significantly different from what it would be without the prisoners. I urge you to change your practice of counting incarcerated people at prisons, instead of their home addresses.

- "As a mental health counselor for the past 27 years I have worked with many families affected by addiction which resulted in incarceration. These are usually short incarcerations and since we live in a small rural area, those incarcerated are often sent out of state but they return home to their families in our community when they have serve their sentence.

Because of this fact, I urge the Census Bureau to count incarcerated people at their home address, rather than at the facility where they are incarcerated on Census day."

This is a small sampling of the thousands of unique comments that we're sent to the Census Bureau. We hope that this illustrates how many people, including those in the criminal justice system, their families, and communities, are impacted by the manner in which incarcerated people are counted. **Please consider the unprecedented number of public comments as an indicator of how the public feels about this practice.**

Sincerely,

Rachel Colyer, Daily Kos

Monique Teal, Daily Kos

Daily Kos Community

<https://www.dailykos.com/campaigns/petitions/sign-the-petition-time-to-end-prison-based-gerrymandering>

<https://www.dailykos.com/story/2016/08/16/1560701/-Daily-Kos-readers-organize-to-end-prison-based-gerrymandering-Here-s-why-in-their-own-words>

<https://www.dailykos.com/campaigns/letters/sign-and-send-the-petition-stop-gerrymandering-based-on-prison-populations?detail=action>

<http://www.dailykos.com/stories/2016/7/25/1551891/-Millions-to-be-counted-in-wrong-location-for-2020-Census-Democracy-shudders>