

Topic: **Reaching and motivating everyone** - counting everyone in the right place

Since 2011, my current and former students at DePauw University and I have documented the frequent failure of Indiana local governments to redistrict. Our website, IndianaLocalRedistricting.com is the most comprehensive on local government redistricting in Indiana. In the course of our research, we found that when local governments *do* redistrict, the Census' redistricting data causes unequal districts.

Indiana is a state with many small counties, cities/towns, and school boards that are required to maintain population equality among single-member electoral districts. Thirteen counties and five cities/towns have large state or federal prisons within them. People within those prisons are not only disenfranchised, they also are unable to participate in the civic life of the surrounding communities. Counting them as if they were residents of the county, town, or school district where the prison is located unfairly diminishes representation for actual residents of those counties and towns who happen not to live in the county or city district that contains the prison(s).

The 13 (of 92) counties in Indiana that contain one or more large state or federal prisons are: Hendricks (3 state prisons on adjoining property), Henry, Jefferson, Johnson, LaPorte (2 state prisons in different parts of the county), Madison (2 state prisons on adjoining property), Marion*, Miami, Parke, Perry, Putnam, Sullivan, and Vigo (3 federal prisons on adjoining property). In addition, five incorporated cities contain prisons: Indianapolis, Madison, Michigan City, Plainfield, and Terre Haute. (Terre Haute, which is in Vigo County, has 3 federal prisons on adjoining property that was annexed on the extreme southwest border of Terre Haute and thus cannot be subdivided.) Currently no school boards with single-member electoral districts have a prison within their school corporation.

The way the Census Bureau counts prison populations can cause considerable distortion in representation. For example:

- In 2011, one of the South Putnam school board districts was 67% prisoners, a problem that led the school board to switch to residential rather than single-member districts.
- Sullivan County—which refused to redistrict after both the 2010 census and the 2020 census despite population deviations of 28% and 44% respectively—has a county council district that is 40% people in prison.
- Were the population of the three federal prisons in Terre Haute counted, people in those prisons would constitute 27% of the city council district that contained the annexed property with the prisons.

Because of the distortions created by counting prisoners, several counties in Indiana already resort to crude attempts to correct the data by simply not counting people in prison when they redistrict. These counties include Henry County (20% population deviation if prisoners are counted, 9% if they are not), Miami County (41% population deviation with prisoners, 8% without), Perry (26% with prisoners, 12% without), and Vigo County (19% with prisoners, 10% without). Hendricks County has a population deviation below 10% with or without counting

prisons.** (Of the seven counties with large prisons that failed to redistrict in 2021, all but two have high population deviations whether or not prisoners are counted.)

Municipal redistricting is taking place now in Indiana. The City of Terre Haute is adopting a plan that excludes the three large federal prisons within city limits, as it did in 2011, while Indianapolis (a much larger city with a much smaller prison population) opted to count the ~650 women incarcerated at the Indiana Women's Prison. We do not know yet what the other three cities with large prison populations will be doing.

While changes in the way the redistricting data was published in 2020 made it easier for these local governments to exclude the prisons from their data, not all took this extra step. And they should not need to. The Census Bureau should publish data that does not put the burden on local government to make it suitable for redistricting.

Please do the planning necessary to count incarcerated people at home in the 2030 Census, to ensure that the redistricting data the Bureau publishes can be used to draw local districts representative of the actual local population.

Thank you for the work that you do,

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*Indianapolis and Marion County have a unified government with a single City-County Council which redistricts in 2022 instead of 2021.

**We do not have the new districts lines for Madison County yet.