

VIA ELECTRONIC MAIL

July 20, 2015

Karen Humes
Chief, Population Division
U.S. Census Bureau
Room 5H174
Washington, DC 20233

Dear Karen Humes:

Common Cause Rhode Island submits this comment in response to the Census Bureau's federal register notice regarding the Residence Rule and Residence Situations, 80 FR 28950 (May 20, 2015). Common Cause Rhode Island urges you to count incarcerated people at their home address, rather than at the particular facility that they happen to be located at on Census Day.

Common Cause Rhode Island has been supportive of ending prison-based gerrymandering for five years, advocating for legislation before the Rhode Island General Assembly that would count prisoners in their home communities, consistent with Rhode Island law. Because Rhode Island has a single prison complex the problem of prison-based gerrymandering is particularly pernicious in our state.

As you know, the American demographics and living situations have changed drastically in the 225 years since the first Census, and the Census has evolved in response to many of these changes in order to continue to provide an accurate picture of the nation. Today, the growth of the prison population requires the Census to update its methodology again.

The need for change in the "usual residence" rule, as it relates to incarcerated persons, has been growing over the last few decades. As recently as the 1980s, the incarcerated population in the U.S. totaled less than half a million. But since then, the number of incarcerated people has more than quadrupled, to over two million people behind bars. The manner in which this population is counted now has huge implications for the accuracy of the Census.

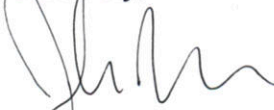
By designating a prison cell as a residence in the 201 Census, the Census Bureau concentrated a population that is disproportionately male, urban, and African-American or Latino into just 5,393 Census blocks that are located far from the actual homes of incarcerated people. In Rhode Island, this resulted in a state legislative district in which 15% of the population is incarcerated, diluting the voting power of the state's other residents.

Currently, four states (California, Delaware, Maryland, and New York) are taking a state-wide approach to adjust the Census' population totals to count incarcerated people at home, and over 200 counties and municipalities all individually adjust population data to avoid prison gerrymandering when drawing their local government districts. The Rhode Island Senate has passed legislation to do the same after the 2020 Census.

But this ad hoc approach is neither efficient nor universally implementable. The Massachusetts legislature, for example, concluded that the state constitution did not allow it to pass similar legislation, so it sent the Bureau a resolution in 2014 urging the Bureau to tabulate incarcerated persons at their home addresses. *See* The Massachusetts General Court Resolution "Urging the Census Bureau to Provide Redistricting Data that Counts Prisoners in a Manner Consistent with the Principles of 'One Person, One Vote'" (Adopted by the Senate on July 31, 2014 and the House of Representatives on August 14, 2014).

Thank you for this opportunity to comment on the Residence Rule and Residence Situations as the Bureau strives to count everyone in the right place in keeping with changes in society and population realities. Because Common Cause Rhode Island believes in a population count that accurately represents communities, we urge you to count incarcerated people as residents of their home address.

Sincerely,

A handwritten signature in black ink, appearing to read "John Marion", written over a faint circular stamp.

John Marion
Executive Director