April 1, 2013

Mr. Thomas Mesenbourg
Acting Director
U.S. Census Bureau
4600 Silver Hill Road
Washington, DC 20233

Dear Mr. Mesenbourg:

We are writing to request that the Census Bureau begin counting incarcerated people as residents of their home addresses rather than of the prisons in which they are confined. The Census Bureau has long maintained that an accurate census count yields not only a correct number of residents, but also the correct location for each resident. We believe additional thought should be given to the deemed place of residence in this unique situation. As Members of Congress, we have an interest in ensuring that the decennial enumeration provides fair and equitable representation for all.

In 2011, nearly 1 in 107 adults in the United States was imprisoned.¹ The Census Bureau’s current “residence rules” count incarcerated individuals as residents of the prisons where they are serving their sentences. These incarcerated individuals normally have no ties to the prison location, cannot vote, and most often return to their home communities upon release. The designation of a prison cell as a residence prevents populations in more than 1,500 Federal and state prisons that are largely male, urban, and African-American or Latino from being counted as residents of their home communities.

Four states containing 21% percent of the U.S. population have enacted legislation to adjust census data to ensure that prisoner counts do not comprise legislative districts. Maryland and New York enacted legislation to ensure that incarcerated people are counted by home addresses, and Maryland’s “No Representation without Population Act” was recently upheld by the U.S. Supreme Court.²

We applaud the Census Bureau’s decision to release prison data from the 2010 census to assist individual state and local governments in their redistricting efforts. We hope the Census Bureau will develop a standardized national solution to the problem of redistricting distortion, relieving state and local governments from the need to make piecemeal adjustments to ensure prisoners are accurately assigned to their home residences and accurately allocated among


legislative and Congressional districts. We therefore urge the Census Bureau to take the steps necessary to ensure that Census 2020 counts prisoners at their home addresses to assist state and local governments in accurately representing these populations.

We thank you for your careful consideration of this issue.

Sincerely,

Elijah E. Cummings
Member of Congress

Wm. Lacy Clay
Member of Congress

Eleanor Holmes Norton
Member of Congress

Tony Cardenas
Member of Congress

John Conyers, Jr.
Member of Congress

John Lewis
Member of Congress

Janice Hahn
Member of Congress

Charles B. Rangel
Member of Congress

Barbara Lee
Member of Congress

Corrine Brown
Member of Congress

Henry C. "Hank" Johnson
Member of Congress

George Miller
Member of Congress

Frederica S. Wilson
Member of Congress

Jan Schakowsky
Member of Congress

José E. Serrano
Member of Congress