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Congress of the United States House of Representatives

July 9, 2015

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

Dear Karen Humes,

I am submitting 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). I urge you to count incarcerated people at their home address, rather than at the particular facility in which they happen to be located on Census day.

Since my days in the Wisconsin State Senate, I have attempted to end the gerrymandering of prisoners in order to ensure equal representation. The Wisconsin Legislature did not accept my motion to change how prisoners were counted in the census. In Wisconsin, prisoners do not remain in the communities in which they were incarcerated, but rather, they return to their home communities. The originating home communities are then penalized due to the way the census is tabulated.

The growth in the prison population over the past decades necessitates the Census Bureau to update its methodology, as it relates to incarcerated persons. As recently as the 1980s, the incarcerated population in the U.S. totaled less than half a million and now the number of incarcerated people has more than quadrupled, to over two million people behind bars. This longstanding flaw in the Census counts incarcerated people as residents of the prison location, even though they cannot vote and are not part of the surrounding community. The manner in which this population is counted now has huge implications for the accuracy of the Census. When you count incarcerated people in districts as legitimate constituents, it awards people who live close to the prison more of say in government than everybody else.

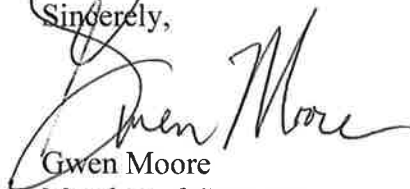
Further, the designation of a prison cell as a residence in the 2010 Census concentrated a population that is disproportionately male, urban, and African-American or Latino into just 5,393 Census blocks that are located far from the actual homes of incarcerated individuals. In Wisconsin for instance, Milwaukee County contains 18% of the state population but the state's prison population is made up of 42% of Milwaukee County residents. Virtually all of the state's prison cells are located outside of the county. In effect, each group of 9 residents in one particular district has as much political power as 10 residents elsewhere in the state. Wisconsin has historically drawn legislative districts so that their population-sizes are within 2% of the average. However, with the way incarcerated individuals are

counted, Wisconsin awards greater political representation to districts with prisons than to those without them.

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 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 Census Bureau strives to count everyone in the right place in keeping with changes in society and population realities. I urge you to count incarcerated people as residents of their home address.

Sincerely,



Gwen Moore
Member of Congress

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