

June 29, 2015

Ms. Karen Humes  
Chief of the Population Division  
United States Census Bureau

Ms. Humes:

I am submitting these brief comments 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 the Census Bureau to count incarcerated individuals at their home address and not at the address of the prison facility.

I am an active user of census data for the academic analysis of redistricting plans. I also frequently serve as a consultant to state and local governments as they develop redistricting plans, and as an expert witness in litigation pertaining to redistricting plans. Given the size of the incarcerated population in United States, counting the prisoner population at the site of the prison can produce inequitable results in the redistricting process. Such results can be particularly problematic for local government electoral districts with smaller total populations, and minority groups if their electoral strength is decreased by counting group members at the site of a prison and not at their home addresses.

An excellent example of "prison gerrymandering" in my home state of Wyoming pertains to state senate districts 3 and 6. To avoid having two incumbents in the same district, an appendage from district 6 is drawn north for 17 miles to include a prison housing approximately 500 individuals. The ideal population for a Wyoming state senate district is approximately 19,000 individuals. Thus, counting 500 non-voting prisoners at the site of the prison inflates the value of ballots cast by non-prison voters in district 6 relative to surrounding state senate districts. Simply said, this is unfair to the voters in the other 29 state senate districts. A map of district 6 can be viewed at the link below:

[http://www2.census.gov/geo/maps/dc10map/SLD\\_RefMap/upper/st56\\_wy/sldu56006/DC10SLDU56006\\_001.pdf](http://www2.census.gov/geo/maps/dc10map/SLD_RefMap/upper/st56_wy/sldu56006/DC10SLDU56006_001.pdf).

Sincerely,



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