Karen Humes, Chief

Population Division

U.S. Census Bureau

Room 5H174

Washington, DC 20233

July 8, 2015

Dear Ms. Humes,

I am writing 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 that they happen to be located at on Census day.

I am a Professor of Philosophy and Affiliated Professor of Africana Studies, specializing in Criminal Justice Ethics, Feminist Philosophy, Diversity Studies, Critical Race Theory, Africana Ethics, Ethics of Play, and Social Political Philosophy. I am also a resident of Cortland County, located in Upstate New York.

By designating a prison cell as a residence in the decennial Census, the Census Bureau assigned concentrated populations that are disproportionately male, urban, and African-American or Latino into our upstate counties. When this data are used for redistricting, prisons inflate the political power of those people who live near them. Cortland is lucky enough not to have a prison located within our borders, but two of our neighboring counties, Cayuga and Chenango do.

I note that after the 2000 Census, both counties excluded prisoners prior to drawing their county legislative districts; otherwise they each would have drawn districts that were at least 30% incarcerated.

In 2010, New York passed legislation that required the state to collect the home addresses of incarcerated people, adjust the Census Bureau’s redistricting data for state legislative redistricting purposes, and then make that data available to the counties as well.

While I am glad that my region of the state no longer unfairly derives extra political power from residents of our downstate communities, it it would be more efficient for the Census Bureau to count incarcerated people at home in the first place, creating a more accurate picture of communities across the country.

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. The Bureau should provide a population count that accurately represents communities, so I urge you to count incarcerated people as residents of their home address.

Sincerely,

Dr. Mechthild Nagel

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