

Dear Karen Humes,

I am writing in response to your May 20 federal register notice regarding the Residence Rule and Residence Situations.

I serve as an elected Town Meeting Representative in Precinct 4 in Walpole, Mass., a community that hosts a correctional institution (MCI-Cedar Junction, which actually straddles our border with the town of Norfolk). Ever since Walpole adopted a Representative Town Meeting form of government in 1971, the town charter has stipulated that our 150 Representatives in Town Meeting (RTMs) must be apportioned between the precincts (Town Meeting districts) according to the “number of inhabitants” in each precinct. In concept, this means the most populous precinct should have the most number of RTMs, while the smallest precinct by census should have the least number of RTMs. In general, for a Representative Town Meeting which is, by its very name, intended to be “representative” of the people, this form of apportionment makes sense.

But because the Census Bureau counted people incarcerated at MCI-Cedar Junction as if they were residents of Precinct 5 (where the prison is located), Precinct 5 became the third most populous precinct in town, at least on paper. Without the prison, Precinct 5 is actually the least populous, and should therefore have the least number of RTMs. And as it is, Precinct 5 has the least number of registered voters of all precincts.

In 2010 the Census Bureau assigned 482 prisoners at MCI-Cedar Junction to a census block in our town. So now Precinct 5 gets a bump of about three extra RTMs. This boost unfairly gives extra influence to Precinct 5 voters, who get more representation for fewer actual residents. Under state law, prisoners are not allowed to vote and, because of their incarceration, don't typically use town services.

As an elected representative, I am keenly aware that democracy, at its core, rests on equal representation. And equal representation, in turn, rests on an accurate count of our population.

Walpole is one of seven communities in Massachusetts with a Representative Town Meeting that doesn't adjust Census data when apportioning RTMs among precincts. The other towns are Billerica, Dartmouth, Dedham, Framingham, Ludlow, and Plymouth.

Our problem isn't unique; when state and local officials use the Census Bureau's prison count data, they give extra representation to the communities, and individual precincts, that host the prisons and dilute the representation of everyone else. This is bad for democracy.

Because I believe in a population count that accurately represents my community, 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.

Sincerely,



Samuel Obar
Representative in Town Meeting, Precinct 4
Walpole, Massachusetts 02081