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REDISTRICTING DATA HUB PRISON GERRYMANDERING PART 1

PART 1 AGENDA

What is prison gerrymandering?

Why does it matter?

Our nationwide project

State strategies

Questions?

EQUAL POLITICAL REPRESENTATION:



District A

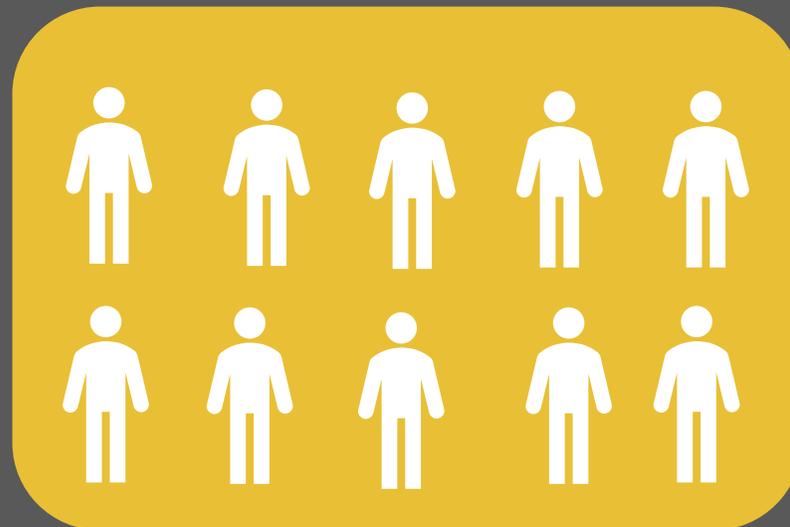


District B

PRISON GERRYMANDERING



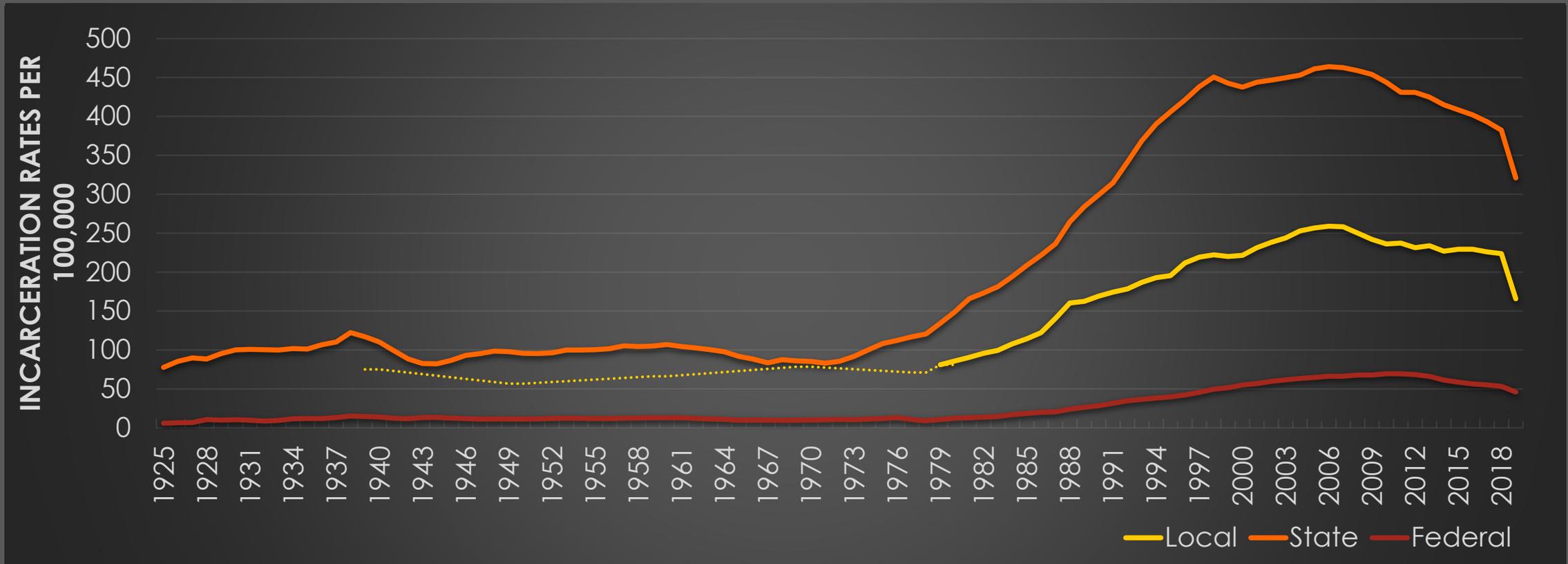
District A: contains a prison



District B: no prison

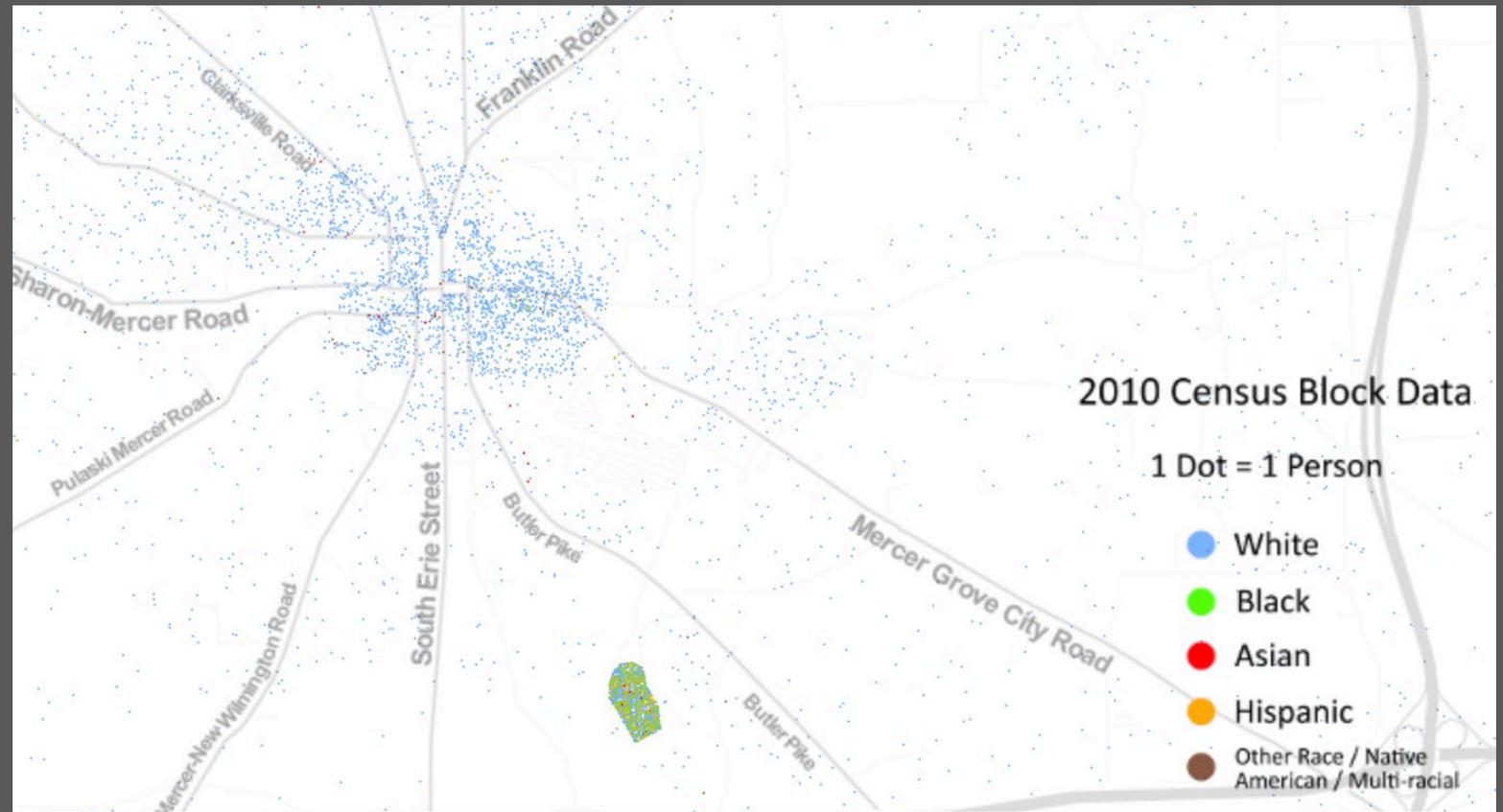
 = incarcerated person

U.S. INCARCERATION RATES, 1925-2020

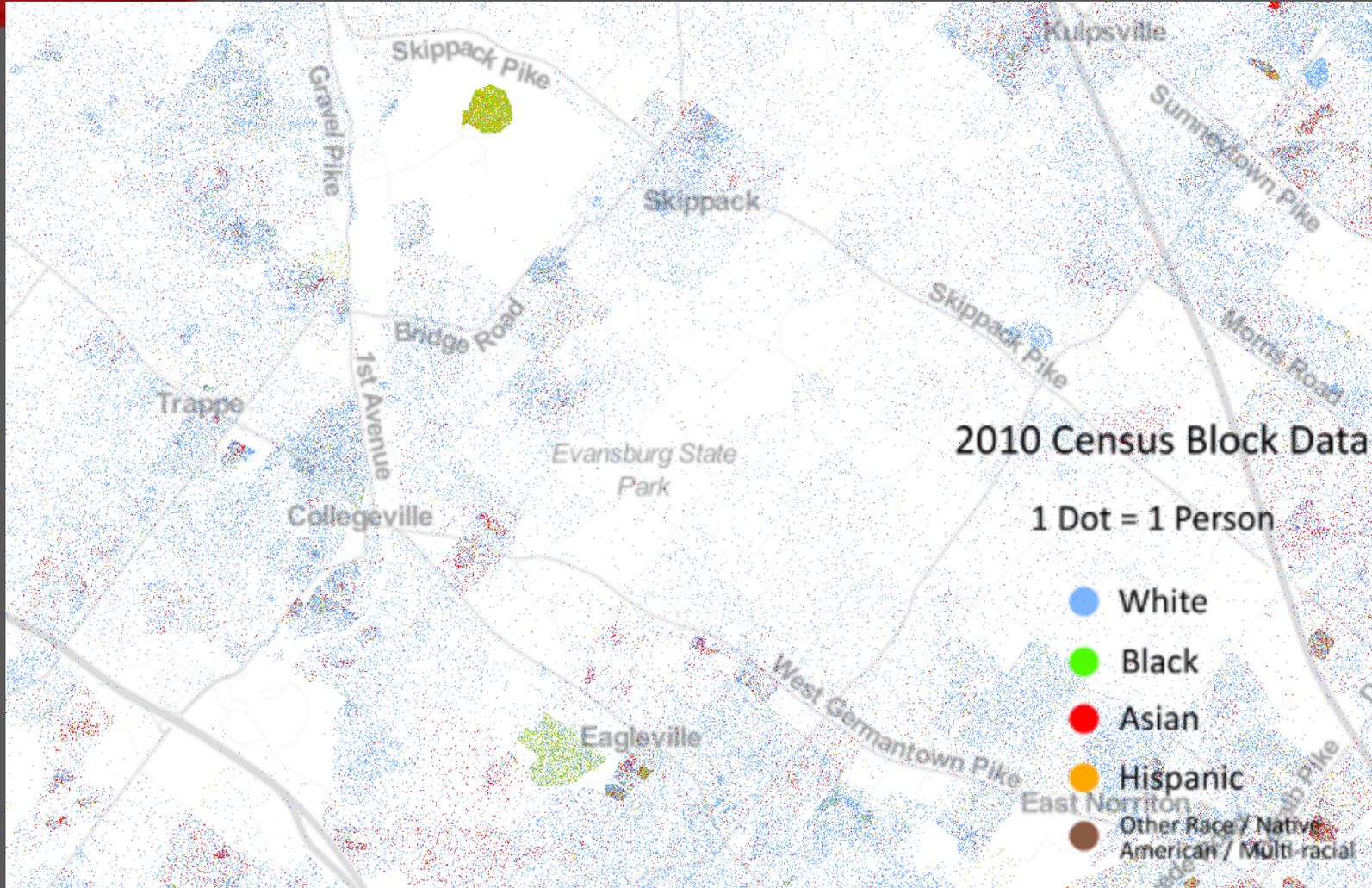


RACIALLY & SPATIALLY CONCENTRATED

EXAMPLE:
PA HOUSE
DISTRICT 8



Source: Racial Dot Map Project



PA DISTRICT 150:

1. STATE CORRECTIONAL INSTITUTE (SCI) PHOENIX
2. MONTGOMERY CO JAIL

TODAY'S REALITY IN MOST STATES:



District A: contains a prison



District B: no prison

 = incarcerated person

ADDRESSING PRISON GERRYMANDERING:



District A: contains a prison



District B: no prison

 = incarcerated person

ASSESSING THE IMPACT

Prison Policy Initiative's work

- Remove incarcerated people from district population counts

Our work (Remster and Kramer 2018)

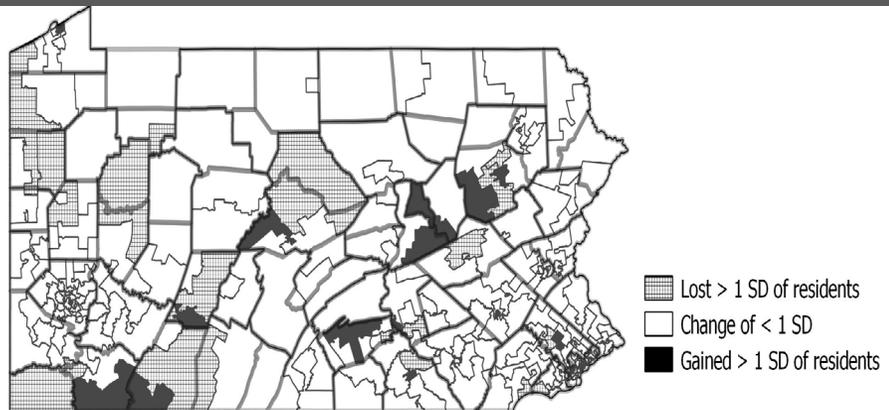
- Remove and **REALLOCATE** incarcerated people to their home communities
 - **How would representation differ?**

OUR PA FINDINGS

(REMSTER & KRAMER 2018)

PA House districts (current maps, 2010 census)

- 4 districts would be legally too small
- 4 districts would be legally too large
- ~264,000 PA residents underrepresented
- Racially unequal impact
 - Advantages white residents at Black and Brown residents' expense



PENNSYLVANIA'S CHANGE: RESEARCH + COMMUNITY ORGS + POLICY MAKERS

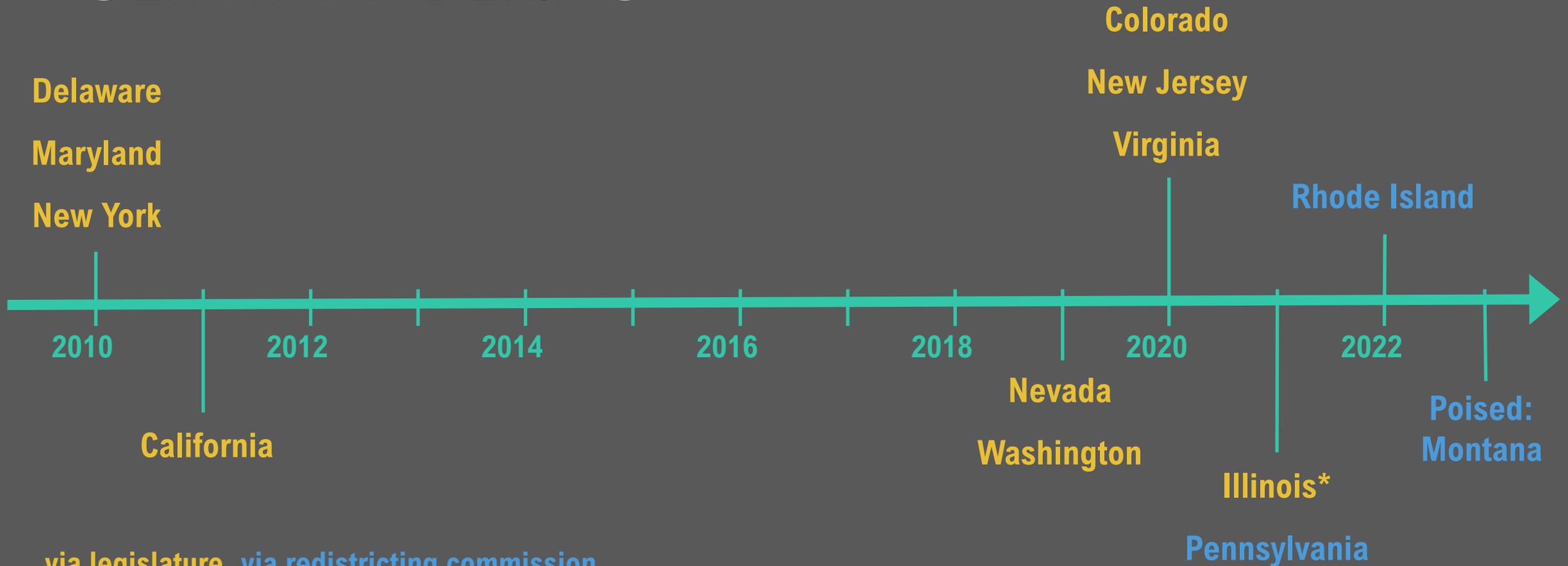
- 2018 State Rep Joanna McClinton introduces legislation
- 2020 NAACP LDF files a lawsuit (*Holbrook et al v Commonwealth*)
- 2021 PA Legislative Reapportionment Commission

Like being ‘an enslaved person’: Why former prisoners are suing Pennsylvania over ‘prison gerrymandering’

“It was reminiscent ... of what it was like to be an enslaved person. You couldn’t vote. Yet, your body was counted to create power within small rural counties that otherwise would not receive the representation.” -Saleem Holbrook, [Philadelphia Inquirer](#)

'We Are Standing up for Equal Treatment Before the Law!' Pennsylvania Abolishes Prison Gerrymandering -[Rep McClinton, Time](#)

STATES ADDRESSING PRISON GERRYMANDERING



via legislature, via redistricting commission

*not until 2030

last updated 3/1/22

CURRENT PROJECT: NATIONWIDE ASSESSMENT WITH NEW MAPS

- 37 states continue to use the Census's unadjusted data
- 13 states addressing this redistricting cycle
- Research team: Denise Wilson, Chelsea Canal, Gabi Oliveira



IMPACT IN TEXAS (AS OF JAN 2023)*

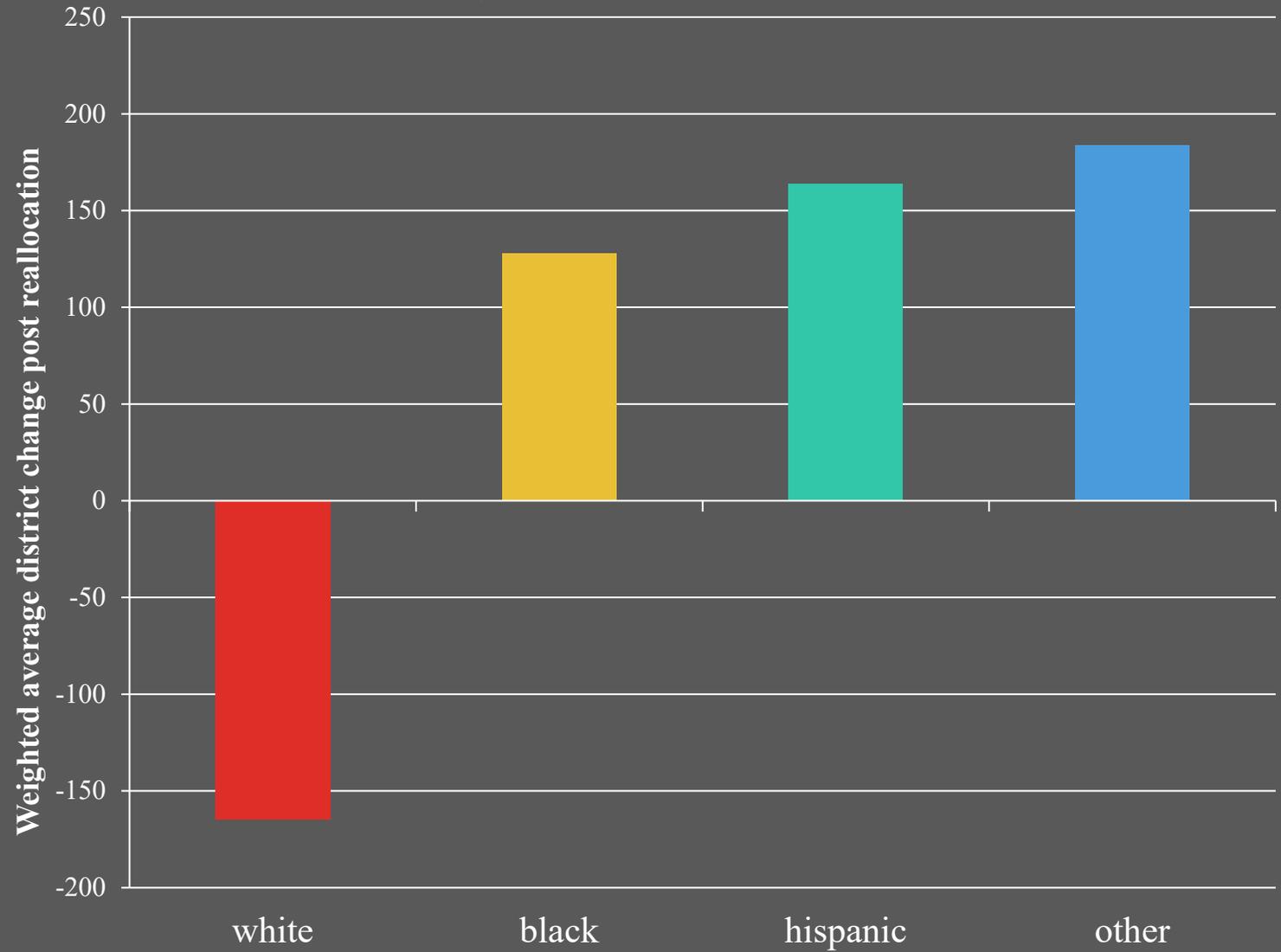


- ~15% of House districts would be unconstitutional
 - 12 districts would be legally too small
 - Range: Lose between 400- ~13,000 people
 - 11 districts would be legally too large
 - Range: Gain between 350- ~1300 people

*Reallocation method: state facilities using county of origin and race;
Legal size requirement: +/-5%

Racially Unequal Impact in Texas

District Size Change by Race and Ethnicity with Incarcerated Persons Reallocated, TX House



STATE REALLOCATION STRATEGIES

- Best practice to date: California
 - Specify technical aspects of reallocation in the policy
 - Every incarcerated person is reallocated
 - Regardless of sentence length → address community impact
 - Randomize any missing addresses across districts
- Resources detailing the process, ex: Wood 2014
 - Courts have affirmed New York and Maryland's policies
- Stay tuned for our findings on how states fared this round (via RDH)

THINGS TO KNOW

- Not a funding issue:
 - remedy any exceptions
- Not an urban vs rural issue
 - suburbanization
 - most suburban and rural districts do not have a prison...
- Not necessarily a partisan issue
 - ex: our PA analysis
 - most legislators do not have a prison in their district

PRISON
POLICY INITIATIVE

THE CENSUS BUREAU'S PRISON MISCOUNT:
IT'S ABOUT POLITICAL POWER, NOT FUNDING

Most funding formulas are too sophisticated to be fooled by the prison miscount

THINGS TO KNOW CONT.

- Not going to fix itself soon federally
 - Census Bureau's 2016 call for public comments:
 - 78,000 submissions: 99.9% in favor of change
 - states can pay the Census to do it
- Start collecting the data now for 2030
 - **Home address for every incarcerated person**
 - Ideally all 3 levels of government: local, state, federal
 - Reallocating some is better than none

How does prison gerrymandering affect your community?

- Check out our state reports and adjusted data files on RDH- coming soon
 - Posted as completed
 - Spread the word
- Dig into the data yourself
 - Attend Part 2: Tues 3/15 1pm
- Contact us

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