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
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
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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