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Prison gerrymandering

How the Census distorts democracy in Framingham and other towns hosting prisons

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Guest Columnist

When the first town meeting in the United States was held 380 years ago in Dorchester, people behind bars were probably the last thing on the participants' minds. But today, the way the Census Bureau counts people in prison creates big problems for the principle of "one person one vote." Basically, if you live on the other side of town from a prison or jail, your political clout in town meeting might be diluted. (And if you live in a town with no jail at all, you're probably missing out on representation at the state house - but more on that later.)

So what does the location of the jail have to do with how much your vote is worth? It all starts with

the U.S. Census.

The Census Bureau counts incarcerated people at prison locations - where they neither vote nor legally reside - rather than at their home addresses. When towns use this flawed data to draw precincts for town meeting representatives, they grant undue political power to people who live near jails and dilute the votes cast everywhere else. Although often unintentional, this "prison gerrymandering" results in significant voting inequality.

My new report, "Prison Gerrymandering in Massachusetts: How the Census Bureau prison miscount invites phantom constituents to town meeting," reveals that the Census Bureau's method of counting incarcerated populations leads seven Massachusetts towns

to dilute the votes of their own residents.

In Framingham, for example, two representatives of Precinct 16 are attributed to the precinct based solely on the people counted at the South Middlesex Correctional Center and MCI Framingham. That gives the actual residents of that precinct 20 percent more political influence in town affairs than residents of any other precinct.

I found similar vote distortion problems in the towns of Billerica, Dartmouth, Dedham, Ludlow, Plymouth, and Walpole, which each contain a precinct where between 17 and 35 percent of the precinct's representatives are directly attributable to the Census Bureau's prison miscount.

Although these voting inequalities are striking, my interviews with state

and local government officials revealed that the towns did not intentionally engage in prison gerrymandering. For most of these Massachusetts towns, the Census Bureau's prison miscount just wasn't on the radar at redistricting time.

Fortunately, there are simple solutions available to towns. The seven towns can follow the lead of the more than 200 other local governments around the country that already make simple adjustments in their local redistricting data to keep the Census Bureau's prison counts from distorting local democracy.

Now, as promised, how does this all impact your representation in the state Legislature?

Like in many other states, prison gerrymandering in Massachusetts isn't limited to local town

districts. Our state legislative districts are also based on the same flawed Census data, and are therefore needlessly skewed by the Census Bureau's prison miscount. Although the Massachusetts Special Joint Committee on Redistricting used the distorted Census data when they redistricted our state House and Senate districts, the co-chairs of the committee recognized the need for change, accurately concluding that "the way prisoners are currently counted does a disservice to the state and should be changed."

Since the Census Bureau is the only entity with the power to solve the problem nationwide, hopefully, the Bureau will just put an end to prison gerrymandering by counting everybody according to their home address in the

next census. The new director of the Census Bureau, John Thompson, recently stated that he has not yet decided how prison populations will be counted in the 2020 Census, but is actively seeking stakeholder input. Massachusetts is already poised to take a strong stand, with a resolution pending before the state legislature urging the Census Bureau to do what's right for democracy.

Massachusetts has a long history of standing up for democracy. We should continue that legacy by sending the message that prison gerrymandering has no place in our state or local governments.

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