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News Coverage on Redistricting Prisoners

Counting prisoners can distort county representation- A state report says prison towns can wield greater political clout.

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ALBANY - Prison towns can wield disproportionate local political clout in the New York counties that count inmates as constituents, according to a report from an advocacy group Wednesday.

The Prison Policy Initiative identified 15 counties in the state, plus New York City, that rely on Census tallies including prisoners when they draw lines for county legislative districts or weight the votes for county boards of supervisors (county governments usually use one system or the other).

Critics have long contended that the practice of counting state and federal prisoners, who cannot vote, as local residents creates "phantom constituents" and gives undue political power to places with prisons. The effect can be especially acute in sparsely populated rural counties.

The report found five counties - Chautauqua, Livingston, Oneida, Madison and St. Lawrence - contained districts that consisted of at least 20 percent prisoners. Report author Peter Wagner said this creates a "crisis" in those counties because it gives people in the prison districts more concentrated voting power than their neighbors in other parts of the county.

"It allows certain parts of counties to dominate the future of their counties," Wagner said.

For example, the report said 62 percent of the residents counted by the Census in the Livingston County town of Groveland are incarcerated. That means every four residents there have the same say over county affairs as 10 residents elsewhere in the county, according to the report.

James Merrick, chairman of the Livingston County Board of Supervisors, said he did not want to comment on a report he had not seen. But Merrick, Groveland's supervisor, said the county's system works fine.

"I don't think there has been any talk of any change," he said, "everybody likes the system."

Wagner said five other counties had at least one district with 8 to 15 percent prisoners: Chenango, Columbia, Fulton, Jefferson and Wayne. New York City fell within that range also.

Researchers measured relatively small effects in five other counties, like Monroe County, where the average district size is more than 25,000 and the lone state prison holds 90 inmates. The other counties in that group were Erie, Saratoga, Ulster and Westchester.

Thirteen counties exclude prisoners for redistricting purposes.

Wagner called for counties to end the practice of counting inmates when drawing district lines.

The Prison Policy Initiative is a not-for-profit group based in Northampton, Mass., that works for new criminal justice policies by documenting what it calls the "disastrous impact of mass incarceration."

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