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## Census Bureau's Counting of Prisoners Benefits Some Rural Voting Districts

By [SAM ROBERTS](#)  
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Danny R. Young, a 53-year-old backhoe operator for Jones County in eastern Iowa, was elected to the Anamosa City Council with a total of two votes — both write-ins, from his wife and a neighbor.

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While the [Census Bureau](#) says Mr. Young's ward has roughly the same population as the city's three others, or about 1,400 people, his constituents wield about 25 times more political clout.

That is because his ward includes 1,300 inmates housed in Iowa's largest penitentiary — none of whom can vote. Only 58 of the people who live in Ward 2 are nonprisoners. That discrepancy has made Anamosa a symbol for a national campaign to change the way the Census Bureau counts prison inmates.

"Do I consider them my constituents?" Mr. Young said of the inmates who constitute an overwhelming majority of the ward's population. "They don't vote, so, I guess, not really."

Concerns about so-called prison-based gerrymandering have grown as the number of inmates around the nation has ballooned. Similar disparities have been identified in upstate New York, Tennessee and Wisconsin.

Critics say the census should count prisoners in the district where they lived before they were incarcerated.

"The Census Bureau may count prisoners in the wrong place, but that doesn't mean that democracy must suffer there as a result," said Peter Wagner, executive director of the Prison Policy Initiative, an advocacy group that favors alternatives to prison sentences and urges that inmates be counted in their hometowns.

In 2006, experts commissioned by the Census Bureau recommended that the agency study whether prison inmates should be counted in 2010 as residents of the mostly urban neighborhoods where they last lived rather than as residents of the mostly rural districts where they are temporarily housed against their will.

Any such change would probably require Congressional approval. It could benefit

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Democrats, since it would add population to the party's urban strongholds and subtract from the Republican-dominated rural areas where most prisons are.

"With only one exception nationwide," Mr. Wagner said, "every time a community learns that prison populations are distorting their access to local government, the legislature has reversed course and redrawn districts based on actual population, not the Census Bureau's mistakes."

The sole exception he cited is St. Lawrence County in upstate New York. Each legislator on the county board represents about 7,500 residents, Tedra L. Cobb, the board's vice chairwoman, said, but in two districts well over 1,000 of those residents are prison inmates. Ms. Cobb hopes to place a referendum on the ballot to change the apportionment process before the 2010 elections.

"The outcome is almost like weighted voting," Ms. Cobb said.

Pending legislation in New York would require the state to use prisoners' home addresses in apportioning legislative districts.

"In New York and several other states, the regional transfer of a minority population does have a representational impact," said Prof. Nathan Persily, director of the Center on Law and Politics at Columbia Law School. "There's no reason why a community ought to gain representation because of a large, incarcerated, nonvoting population."

Prof. James A. Gardner of the University at Buffalo Law School, said that because "prisoners don't want to be there, leave at the first opportunity, and there's no chance they can vote, it is taking advantage of a completely inert population for the purpose of sneaking out extra political power."

The Prison Policy Initiative found 21 counties across the country where at least one in five people, according to the Census Bureau's count, were actually inmates from another county.

In Lake County, Tenn., Mr. Wagner said, 88 percent of the population in one county commissioner district are prisoners at the Northwest Correctional Complex. In Chippewa County, Wis., he said, redrawing the districts of local supervisors on the basis of an influx of inmates to new prisons this decade would create one district in which 72 percent of the population would be prisoners.

Anamosa, population 5,700, is best known as Iowa's pumpkin capital, the birthplace of the artist Grant Wood and the home of the American Motorcycle Museum. It is also the home of the Anamosa State Penitentiary, in Ward 2, where more than 95 percent of the population is in prison, according to the census.

Bertha Finn, a 76-year-old retired writer and court clerk, was instrumental in organizing a referendum last year to allow for the election of council members at large, rather than from wards.

Patrick Callahan, the city administrator, said the change would take effect in November 2009. Councilman Young said he was undecided on whether to seek re-election to the seat that he won, more or less, by default.

"The people of Anamosa have the right idea," Mr. Wagner said. "A small group of people should not be allowed to dominate government just because the Census Bureau counted a large prison there."



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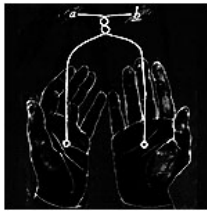

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