

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 703 Session of
2010

INTRODUCED BY WATERS, BROWN, JOHNSON, PARKER, PRESTON, BISHOP,
CALTAGIRONE, COHEN, D. COSTA, CREIGHTON, GERGELY, FABRIZIO,
GERBER, HARKINS, MELIO, SABATINA, PAYTON, J. TAYLOR, SANTONI,
WHEATLEY, YOUNGBLOOD AND SIPTROTH, MARCH 23, 2010

REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, MARCH 23,
2010

A RESOLUTION

1 Memorializing the Congress of the United States to amend laws
2 relating to the United States decennial census to change the
3 manner in which incarcerated persons are counted.

4 WHEREAS, Obtaining an accurate count of the population is so
5 vital to a representative democracy that the framers of the
6 Constitution of the United States addressed the issue of the
7 census and apportionment in the opening paragraphs of that
8 governing document; and

9 WHEREAS, The right to vote and the right to representation
10 are fundamental civic rights; and

11 WHEREAS, The United States Census Bureau applies the "usual
12 residence" rule when it tabulates where people reside, which
13 means that the United States Census Bureau generally counts
14 people according to where they live and sleep most of the time;
15 and

16 WHEREAS, Prisoners are therefore tabulated as residents of
17 the counties of their incarceration rather than residents of the

counties in which they resided prior to incarceration, locations where they likely have significant ties and interests; and

WHEREAS, Prisons in the Commonwealth of Pennsylvania are overwhelmingly located in rural counties, yet the majority of prisoners in the State reside in urban counties prior to incarceration; and

WHEREAS, The "usual residence" method of tabulation therefore results in a population shift to locations where prisons are situated; and

WHEREAS, This population shift is in direct contravention to the democratic principle of "one person, one vote"; and

WHEREAS, Current census practices deprive urban areas of the benefits that accrue to a jurisdiction as a result of population size, such as voting and funding; and

WHEREAS, Such population distortions affect the United States congressional districts and have an even greater impact on State legislative districts; and

WHEREAS, This policy has led to a serious undercount of Philadelphia's population, since 12% of the State's population is in Philadelphia, but 40% of the State's prisoners are from that city and 99% of the State's prison cells are located outside of Philadelphia; and

WHEREAS, Application of the "usual residence" rule has a negative impact on the political strength of African-American residents, because 55% of the State's prisoners are African American while 93% of the State's prison cells are located in legislative districts that are Caucasian; and

WHEREAS, The method the United States Census Bureau is authorized to employ to count residents could easily be adjusted to fix this problem by allowing people in prison to be counted

1 as residents of their last known address; therefore be it
2 RESOLVED, That the House of Representatives of the
3 Commonwealth of Pennsylvania memorialize Congress to amend laws
4 relating to the United States decennial census to change the
5 manner in which incarcerated persons are counted; and be it
6 further

7 RESOLVED, That copies of this resolution be transmitted to
8 the presiding officers of each house of Congress and to each
9 member of Congress from Pennsylvania.