



For more information about Prison-Based Gerrymandering, see our website and weekly newsletter at <http://www.prisonersofthecensus.org>

## Majority of Illinois' counties & cities with large prisons reject prison-based gerrymandering

The Supreme Court requires counties to update their legislative districts once per decade so that each district contains the same population, giving each resident equal representation in county government. The US Census Bureau counts people where they are incarcerated, not where they are from, and when the Census figures do not reflect the county's population, democracy suffers.

The Illinois courts have given counties the discretion to choose the population base used for redistricting. The decision to exclude the prison populations during redistricting therefore belongs to each county. Most of Illinois' counties with large prisons reject the Census count and fairly apportion political power within the county on the basis of its residents, not its prison cells.

10 Illinois counties correct the Census count, removing the prison population before redistricting to avoid vote dilution in their districts:

- Bond County
- Christian County
- Crawford County
- Fayette County
- Fulton County
- Knox County
- LaSalle County
- Livingston County
- Logan County
- Montgomery County

Illinois courts have explicitly upheld the exclusion of prisoners from a county's apportionment base. In *Knox County Democratic Committee*, the Illinois Appellate Court upheld the County Board's decision to exclude prisoners after the 1990 Census, noting that:

“[h]ad the Board adopted the plaintiffs' position and automatically included an extra 1,248 ineligible voters in a single district, there would have been substantially fewer eligible voters in that district when compared to the other four districts. Thus, the eligible voters in that district would have possessed a disproportionate share of voting power. Accordingly, the Board excluded the non-voting inmates when constructing the districts.” 597 N.E.2d 238 (Ill.App. 3 Dist. 1992)

The majority of Illinois counties with large prisons consider prison-based gerrymandering a serious harm to democracy, and adjust Census data to fix the problem. Additionally, six rural cities (Canton, Crest Hill, Danville, Galesburg, Pontiac, and Vandalia) also adjust the Census Bureau's prison counts to avoid prison-based gerrymandering. The State of Illinois should do the same with its districts.

Fact sheet based on *Importing Constituents: Prisoners and Political Clout in Illinois*, (2010) available from the Prison Policy Initiative at: <http://www.prisonersofthecensus.org/illinois/>

### Some examples:

#### **Fayette County:**

Excluded prisoners prior to drawing its 7 legislative districts; otherwise the district which includes Vandalia Correctional Center would have been more than 46% prisoners.

#### **Montgomery County:**

Redistricting based on uncorrected Census data would have resulted making the Graham Correctional Center half of either district 3 or 4 giving those residents twice the influence of anyone else in the county.

#### **Christian County:**

Declares on its official map of the districts that “Population does not include Taylorville Correctional Center.”

#### **Fulton County**

Chose to base its districts on registered voters rather than the Census so that Illinois River Correctional Center would not dilute the votes of the residents of other districts in the county.