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HOUSE JOINT RESOLUTION NO. 24

Offered January 8, 2020

Prefiled December 30, 2019

Expressing the sense of the General Assembly that the United States Bureau of the Census should provide redistricting data that counts incarcerated persons in a manner consistent with the principles of "one person, one vote."

Patron—Cole, J.G.

Referred to Committee on Rules

WHEREAS, obtaining an accurate count of the population is so vital to representative democracy that the framers of the United States Constitution addressed the issue of the census and apportionment in the opening paragraphs of the Constitution; and

WHEREAS, the United States Bureau of the Census has adopted a rule for the 2020 decennial census to continue to count persons incarcerated in federal, state, and local correctional facilities at the facility where they are incarcerated, instead of their legal residence prior to incarceration; and

WHEREAS, African Americans are incarcerated at a rate six times higher than whites; and

WHEREAS, the majority of state and federal correctional facilities are built disproportionately in white, rural areas; and

WHEREAS, counting incarcerated individuals as residents of the correctional facility has a particularly negative effect on the ability of African American communities to elect their candidates of choice and receive appropriate and adequate political representation; and

WHEREAS, basing legislative districts on census data that counts incarcerated persons in the wrong place serves to enhance the voting power of the districts that contain correctional facilities and dilutes the votes cast by residents in all other districts that do not contain prisons; and

WHEREAS, the Census Bureau has recognized the demand from states and counties for data that better reflect their actual populations and has agreed to release data on prison populations to states in time for redistricting to enable states to individually adjust the population data used for redistricting; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly expresses its sense that the United States Bureau of the Census should provide redistricting data that counts incarcerated persons in a manner consistent with the principles of "one person, one vote." Such redistricting data should count incarcerated individuals at their addresses of residence, rather than the address of the prison during the 2020 and all future decennial censuses; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Virginia Congressional Delegation so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

INTRODUCED

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