



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

Prison-based Gerrymandering in Will County, Illinois

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 problem

- The Census Bureau counts incarcerated people as residents of the prison, but Illinois law explicitly states that: "a person confined in prison under the judgment and sentence of a court does not thereby change his residence." *County of Franklin v. County of Henry*, 26 Ill.App. 193 (Ill.App. 2 Dist. 1887).
- Will County has five districts of about 55,800 people each, but when drawing the district lines, the county included the 2,706 people incarcerated at the Stateville Correctional Center in District 8, and the 1,160 people incarcerated at the Joliet Correctional Center in District 9.
- Will's 8th District derives 5% of its population from the prison. This means that 95 residents in this district have the same voting power as 100 residents in the other districts.
- Will's 9th District derives 2% of its population from the prison. This means that 98 residents in this district have the same voting power as 100 residents in the other districts.

What other counties do

- Ten Illinois counties with large prisons exclude the prison population when apportioning local government.
- 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.

Solutions for Will County

- Will County should exclude the prison population when it updates its legislative districts after the 2010 Census.
- Residents of Will County should support the passage of bill HB4650, pending in the Illinois House, to require the state to distribute adjusted counts for county use in redistricting.

Example Counties with Solutions

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.

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