

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4
5 By: Representative Lea

HR 1024

6
7 **HOUSE RESOLUTION**

8 TO URGE THE UNITED STATES CENSUS BUREAU TO PROVIDE
9 REDISTRICTING DATA THAT COUNTS PRISONERS IN A MANNER
10 CONSISTENT WITH THE PRINCIPLES OF "ONE PERSON, ONE
11 VOTE".
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14 **Subtitle**

15 TO URGE THE UNITED STATES CENSUS BUREAU
16 TO PROVIDE REDISTRICTING DATA THAT COUNTS
17 PRISONERS IN A MANNER CONSISTENT WITH THE
18 PRINCIPLES OF "ONE PERSON, ONE VOTE".
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21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL
22 ASSEMBLY OF THE STATE OF ARKANSAS:
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24 WHEREAS, obtaining an accurate count of the population is so vital to
25 representative democracy that the framers of the United States Constitution
26 addressed the issue of the census and apportionment in the opening paragraphs
27 of the Constitution; and
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29 WHEREAS, the Arkansas Constitution requires that federal census data be
30 the basis for state redistricting; and
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32 WHEREAS, the United States Census Bureau currently has a policy of
33 counting incarcerated people at the address of the correctional institution,
34 although for other legal purposes their home address remains their legal
35 residence; and
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1 WHEREAS, the United States Census Bureau policy of counting
2 incarcerated persons at the address of the correctional institution is flawed
3 and results in distortions of the one-person, one-vote principle in drawing
4 electoral districts in Arkansas, diluting the representation of the majority
5 of districts that do not contain prisons; and

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7 WHEREAS, the simplest solution to the conflict between federally
8 constitutional "one person, one vote" requirements and Arkansas's technical
9 constitutional requirements of using the federal census data is for the
10 United States Census Bureau to publish redistricting data based on the
11 location of an incarcerated person's residence, rather than the incarcerated
12 person's prison location; and

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14 WHEREAS, the United States Census Bureau has already recognized the
15 demand from states and counties for data that better reflects their actual
16 populations, and has agreed to release data on prison populations to states
17 in time for redistricting, enabling some states to individually adjust the
18 population data used for redistricting; and

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20 WHEREAS, the United States Census Bureau has been responsive to the
21 states' data needs for the past three decades and is required to work with
22 states to provide geographically relevant data,

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24 NOW THEREFORE,

25 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL
26 ASSEMBLY OF THE STATE OF ARKANSAS:

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28 THAT the House of Representatives hereby urges the United States Census
29 Bureau, beginning with the next federal decennial census, to provide states
30 with redistricting data that counts incarcerated persons at their residential
31 address rather than the address of the correctional institution where they
32 are temporarily located.

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34 BE IT FURTHER RESOLVED THAT the Chief Clerk of the House of
35 Representatives forward an official copy of this resolution to the Director
36 of the United States Census Bureau and to each member of the Arkansas

1 Congressional Delegation.
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