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COUNTING PRISONERS IS AN ISSUE FOR US ALL

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Former Kansas Rep. Candy Ruff long credited the inmates inside the prison walls in her district as the foundation of her 16-year political career.

When Kansas decided to include those inside prison cells in the state population counts, it meant redrawing a very different map for House districts.

Her 40th District in the Leavenworth area suddenly had a new dimension, about 3,000 souls, although they can't be considered as normal constituents.

Yes, they can write angry letters with the best of them, but they can't vote.

Now, counting of prisoners in redrawing districts could be revisited because of a little-publicized shift made by the U.S. Census Bureau this month.

The bureau will release the prison counts earlier than usual. So if they want to — and that part is key — states can more easily sift out prison occupants for the purpose of redistricting. Counting inmates where they are imprisoned, some argue, unfairly inflates an area's population, "prison based gerrymandering" or "representation without population."

Ruff disagrees with the change: "They are breathing, they are there. They have an impact on your community, and by virtue of that fact they need to be counted here."

Ruff's perspective is understandable, but it's not the only one. It's not as if the inmates are out socializing, working, buying products locally or playing a role in the area she once represented.

In addition, where a person is imprisoned is not considered an official residence or voting location by most state constitutions.

In all but two states, felons in prison can't vote. So the standard of one person, one vote is distorted by building legislative districts based on head counts of people who can't cast ballots, and where many only temporarily live via a prison sentence.

So elected officials wind up with constituents to whom they don't have to answer at the ballot box.

Rep. William Lacy Clay, chairman of the Subcommittee on Information Policy, Census & National Archives, led the charge for the change.

The St. Louis Democrat, along with the NAACP, point to the disproportionate numbers of African-Americans and Latinos in the prisons. Ultimately, the goal is for the census to tally those folks at a home address.

"The impact of this decision is enormous. States and local governments will now have the opportunity to do the right thing and prevent the overrepresentation of areas where prisons are located," according to Clay.

The operative words are "have the opportunity." States don't have to do anything after the prison counts by the census are released in May 2011.

But they ought to do what upholds democracy.

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