

Calculating the Impact of Prison-based Malapportionment on County Commission Districts in Georgia (2020)

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PURPOSE:

Prison-based malapportionment, more widely known as prison-based gerrymandering, is the act of counting a prison population as residents of a community for the purposes of increasing a political district's population. This practice gives representational leverage to districts with a large prison population, despite the inability of that population to vote or otherwise participate in the community.

This report only analyzes the populations of state and federal prisons as most people in these facilities are not residents of the county, unlike local facilities such as county jails. Additionally, pretrial detention in a jail does not preclude an individual from voting in the state of Georgia.

While the U.S. Census Bureau is required to count prisoners, local governments are not required to factor these counts into their apportionment. After the 2000 census, the cities of Garden City and Milledgeville and the counties of Calhoun, Dooly, Macon, Tattnall, Telfair and Wilcox rejected the Census Bureau's prison count and avoided prison-based malapportionment. Additionally, a prison cell would not meet the definition of a residence under Georgia law.

- “A person shall not be considered to have gained a residence in any county or municipality of this state into which such person has come for temporary purposes only without the intention of making such county or municipality such person's permanent place of abode.” (**Georgia Annotated Code § 21-2-217(3)**)
- “A person shall not be considered to have lost such person's residence who leaves such person's home and goes into another state or county or municipality in this state, for temporary purposes only, with the intention of returning, unless such person shall register to vote or perform other acts indicating a desire to change such person's citizenship and residence” (**Georgia Annotated Code § 21-2-217(2)**)

This report was prepared to demonstrate the impact of prison-based malapportionment on county commissions in Georgia.

METHODOLOGY:

Using the Prison Policy Initiative's (PPI) [facility locator](#), the 2020 prison population counts were found for sizable state and federal prisons in Georgia. The county commission district in which these facilities are [located](#) was identified using PPI's TIGER facility footprint.

[Ideal-sized districts](#) were created using census population data and county commission information for each county. Creating an ideally sized district was done in lieu of actual district numbers, which were received via email for only two counties (**Dodge** and **Lee**). Ideal and actual district populations were, then, compared to the total population of prisoners in the district. Initially, 10 [counties](#) in Georgia were flagged for a large percentage of incarcerated individuals compared to the ideal or actual district population. After further research and initiating contact with county clerks and commission chairs, this was narrowed to five counties (**Baldwin**, **Dodge**,

Habersham, Lee and Ware). In the cases of Washington, Wayne and Wheeler Counties, contact with the county clerk could either not be established or not provide ample information about whether the county considered the 2020 prison population in reapportioning their commission districts.

Counties Butts, Calhoun, Charlton, Dooley, Macon, Tattnall, Telfair and Wilcox were not relevant to this report because they do not take prison populations into consideration when apportioning their districts.

Populous counties with sizable state and/or federal prison populations such as Chatham, Clayton, Fulton and Gwinnett were not emphasized in this report as their residents experience a lower percentage of vote dilution; 5%, .5-1%, 1% and .4% respectively.

Vote dilution/inflation was calculated by dividing the prison population of a district by the ideal or actual population of the same district. The resulting percentage is equivalent to the inflation of voting power in that district and dilution of voter power in other districts.

RESULTS:

Of the four counties, Dodge County District 2 voters experience the highest rate of vote inflation at 22%. According to PPI's [vote dilution calculator](#), every 39 residents in District 2 have as much political power as 50 residents in Districts 1, 3 and 4.

Connor Bearden, the county manager for Dodge County, provided actual population counts for each commission district and confirmed that the population of Dodge State Prison is counted as part of District 2.

Dodge County Commission District Populations:

District 1	4948
District 2	5031
District 3	4965
District 4	4981

According to PPI's [facility locator](#), the population of Dodge State Prison, as counted by the 2020 census, is 1131. Therefore, 22% of the population of District 2 is incarcerated at Dodge State Prison, giving residents of the district a 22% inflation in their voting power over residents of other commission districts.

Baldwin County District 4 also experiences a significant percentage of vote inflation at 23%. According to PPI's [vote dilution calculator](#), every 77 residents in District 4 have as much political power as 100 residents in other districts 1, 2, 3 and 5.

Catherine Cronlund, the GIS coordinator for Baldwin County, provided actual population counts for each district and confirmed that the population of Baldwin State Prison and Riverbend Correctional Facility are included in the count of District 4.

Baldwin County Commission District Populations:

District 1	8419
District 2	7899
District 3	8285
District 4	9901
District 5	9295

According to PPI’s [facility locator](#), the combined population of Baldwin State Prison and Riverbend Correctional Facility as counted by the 2020 census, is 2274. Therefore, 23% of the population of District 4 is incarcerated at those two facilities, giving residents of the district a 23% inflation in voting power over residents of other commission districts.

Lee County District 2 experiences the lowest percentage of vote inflation at 10%. According to PPI’s [vote dilution calculator](#), every 9 residents in District 2 have as much political power as 10 residents in Districts 1, 3, 4 and 5.

Kaitlyn Sawyer, the county clerk for Lee County, provided estimated population counts for each district and confirmed that the population of Lee State Prison is included in the count of District 2.

Lee County Commission District Populations:

District 1	6611
District 2	7305
District 3	6724
District 4	6516
District 5	6007

According to PPI’s [facility locator](#), the population of Lee State Prison, as counted by the 2020 census, is 694. Therefore, 10% of the population of District 2 is incarcerated at Lee State Prison, giving residents of the district a 10% inflation in voting power over residents of other commission districts.

Vote dilution in Habersham and Ware Counties was calculated using ideal districts. Ideal districts were calculated by dividing the county's 2020 population by the number of county commission districts.

According to the 2020 census, Habersham County has a population of 46031. According to the county's [website](#), there are five county commission districts. 46031 people divided by 5 commission districts equals an ideal district size of 9206 people.

Brandalin Carnes, the county clerk for Habersham County confirmed that Lee Arrendale Prison is located in District 3. According to PPI's [facility locator](#), the population of Lee Arrendale Prison, as counted by the 2020 census, is 1676. Therefore, 18% of the population of District 3 is incarcerated at Lee Arrendale Prison, giving residents of the district an 18% inflation in their voting power over residents of other commission districts.

Ware County has a population of 36251, per the most recent census. 36251 divided by Ware County's four commission districts equals an ideal district of 9063 people.

Dustin Minchew, a GIS specialist in Ware County confirmed that Ware State Prison is located in District 3. According to the [facility locator](#), the population of Ware State Prison is 1455. Therefore, 16% of the population of District 3 is incarcerated at Ware State Prison, giving residents of the district an 16% inflation in their voting power over residents of other commission districts.

According to Minchew, Ware County's redistricting and reapportionment is currently being done by the South Georgia Regional Commission. Minchew said he, "would expect that the population should be included."

Other counties in Georgia, such as Washington County, have not yet begun their reapportionment process with the 2020 population data.

Dustin Peebles, the county administrator for Washington County, said in an email that the population of Washington Correctional Institution, which is currently located in District 2, was likely not included in the maps drawn following the 2010 redistricting.

If the population of Washington Correctional Institution was included in the 2020 redistricting, voters in District 2 would experience a 27% inflation in their voting power over the residents of the other districts. This means that every 73 residents in District 2 would have as much political power as 100 residents in other districts.

This is contingent on whether the institution that reapportions Washington County decides to count the 1430 people incarcerated at Washington Correctional Institution as residents of the area.