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January 28, 2022

Senator Steve Lathrop, Chair  
and Members of the Judiciary Committee  
State Capitol, Lincoln NE

RE: LB816 (McKinney) Require collection of certain data upon commitment to the Department of Correctional Services

## **SUPPORT**

Dear Senator Lathrop Members of the Committee:

For the record, the League of Women Voters of Nebraska supports LB816. This bill will include the last known address and legislative district of incarcerated persons in their files.

The League is opposed to prison-based gerrymandering in which inmates are counted as residents of the district where the prison is located instead of at their home address. Counting prisoners as part of a prison area can inflate its population and the political influence of the people who vote there, particularly since people convicted of felonies are not allowed to vote. Moreover, this diminishes the representation of communities of color that are overrepresented in the criminal justice system.

The census has historically counted prisoners as residents of the locations where they are incarcerated, rather than residents of their pre-incarceration addresses. But that practice has become more and more problematic as the prison population soars. Several states (New York, Maryland, Delaware and California) have passed legislation to use state correctional data to ensure that districts are drawn to count incarcerated people at their pre-incarceration home address. The legislative or executive branches in several states (Virginia, Colorado, New Jersey and Mississippi) require or encourage local governments to modify the census and refuse to use prison populations as padding.

We believe that inclusion of the last known address and legislative district will facilitate efforts to count incarcerated persons at their home addresses when the next census is conducted.

We urge the committee to advance LB816 for full floor debate.

Sincerely,

Sheri St. Clair  
League of Women Voters of Nebraska