

Census & Criminal Justice

A census-in-action fact sheet

Executive summary

Census data is a vital tool for understanding—and transforming—the criminal legal system in the United States. The Census Bureau’s data products make it possible to track disparities, hold governments accountable, and direct resources toward communities harmed by over-policing, mass incarceration, and systemic discrimination.

Yet the same data, if misused or incomplete, can reinforce the very inequities reformers seek to dismantle. Ensuring accurate, fair, and transparent data collection—including ending prison gerrymandering—is essential to building a justice system rooted in justice and equity.

Census data shapes criminal-justice policy

Census data provides the foundation for nearly every measure of criminal legal system activity, cost, and impact in the United States. Advocates, researchers, and policymakers use these data to expose disparities and design fairer systems.

- **Tracking systemic disparities:** Census and ACS data allows advocates to document how policing, prosecution, and incarceration disproportionately affect communities of color, people with disabilities, and people living in poverty.
- **Re-entry and re-integration:** Data from Census-linked initiatives such as the Criminal Justice Administrative Records System (CJARS) reveals how incarceration disrupts employment, income, and housing stability—offering evidence to reform re-entry

What are the census and the ACS?

The decennial census and the American Community Survey are the two largest sources of public data in the United States. The census’s once-a-decade snapshot of every household creates an outline for our understanding of the nation’s population. The ACS’s yearly information about people and families fills in that outline with detailed data on social and economic characteristics like income and occupation, housing costs, internet use, and languages spoken.

programs and eliminate barriers to opportunity.

- **Public spending and accountability:** Census Bureau surveys on government finance and employment show how much is spent on policing, prisons, and courts—information critical when evaluating whether public resources align with community needs and public safety goals.
- **Policy evaluation:** Linking justice system data with census demographic and economic information helps reveal whether reforms—such as sentencing changes, bail reform, and the establishment of diversion programs—reduce racial and economic disparities or replicate them in new forms.
- **Community impact:** Local census data makes visible the concentrated harms of incarceration and criminalization in specific neighborhoods, showing where resources for prevention, treatment, housing, and education are most needed.

Prison gerrymandering

Counting injustice

Prison gerrymandering occurs when incarcerated people are counted as residents of the prison location rather than their home communities during the decennial census. This practice distorts political representation by shifting power away from the communities most harmed by mass incarceration (typically Black, Brown, and low-income neighborhoods) and toward the rural (often whiter) areas where prisons are located.

Why it matters

Distorted democracy: Counting incarcerated people in prison districts gives disproportionate political power to those areas, creating “phantom constituents” who cannot vote or participate in local decision-making.

Silenced communities: Communities that have lost large numbers of residents to incarceration lose representation and resources when those individuals are counted elsewhere.

Reinforcing racial inequity: Because incarceration is deeply racialized, prison gerrymandering compounds the political disenfranchisement of communities of color.

Toward fair representation

Advocates are pressing for reforms to count incarcerated people at their home addresses in future censuses. Several states have already taken steps to correct this injustice by reallocating incarcerated populations back to their home districts for redistricting purposes. Ending prison gerrymandering is an essential step toward fair representation and meaningful democracy.

A complete and accurate count matters

- **Visibility and voice:** Undercounts in underserved communities, especially those heavily impacted by policing and incarceration, erode political voice and obscure the full reach of systemic injustice.
- **Fair funding:** Many programs addressing housing, education, health, and re-entry rely on census data. When people most affected by the criminal legal system are miscounted, those programs lose critical resources.
- **Accountability and oversight:** Without accurate demographic data it is impossible to track who is being criminalized, who is benefiting from reforms, and where inequities persist.
- **Equity in policy design:** Census-linked data helps uncover racial and economic bias in sentencing, incarceration, and policing.

Using census data for justice and reform

- **Expose disparities:** Census data reveals who is being policed, prosecuted, and imprisoned—and who is not.
- **Redirect resources:** Data on community poverty, unemployment, and disinvestment supports calls to shift funds from punishment to prevention, treatment, and education.
- **Re-imagine public safety:** Accurate local data helps policymakers design community-based safety strategies that prioritize healing and care over punishment.
- **Build public power:** When communities have access to transparent, disaggregated data, they can hold institutions accountable and advocate for policies rooted in equity and repair.

Conclusion

Census data is more than a set of numbers—it is a mirror reflecting the nation's choices about justice, fairness, and representation. When the census counts everyone accurately, it strengthens democracy, ensures communities most affected by incarceration are visible, and helps dismantle systems of inequality.

To create a fair and accountable criminal legal system, we must not only reform laws and institutions, but also reform how we count, see, and value every person.

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