



2/26/2021

To the House Judiciary Committee:

In 2006, OpenDoors led the state-wide campaign that returned the right to vote to thousands of people on probation and parole. Since then, tens of thousands of votes have been cast by Rhode Island citizens that had previously been disenfranchised. Today, I ask you again to strengthen our democracy by restoring equitable political representation to the people incarcerated at the ACI in Cranston.

Representative Democracy is the lifeblood of America, based on the principle that our government represents the people that elect that government. We have seen the way that corruptions to that representation can dilute and distort democracy. For example, Wisconsin's maps are so gerrymandered that Republicans can win close to a supermajority of house seats even with a *minority* of the vote. By robbing individual communities of political representation, these distortions rob us all of living in a true democracy.

In Rhode Island, we have seen in dramatic fashion the effects prison gerrymandering can have on all of us. Over recent elections, the State Representative from District 15 in Cranston was determined by small margins, in 2016 by less than 100 votes. These tiny margins determined the Speaker of the House and had huge impacts on political power in Rhode Island. Yet, District 15 was drawn in such a way that it included about 1,000 residents from the ACI, those held in the Men's Medium Security and Women's facilities back in 2010. Thus approximately 8% of District 15 was incarcerated, could not vote, and was politically non-existent for the purposes of those elections. Had the district been drawn to only include actual constituents, to include slightly different Cranston neighborhoods, the outcome may have been different, the Speaker of the House may have been different, and years of Rhode Island politics may have been different. I do not say that to make a judgement about any particular outcome, only to say that in cases of such import, we clearly want decisions to rest on as strong a democratic foundation as possible.

Instead, the gerrymandered districts we have are clearly flawed. They assume as residents significant populations which are actually wards of the state. To demonstrate this flaw, imagine a hypothetical---in which a single House District included all the ACI and there were 6,000 people in prison at the time of the census. This is not an impossibility in the future, with our current laws. In that situation, 43% of the district would be disenfranchised, leaving a district vastly different from any other in the state. We should not base our democratic institutions on such easily manipulatable standards.

OPENDOORS

485 Plainfield Street Providence, RI 02909 **P:** 401.781.5808 **F:** 401.781.5361 **W:** opendoorsri.org
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And now imagine the particular, individual effect of this gerrymandering. A person in prison is told that they are functionally represented, while in prison, by a State Senator or Representative from Cranston, a place they have never resided willingly, know no-one, and will assuredly not live in or vote in upon release. Upon release, they will have the opportunity to vote once again but never to elect that same Cranston legislator that supposedly represented them while in prison.

While important principles of democracy are at stake here, the immediate effect of this legislation will be minimal. The ACI population was at an all time low in April, 2020 when the census was conducted, with only around 2,000 people in the entire facility. The Senate and House districts in Cranston could easily be shifted to encompass nearby neighborhoods to compensate for this small change. While the effect on any single district will be minimal, the effect on a single voter and on our democracy as a whole will be far more profound.

Sincerely,



Nick Horton

Co-Executive Director

OpenDoors