



March 25, 2025

House Committee on State Government & Elections  
Rhode Island General Assembly  
Providence, Rhode Island

**Re: Support for H 5874**

Dear members of the House Committee on State Government & Elections:

As a proud Rhode Islander and on behalf of Campaign Legal Center (“CLC”), I am pleased to submit this testimony in **support** of H 5874.

My name is Lucas Della Ventura and I am a voting rights attorney at CLC. CLC is a nonpartisan, nonprofit organization, based in Washington DC, that works to protect and strengthen American democracy across all levels of government. Our Restore Your Vote program helps restore voting rights to people with past convictions by providing direct rights restoration services and empowering community leaders to understand and monitor implementation of rights restoration laws. We also work with grassroots organizations, policymakers, and state and local advocates every day, supporting their efforts to combat jail-based disenfranchisement across the country. CLC strives to ensure that eligible incarcerated voters can exercise their right to vote, including by working with jurisdictions to improve their election infrastructure and accessibility to incarcerated voters. H 5874 is a bill that aims to accomplish exactly that: to ensure that eligible voters in Rhode Island confined in a correctional facility or jail can exercise their right to vote.

Denying incarcerated citizens the right to vote is part of the long and troubling legacy of felony disenfranchisement. As the General Assembly has recognized, “[c]riminal disenfranchisement in Rhode Island has a disproportionate impact on minority communities.”<sup>1</sup> In many states, these laws were enacted after the Civil War and proliferated during the Jim Crow era with the explicit and open

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<sup>1</sup> 17 R.I. GEN. LAWS ANN. § 17-9.2-2(a)(4) (West 2024).

purpose of undermining the 14<sup>th</sup> and 15<sup>th</sup> Amendments.<sup>2</sup>

In 2006, Rhode Islanders charted a new path for the state and voted to amend the state constitution to end felony disenfranchisement post-incarceration and automatically restore voting rights upon release from prison. Today, Rhode Island's constitution disenfranchises only those "incarcerated in a correctional facility upon a felony conviction," meaning that incarcerated individuals in pretrial detention or serving sentences for misdemeanor convictions retain their right to vote despite their incarceration.<sup>3</sup> Yet, incarcerated eligible voters in Rhode Island continue to suffer from jail-based disenfranchisement, which continues to perpetuate the "dilut[ion of] the political power of entire minority communities" Rhode Islanders sought to end in 2006.<sup>4</sup>

Jail-based disenfranchisement often occurs because the realities of incarceration can make civic participation difficult or impossible. For example, information many take for granted is lacking in an environment where access to information is limited, and misinformation is prevalent. Jailed voters and correctional officers often do not know that many jailed voters are eligible to vote or how they can cast a ballot while incarcerated. The pernicious effects of jail-based disenfranchisement are especially prevalent in a unified correctional system like Rhode Island's, where some jailed voters are eligible to vote while others are not.

H 5874 seeks to address these effects in part by designating eligible voters who are confined to a correctional facility or jail as "specially qualified voters" that can request a ballot or mail ballot while confined.<sup>5</sup> In conjunction with this status, the department of corrections would be responsible for designating a "voting coordinator" who would ensure that voting information is provided to incarcerated persons, voter registration procedures are incorporated at the department of corrections, and specially qualified voters have access to ballot requests, mail ballots, and are able to submit their ballots, among other duties.<sup>6</sup> Additionally, all voting information would be required to be posted in a visible location at all correctional facility buildings, where notices are customarily posted.<sup>7</sup>

Enfranchising incarcerated individuals is critical for democratic accountability. Elected officials make consequential decisions every day that directly impact incarcerated voters and the marginalized communities that are most impacted by the criminal legal system. Incarcerated citizens' exposure to the criminal legal system gives them a major stake in the outcome of public policy, and their participation is crucial if the ballot box is truly to be a site where we hold our elected officials accountable.

The right to vote in Rhode Island cannot merely be a right in name only for eligible voters confined in a correctional facility or jail. To fulfill the Rhode Island Restoration of Voting Rights Act's purpose to "strengthen democratic institutions by increasing participation in the voting

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<sup>2</sup> Jennifer Rae Taylor, *Jim Crow's Lasting Legacy at the Ballot Box*, THE MARSHALL PROJECT (Aug. 20, 2018), <https://www.themarshallproject.org/2018/08/20/jim-crow-s-lasting-legacy-at-the-ballot-box>.

<sup>3</sup> R.I. Const. art. II, § 1.

<sup>4</sup> 17 R.I. GEN. LAWS ANN. § 17-9.2-2(a)(4) (West 2024).

<sup>5</sup> H.B. 5874, 2025 Gen. Assemb., Sess., § 17-1-2 (R.I. 2025).

<sup>6</sup> H.B. 5874, 2025 Gen. Assemb., Sess., § 17-20-1.3 (R.I. 2025).

<sup>7</sup> H.B. 5874, 2025 Gen. Assemb., Sess., § 17-9.2-3 (R.I. 2025).

process,” we strongly support H 5874’s passage.<sup>8</sup>

Respectfully submitted,  
Lucas Della Ventura, Legal Fellow

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<sup>8</sup> 17 R.I. GEN. LAWS ANN. § 17-9.2-2(b) (West 2024).