

Thank you, Chairmen Archambault and Phillips and members of the Commission, for giving me the opportunity to testify before you today.

My name is Adam Myers. I am an associate professor of political science at Providence College, and also a member of the Governing Board of Common Cause Rhode Island.

I've been analyzing the Rhode Island Census data since it came out last month, and I wanted to alert you to an anomaly that I found in the data that relates to a broader issue that the Commission should consider, and that is the issue of how to count incarcerated people for the purpose of redistricting.

There is a precinct in Cranston – precinct #29 – that, according to the latest Census results, has 398 residents in it even though, according to the state, it has no registered voters. Another precinct right next to it – Cranston precinct #28 – has a 2020 Census population of 1,209 but only 69 registered voters as of January of this year. To make matters even more bizarre, both these precincts are officially a part of House District 20, which is otherwise entirely in the city of Warwick; on top of that, precinct 29 is officially in Senate District 31, which is also otherwise entirely in the city of Warwick.

As I hinted at earlier, in both these precincts, the vast majority of the population (and, in the case of precinct 29, the entire population) is composed of individuals who are incarcerated at the ACI and therefore cannot vote. As you know, the Census counts these individuals as residents of their prisons rather than residents of their home communities. This leads to a problem, sometimes referred to as “prison gerrymandering,” in which the political strength of communities surrounding a prison is unfairly inflated while the political strength of the communities from which the prisoners come is unfairly diminished.

In the specific case of the precincts that I was referring to – Cranston precincts 28 and 29 – it looks like these “precincts” were created largely to ensure that the two Warwick-based legislative districts (House District 20 and Senate District 31) had enough people in them in 2011, during the last round of redistricting. At a minimum, this Commission should see to it that this sort of thing – creating precincts largely encompassing the ACI to shore up legislative districts that would otherwise not have nearly enough people – does not happen again. These two districts, as well as House District 15 and Senate District 27 (which also encompass parts of the ACI), have many fewer people *who are actual residents of them* than other House or Senate districts. This was a bigger issue 10 years ago, because this state's incarcerated population was larger then, but it is still an issue today.

Having said that, truly solving the prison gerrymandering issue would mean going further. It would mean reallocating incarcerated people from the prison where they are serving out their sentences to their home communities. This can be done. Two states – New York and Maryland – did it during the last round of redistricting. Another nine states have passed legislation to do it for this round of redistricting. And just last month, the Pennsylvania Legislative Reapportionment Commission voted to do it for that state, without a statute being passed by the Pennsylvania General Assembly. So, if large states like New York and Pennsylvania can do it, Rhode Island can do it too.

Reallocation would basically involve two steps. First, incarcerated adults would need to be subtracted from the population totals of the Census blocks in which they are currently counted. This step is super-simple because, for the first time, the Census has provided data on the number of incarcerated adults by Census block. I examined these data for Rhode Island; it turns out there are just nine Census blocks in this state (out of more than 25,000) that have an incarcerated adult population. All nine of these Census blocks are entirely composed of incarcerated adults. So, just set the populations of these blocks to zero, and this step is done. (If anyone is interested in these data, I have them here).

The second step – adding incarcerated individuals to the population totals of the blocks in which their home addresses are located – is more difficult but not impossible. To do it, the Commission would need to contact the state Department of Corrections and the corporation in charge of the Wyatt Detention Center to see if they could produce an anonymized list of home addresses for people who were incarcerated at their facilities last year (when the Census was conducted). Assuming they could produce those lists, and that the overall numbers that they produced matched up with those of the Census, it would be fairly straightforward to geo-code those addresses, link them to the Census blocks they lie within, and add the incarcerated individuals to the populations of those blocks.

I think it would be worth it for the Commission to contact the Department of Corrections to at least explore this matter. Like I said, other states with far larger prison systems have remedied this profound unfairness or are in the process of doing it, in some cases in a rather compressed time frame. Prior to drawing the maps, this Commission should take the time to seriously examine whether something similar would be feasible for our state.

Thank you.

2020 U.S. Census Counts for Adult Incarcerated Population of Rhode Island

Census Block	Facility	Current Senate District	Current House District	Adult Incarcerated Population
Block 1022, Block Group 1, Census Tract 109, Providence County	Wyatt	16	56	640
Block 2005, Block Group 2, Census Tract 142, Providence County	ACI	27	20	14
Block 2006, Block Group 2, Census Tract 142, Providence County	ACI	27	20	97
Block 2007, Block Group 2, Census Tract 142, Providence County	ACI	27	20	706
Block 2012, Block Group 2, Census Tract 142, Providence County	ACI	27	15	922
Block 2025, Block Group 2, Census Tract 142, Providence County	ACI	27	20	19
Block 2026, Block Group 2, Census Tract 142, Providence County	ACI	27	20	80
Block 2030, Block Group 2, Census Tract 142, Providence County	ACI	31	20	398
Block 2047, Block Group 2, Census Tract 142, Providence County	ACI	27	20	206
Total Adult Incarcerated Population				3098

