

Dear Members of the Special Commission on Reapportionment:

At a special upcoming meeting of the commission you will be discussing what to do about the problem of prison-based gerrymandering. Previously you received testimony from 22 community groups asking you to end the practice. Subsequently you've heard repeatedly from community members, and fellow commissioners, about their desire to count incarcerated people in their home communities. We write again today to tell you that now is the time to make that change, before another decade passes without solving this problem.

Reassigning people who are incarcerated to their home addresses leads to fairer representation. Because the Adult Correctional Institution (ACI) is the state's only prison complex the districts that encompass the campus (House Districts 15 and 20 and Senate Districts 27 and 31) are particularly distorted. In the case of House District 20 fully 15% of the population is housed in the ACI. That unnecessarily enhances the voting power of the 109 other House and Senate districts in Rhode Island. Ending the practice of prison-based gerrymandering will make our democracy a fairer one.

If you reassign incarcerated people who were counted at the Adult Correctional Institution (ACI) on April 1, 2020 you will be complying with state law. § 17-1-3.1 clearly states that a person's place of residence for voting purposes is his or her fixed and established domicile," and that doesn't change because of, "confinement in a correctional facility." In 2006 Rhode Island restored the right to vote to those convicted of felonies post release. Many of those counted at the ACI in the most recent census will be voting in their home districts while the lines you are drawing are in effect.

A significant portion of those who were counted at the ACI on April 1, 2020 were not convicted of felonies, but rather were being held in intake or for pretrial detention, and may never be convicted of a felony, and therefore lose their voting rights. That will be true for all elections in the next decade and many of them will be voting *in their home communities* but from the ACI.

As you have heard, Rhode Island is capable of making this change now. After a vote by its redistricting commission, Pennsylvania was able to reassign more than 40,000 incarcerated people in just a matter of days. Your consultant Kimball Brace, as part of litigation in 2015, has already undertaken the task successfully. There is no reason to believe this cannot be done before Rhode Island completes our redistricting process.

Because no funding formulas are tied to the data file you use to draw the districts, reassigning those held at the ACI will not affect money flowing to Cranston, or any of the other 38 cities and towns in Rhode Island.

We once again urge you to direct Election Data Services to amend the redistricting data file to reassign incarcerated people counted at the ACI during the 2020 census to their home addresses before drawing new legislative districts for Rhode Island.

ACLU of Rhode Island  
Alliance of Rhode Island Southeast Asians for Education (ARISE)  
BLM PAC  
Brown Votes  
Clean Water Action Rhode Island  
Common Cause Rhode Island  
Direct Action for Rights and Equality  
Formerly Incarcerated Union of Rhode Island  
Latino Policy Institute at Roger Williams University  
League of Women Voters of Rhode Island  
NAACP Providence Branch  
Open Doors  
Planned Parenthood of Southern New England  
Providence Alumnae Delta Sigma Theta, Inc  
Reentry Campus Program  
Rhode Island Center for Justice  
Rhode Island Commission for Human Rights  
Rhode Island Democratic Women's Caucus  
Rhode Island Latino PAC  
Rhode Island Working Families Party  
SUPER PAC  
United Auto Workers, Region 9A  
Women's Fund of Rhode Island  
The Womxn Project