



State of Rhode Island

HOUSE OF REPRESENTATIVES

REPRESENTATIVE BRANDON C. POTTER, *District 16*
Committee on Corporations
Committee on Health and Human Services

November 15, 2021

The Honorable Stephen R. Archambault, Co-Chair
The Honorable Robert D. Phillips, Co-Chair

Dear Members of the Special Commission on Reapportionment:

I write to express my strong opposition to prison gerrymandering, and to respectfully urge the commission to use the opportunity before you to end this antidemocratic practice within our state.

At a time when our nation continues to have its democracy under assault with legal challenges to election results, misinformation about election security, and the recent uptick in voter suppression efforts, I believe it's paramount for our government at all levels to protect and strengthen the integrity of our democracy. There is arguably no more appropriate way to do that other than to begin with standing up for the principles of fair representation, and one-person, one-vote.

Including the people incarcerated at the Adult Correctional Institute as residents of Cranston not only inaccurately inflates the metrics we use to determine our ward and district maps here, it also unfairly reduces the true representation of the communities where those incarcerated people come from. Beyond the inherent conflict that poses to our democratic values, it is undoubtedly an issue of equity and racial justice. In her recent letter to the commission, Representative Felix described these dynamics in important detail. I fully support and echo her sentiments, and urge you to strongly consider them.

The proponents of keeping this practice intact often cite the First Circuit's 2016 decision in *Davidson v. City of Cranston* that ruled prison gerrymandering constitutional. Whether this practice is indeed constitutional or not may be subject to further judicial review, but I ask you not to consider this issue on the basis of what we legally *can* do, but on the basis of what we *should* do. Furthermore, it is certainly under the purview of the General Assembly to rectify this slight to our democracy, and I expect the recommendation of this commission to be held in high regard.

Lastly, in his support for the current system, Mayor Hopkins recently cited the Revolutionary War as precedent for why this practice should continue. I strongly disagree with his assessment that protecting the taxpayers of Cranston is reliant on considering incarcerated people in the ACI as residents of Cranston. However, I hope we all can recognize that any legitimate concern the city of Cranston may have regarding the costs associated with providing municipal services to incarcerated people is greatly outweighed by the state's interest in protecting democracy and honoring the principles of our Constitution. We simply can not do that by turning a blind-eye to an inequitable practice that denies fair representation. As the Representative for House District-16, and a Cranston resident who lives 2 miles from the ACI, I am more than willing to work through the legislature, in collaboration with the Mayor and Cranston City Council, to offset any negative fiscal impact the city may potentially experience. Above all, we must never put a price tag on our democracy.

Thank you for your consideration of this important issue, and for your service to our state. The process of reapportionment is an involved one, and your time, effort, and embrace of public input throughout this process is sincerely appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Brandon Potter". The signature is fluid and cursive, with a large initial "B" and "P".

Brandon Potter
RI State Representative
District 16, Cranston