

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.

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 |