

PRISON GERRYMANDERING IN CITY OF CRANSTON, RI

The Supreme Court requires cities to update their council wards once per decade to ensure that each ward contains the same population, giving each resident equal representation in city government. The U.S. Census Bureau counts people where they are incarcerated, not where they are from, and when city governments rely on Census figures that do not reflect the city's real population, democracy suffers.

Problem

- The Census Bureau counts incarcerated people as if they were residents of the prison, but Rhode Island law says that incarceration does not change a person's residence. (Rhode Island General Laws §17-3-1.1)
- City councilors, county commissioners, and other local elected officials can't make decisions that meaningfully affect the people incarcerated within their districts, whose lives are generally governed by state (or even federal) authorities. There is no "representational nexus" between local elected officials and the people detained within their districts.
- The city's current council wards average approximately 13,500 city residents, but the Cranston City Council uses 3,433 incarcerated people to pad the population of Ward 6.
- For the past 20 years, about 25% of Ward 6 has been comprised of incarcerated people from other parts of the state. The practice of including the prison population in redistricting data continues to give every 3 residents in that ward as much influence over city affairs as 4 residents in other parts of the city.

A New York county's rationale

In 2003, Essex County not only removed the prison population when apportioning the Board of Supervisors, it enacted a local reapportionment law with the following explanation:

"Persons incarcerated in state and federal correctional institutions live in a separate environment, do not participate in the life of Essex County and do not affect the social and economic character of the towns...The inclusion of these federal and state correctional facility inmates unfairly dilutes the votes or voting weight of persons residing in other towns within Essex County."

What local governments in other states do

Over 200 counties and municipalities around the country exclude prison populations from their redistricting data when drawing local government districts.

The solution for the City of Cranston

- Excluding correctional facilities when local district lines are drawn ensures that districts will have equal numbers of actual residents — and therefore that residents will have truly equal representation.
- The City of Cranston should exclude the ACI population from its redistricting data when it next updates its council wards.