



For more information about Prison-Based Gerrymandering, see our website and weekly newsletter at <http://www.prisonersofthecensus.org>

Prison-Based 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.

The 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)
- The city's current council wards average 13,212 city residents, but the Cranston City Council uses 3,252 incarcerated people to pad the population of the 6th ward.
- For the past 10 years, 25% of Ward 6 has been comprised of incarcerated, disenfranchised 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.
- Giving the 6th Ward extra representation because it contains a prison violates the Supreme Court's "one person, one vote" rule that requires equal representation.

What local governments in other states do

- Mississippi, Colorado and Michigan require counties with prisons to remove the prison population prior to redistricting, and Virginia law encourages it.
- Over 100 counties and municipalities around the country exclude prison populations from their redistricting data when drawing local government districts.
- In Michigan, all counties and municipalities are required to ignore prison populations in drawing their districts, in order to avoid distorting democracy, even when the distortion would be quite small. In Lapeer County, for example, using the census would have created a district where the prison population would have accounted for just 6% of the district. The county clerk told us that they excluded prisoners because the prisoners were "not really residents."

A NY County's Rationale

In 2003, Essex County not only ignored 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...."

The Solution for the City of Cranston

- The City of Cranston should exclude the prison population from its redistricting data when it next updates its council wards in 2012.