

## ISSUE BRIEF

### ON THE IMPACT OF INCARCERATION & REENTRY

#### RHODE ISLAND FAMILY LIFE CENTER

The Family Life Center increases community safety by supporting and advocating for ex-offenders and their families.

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# Rhode Island's Shrinking Black Electorate

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Rhode Island's original constitution was unique for extending the right to vote to African-Americans. By 1855, Rhode Island was only one of five Northern states to do so, making the state's suffrage laws among the most inclusive in the country.<sup>1</sup> Today, however, this report finds that Rhode Island ranks thirteenth in the nation for the highest percentage of African-Americans who are barred from voting due to the state's felony disfranchisement law.

The African-American disfranchisement rate in Rhode Island is higher than that in thirty-seven other states. Rhode Island takes away the right to vote of African-Americans at a higher rate than Mississippi, Texas, Louisiana, Georgia, North Carolina, South Carolina, and Tennessee (Table 2).

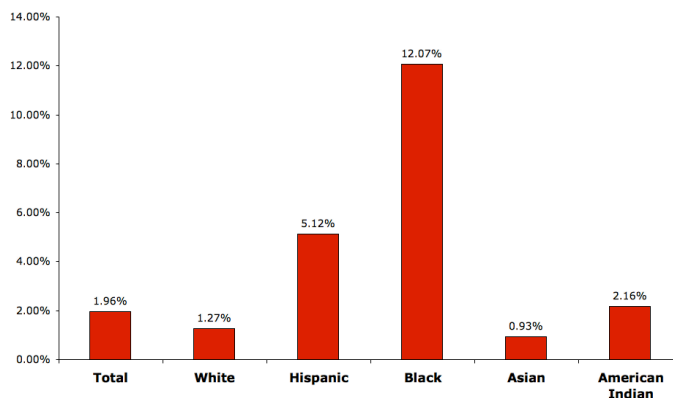
Rhode Island's constitution takes away the right to vote of any person convicted of a felony while in prison, on parole, or probation.<sup>2</sup> This is the most restrictive law in all of New England. As a result, Rhode Island disfranchises a greater percentage of its population than any other state in the region.

### Key Findings

- Rhode Island has the nation's 13<sup>th</sup> highest percentage of African-American disfranchisement, higher than Mississippi, Texas, Louisiana, Georgia, North and South Carolina and 31 other states
- 12 percent of African-Americans are barred from voting in Rhode Island
- 20 percent of African-American men cannot vote statewide
- 1 in 4 African-American men in Providence cannot vote
- 40 percent of 18-34 year old African-American men on the Southside of Providence cannot vote

Table 1

#### Percent of Rhode Island Adult Population Disfranchised for Each Racial Group<sup>11</sup>



**Table 2**  
**States Ranked by**  
**Percent of African-**  
**American Population**  
**Ineligible to Vote**  
**Due to Felony**  
**Disfranchisement**<sup>5</sup>

Iowa	24.9
New Mexico	24.7
Nebraska	18.9
Kentucky	17.4
Nevada	17.1
Virginia	16.1
Florida	16.0
Washington	14.3
Wyoming	14.2
Alabama	14.0
Delaware	13.9
Arizona	12.9
<b>Rhode Island</b>	<b>12.1</b>
Mississippi	11.3
Wisconsin	10.8
Georgia	10.3
Texas	9.2
New Jersey	9.2
Minnesota	8.4
Oklahoma	8.3
Connecticut	8.3
Maryland	8.1
Arkansas	7.9
Missouri	7.2
Tennessee	6.6
California	6.2
Alaska	5.7
Colorado	4.6
Kansas	4.2
South Carolina	4.0
Idaho	4.0
New York	3.7
North Carolina	3.5
Oregon	3.1
Louisiana	3.0
Michigan	2.9
Ohio	2.9
Pennsylvania	2.8
Illinois	2.7
West Virginia	2.6
Indiana	2.6
South Dakota	2.4
Massachusetts	1.5
New Hampshire	1.5
Montana	1.2
Hawaii	0.8
North Dakota	0.7
Utah	0.7
Maine	0.0
Vermont	0.0

An exhaustive analysis, released by the Family Life Center in September 2004, found that over 15,500 Rhode Islanders cannot vote due to a felony conviction. An overwhelming 86 percent (13,569) of those without the right to vote are not in prison, but rather working and living in the community on parole or probation.<sup>3</sup> African-Americans are disfranchised at a disproportionate rate in Rhode Island: 12 percent of blacks, 5 percent of Latinos, and 1 percent of white residents are barred from voting (Table 1).

Rhode Island's high rates are primarily due to two factors. First, terms of probation are longer and assigned more often in Rhode Island than elsewhere. The percentage of adults on probation in Rhode Island (3.1 percent) is the 2<sup>nd</sup> highest in the country.<sup>6</sup> Second, African-Americans are disproportionately involved with the justice system. Rhode Island has the nation's 10<sup>th</sup> highest disparity between black and white incarceration rates. The disparity is driven by unequal rates of imprisonment for drug offenses: blacks are incarcerated at thirty (30) times the rate of whites in the state for drugs.<sup>7</sup>

The voting rights of Rhode Island's urban African-American population are most severely impacted. In Providence and Newport more than 1 in 4 African-American men cannot vote (Table 3). In Atlanta, Georgia, a city in a state with the same disfranchisement policy, only 1 in 7 African-American men are barred from the polls.<sup>8</sup> Within Providence, African-American men are disfranchised at rates of over 30 percent in parts of South Providence, Olneyville, West End, Hartford, Manton, and Silver Lake (Figure 1). In these geographic areas, less than 70 percent of adult African-American men are eligible to vote. In the Southside of Providence, 40 percent of African-American men aged 18-34 cannot vote due to a felony conviction.

With so many barred from the polls, the impact goes beyond the individual. The political voices of entire families are lost when a single parent cannot vote. In citywide and statewide elections, the political power of entire neighborhoods is diluted by high rates of disfranchisement.

The numbers of eligible African-American voters is declining in Rhode Island. The state's prison population has increased by 625 percent over the last 30 years.<sup>9</sup> The percentage on probation has also grown. In 1987 an estimated 9,400 state residents were barred from voting; today more than 15,758 are disfranchised, a 67 percent increase.<sup>10</sup> While the Voting Rights Act of 1965 made many discriminatory forms of disfranchisement illegal, felon disfranchisement laws are significantly eroding Rhode Island's black electorate. As a result, the strength and inclusiveness of Rhode Island's democracy is diminishing.

**Table 3**  
**Percent of Blacks**  
**Disfranchised**  
**in Urban Rhode Island**<sup>4</sup>

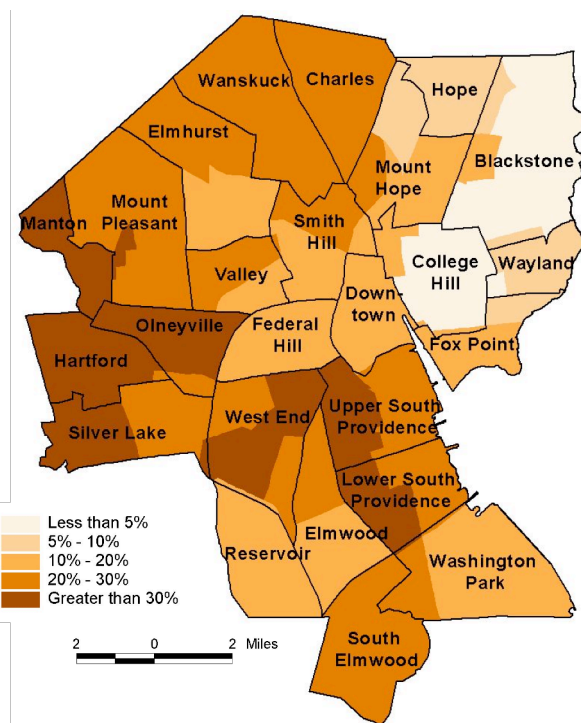
Percentage of city/town African-American adult population unable to vote.

<i>Urban Core</i>	Total	Male	Female
Central Falls	13.8	20.8	3.2
Pawtucket	10.5	17.5	2.8
Providence	14.5	26.3	4.3
Newport	14.8	26.5	3.2
Woonsocket	12.5	19.9	3.8
<i>Urban Ring</i>			
Cranston	7.0	10.3	3.0
E. Providence	6.6	13.1	1.0
N. Providence	5.8	9.4	2.3
Warwick	5.1	8.0	1.8
West Warwick	18.3	15.0	3.3

Figure 1

## Black Men Disfranchised in Providence<sup>12</sup>

Percentage of black male population, 18 years and older, unable to vote in each census tract.



## State Disfranchisement Laws<sup>13</sup>

### No disfranchisement for felony convictions:

ME, VT

### Voting restored after release from prison:

HI, IL, IN, MA, MI, MT, NH, ND, OH, OR, PA, SD, UT

### Voting restored after release from incarceration and completion of parole (probationers may vote):

CA, CO, CT, NY

### Voting restored after completion of sentence, including parole and probation:

AK, AR, GA, ID, KS, LA, MN, MO, NJ, NM, NC, OK, RI, SC, TX, WV, WI

### Permanent disfranchisement for some felony convictions:

AZ, DE, MD, MS, NV, TN, WA, WY

### Disfranchisement for all felony convictions, no automatic restoration:

AL, FL, IA, KY, NE, VA

## Notes

<sup>1</sup> Alexander Keyssar, *The Right to Vote: The contested history of democracy in the United States*. (New York: Basic Books, 2000) See page 55.

<sup>2</sup> Rhode Island Constitution, Article II, Section I. (Accessible at: [http://www.rilin.state.ri.us/gen\\_assembly/RiConstitution/C02.htm](http://www.rilin.state.ri.us/gen_assembly/RiConstitution/C02.htm))

<sup>3</sup> Nina Keough and Marshall Clement, *Political Punishment: The Consequences of Felon Disenfranchisement for Rhode Island Communities*, Rhode Island Family Life Center, September 2004. (Accessible at: <http://ri-familylifecenter.org/reports/PoliticalPunishment.pdf>)

<sup>4</sup> Excerpt from: Keough and Clement, *Political Punishment*.

<sup>5</sup> Right to Vote, "At the State Level." (Accessible at: <http://www.righttovote.org/state.asp>) Black disfranchisement rates at the state level are from December 31, 2000. Rhode Island's rate is from September 2003 (See Keough and Clement, *Political Punishment*). In 2001, Connecticut restored the right to vote for people on probation, dramatically reducing the percentage of blacks ineligible to vote listed here. In 2002, Maryland also revised its disfranchisement policy. For a complete review of changes to disfranchisement policies see: Uggen and Manza, "Summary of Changes to State Felon Disfranchisement Law 1865-2003." (Accessible at: <http://www.sentencingproject.org/pdfs/UggenManzaSummary.pdf>)

<sup>6</sup> Lauren Glaze and Seri Palla, "Probation and Parole in the United States, 2003," Bureau of Justice Statistics Bulletin, Office of Justice Programs, July 2004.

<sup>7</sup> Human Rights Watch, "Punishment and Prejudice: Racial Disparities in the War on Drugs," May 2000; Analysis of the Rhode Island Department of Corrections Sentenced Population by the RI Family Life Center found that in 2003, blacks in RI were incarcerated at 30 times the rate of whites for drug offenses. Latinos were incarcerated at 15 times the rate of whites. See: RI Family Life Center, *Impacts of Incarceration and Reentry*, (Accessible at: [http://ri-familylifecenter.org/pagetool/reports/FLCImpacts\\_of\\_Reentry012805.pdf](http://ri-familylifecenter.org/pagetool/reports/FLCImpacts_of_Reentry012805.pdf)). National studies of drug use have consistently found roughly proportional use of illegal substances across racial groups.

<sup>8</sup> Fox Butterfield, "2 Studies Find Laws on Felons Forbid Many Black Men to Vote," *New York Times*. (September 23, 2004)

<sup>9</sup> Leo Carroll, *Lawful Order: A Case Study of Correctional Crisis and Reform* (New York: Garland Publishing, Inc., 1999), 329-330; Rhode Island Department of Corrections. 2003 Annual Report. Cranston, RI: Rhode Island Department of Corrections, 2003.

<sup>10</sup> See Keough and Clement, *Political Punishment*, September 2004; Estimates of disenfranchised in 1987 based on the proportion of those in prison, on parole or probation, who were disenfranchised in 2003 (65%). Applying this estimate of the percent disenfranchised to Rhode Island state budget data showing a combined population in prison or under community supervision of 14,481 yields an estimated 9,412 residents without the vote in 1987.

<sup>11</sup> Excerpt from: Keough and Clement, *Political Punishment*.

<sup>12</sup> Statistics cited from: Keough and Clement, *Political Punishment*.

<sup>13</sup> Right to Vote, "At the State Level." (Accessible at: <http://www.righttovote.org/state.asp>)