

PRISONERS' STRUGGLES

The Battle for Felon Re-enfranchisement

Bruce Reilly

“Hi, howya doing? My name’s Bruce and I’m going around telling folks about Question 2 on the ballot this year. Have you heard about Question 2? No? Well, we’re trying to get voting rights back for people convicted of crimes who are out here living in the community. They’re out here raising kids, working jobs just like anybody else, and we want them more involved rather than pushed aside and demonized. Tossing people into shadows, not letting them get work, or have a voice... that’s just likely to cause more drug use, more crimes, and that’s not the kind of society we want to live in. So whaddya think about that?”

And so it went, leading up to the 2006 elections. I was in a unique position: a full-time student – living off loans and a campus job – on a mini-tour of my play, *Voice of the Voiceless*, while also taking on this major ballot initiative. I was just a year out of prison. One can only volunteer to do so much activism, so thankfully the Brennan Center, JEHT Foundation, and others made funding possible to hire a staff. With 35 states disenfranchising 5.3 million citizens, as of 2009, we need to liberate entire state populations. The numbers rise so fast in this field, our T-shirts from 2005 had to raise the number of disenfranchised in Rhode Island by 4000 in 2006.

It was do or die to change the constitution. My good friend Andres was a new student at Brown University. He served as one of our first X-cons to prove who it is the people were fighting for, acting as a spokesman. I encouraged him to focus on his studies. He encouraged me to work with the coordinated Campaign in the pursuit of concrete reform. I didn’t take the job to be a poster child, nor did anyone want me in that role, so I started to advocate and organize.

My task was to recruit and train the volunteers for canvassing the neighborhoods. From colleges to X-cons to churches, I wanted to be everywhere at once. My play was itself a recruiting, informational, and a PR tool. It was exciting going door-to-door and helping people figure out an opinion on the matter. For the first time, I realized *people are good*. We hit up the rich and poor, Black, White, Latino – it is amazing how easy a personal conversation can dispel the myths about prisoners.

Although our campaign ultimately included the collective efforts of about 1000 people, our core staff was less than 10 people. Imagine: a handful of

people changed the constitution of Rhode Island by influencing 52 percent of the state. We concentrated our efforts in the six cities, where we won by 18,000 votes. We relied on media alone in the 33 other districts, and lost by 7,000. I attribute much of the credit to my friend Dan Schleifer, the Field Coordinator – and effectively, Executive Director – for our Voting Rights campaign.

Following the passage of Question 2, I became perhaps the first parolee to register to vote in the history of Rhode Island, and I spoke to a young legislator at the forefront of social justice issues. I asked what progressive proposals we should be on the lookout for, and he replied, “What bills would *you* like to see?” I was stunned. To my knowledge, nobody had ever asked a prisoner what legislative changes we should make in Rhode Island. Being on parole, by the way, is still serving a prison sentence – just doing it “at liberty”. While Maine and Vermont are the only states that never took away the right to vote, even while in prison, ten states allow for some people to be permanently disenfranchised, with Florida, Kentucky and Virginia’s being practically absolute. Leaders should be asking some of these thousands about *their* take on reforming the system.

I explained to Representative David Segal that if you go into the prison, people talk about one issue: Probation Violation. When 30,000 Rhode Islanders are on probation, particularly young men of color, we have a fish in the barrel situation. Accusations are dealt with through arrest and imprisonment, with low standards of proof to declare someone a “violation” and subjected to long imprisonments. If you break it down to two major unjust components: (1) we are Violated before the new accusation is dealt with, and there is no mechanism to “undo” the Violation when one is later absolved on the accusation; and (2) if someone gets in trouble with a day left on their 10 year Probation, they can be sentenced to the entire 10 years in prison. These result in tremendous leverage, creating a system where 98 percent of convictions are from guilty pleas, eliminating trials, whether one is innocent of the new charges or not. Segal asked me to write up the bills, and my legal research provided the basis and case – of my friend Rich – to blow the roof off this issue.

Most don’t know, but I’ll share it here: I was fired from the Right to Vote Campaign in a dispute about whether I could reveal my status as a paroled murderer. Dan explained to higher ups that he wasn’t sure we could win without me, that they’d cut off his right arm, as he put it. That feeling

of being a valuable asset is how I felt in prison, so it's quite something for anyone to come out and hear you aren't needed. I was a Jailhouse Lawyer, the resident artist, and someone always needed the services I spent years developing. I organized the sports and game tournaments, and served as a voice of reason when it came to violence or race relations. Prison is a meritocracy, not the elitist class system America protects. The firing lasted a week, but the memory lasts forever.

Rehabilitation and Re-Entry are another front in the prison-industrial complex (PIC). A front that is "Defending the Guilty" – as my friend Bell put it simply. This is the only human rights movement in history to be defending the guilty, which indicates just how far we've gone beyond "punishment" until it resembles oppression. Whereas most of my brethren and I are guilty, we need to know that our allies are actually defending and truly respecting us. Furthermore, we need to be needed, not just for our collective self-esteem, but more so that genuine solutions can be achieved.

The social engineers and activist organizations have very few X-Cons in decision-making roles. It is disrespectful to tell a 35-year-old man, who has studied for a decade in prison, to spend \$100,000 to study alongside teenagers for a piece of paper. Particularly when a man has the System pressuring him to stay employed, has children to feed, and owns nothing but the clothes on his back and the contents of his mind. Such a man needs to be a resource, and needs the role models of those who came before him.

Rhode Island is now among 14 states that restore rights upon release from prison. The bulk of states require a completion of parole AND probation – which can take decades – with seven states maintaining financial requirements – court fees, child support, and so on – to vote. In May 2009, Washington eliminated these payments, thereby becoming the twentieth state in the past ten years to ease voting restrictions. Senator Russ Feingold (D-WI) and Representative John Conyers (D-MI) introduced the Democracy Restoration Act (DRA) last year. The DRA would re-enfranchise nearly four million people who have been released from prison.

Structural reforms are what stoke my fire, and The Right to Vote Campaign became a gateway drug to systemic change. The people we activated, the popular conceptions, and the legislative mentality have given us momentum to gain passage of Probation Reform and ending Mandatory Minimums. The Governor vetoed both, but the power shift has already begun.

ABOUT THE AUTHOR

Bruce Reilly is an artist, writer, and activist in Providence, Rhode Island. In 2005, he published *NewJack's Guide to the Big House* (1000 lbs. Gorilla Media), "the treatise of a ghetto philosopher". "As a Man who is now 'free'", he writes, "I can tell you that all my work in prison pays off triple on the Outside". He is a Board member of Direct Action for Rights and Equality, and his latest project is a documentary on a private prison in Central Falls, Rhode Island. He, Andres, and thousands of others cast their first ballot in 2008. Andres is currently a student at Yale University Law School.