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Opinion: Justice belongs to all Rhode Islanders regardless of race and ethnicity

Jim Vincent, Leonela Felix and Tiara Mack Guest columnists

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It is no secret that people of color are overrepresented as defendants in the criminal legal system. In Rhode Island, 31% of the sentenced prison population is Black, despite Black people accounting for only 8.8% of the state's population. But less attention is paid to how people of color are underrepresented in the roles that administer justice. While the lack of diversity in all of our justice agencies — from law enforcement to corrections officers — is a problem, perhaps nowhere is it more egregious than in the Judiciary. Currently, out of 42 current Superior Court and District Court judges, 38 are white. In Superior Court, which is responsible for sentencing in felony cases, there is not a single Black judge.

There are currently four open judgeships, one in Superior Court and three in District Court. The Judicial Nominating Committee (JNC) recently announced some of the candidates, and there are a number of highly qualified candidates of color. For example, Cranston Municipal Court Judge Angelyn E. Cooper-Bailey graduated magna cum laude from Roger Williams Law School, clerked for Judge Rogeriee Thompson, and was appointed to the Rhode Island Commission on Human Rights in 2014. She is just one of many talented non-white judicial applicants, and she is the only candidate that is non-white that is being interviewed for the two already empty District Court seats. There are only two candidates of color out of the 15 applicants being interviewed for the three open District Court seats. This is insufficient, and numerous qualified candidates of color were not interviewed.

We hope that the state takes this opportunity to appoint judges of color to both the Superior Court and the District Court. All appointments should consider multiple applicants of color and they should be given strong consideration for all vacancies given the lack of diversity on the bench currently. We must also examine why there are so few judges of color and focus on supporting a diverse pipeline of attorneys.

Power facilitates power, and the practice of recruiting through personal networks and traditional outlets has generally favored white applicants. Aspiring lawyers of color often have to overcome extensive structural barriers to advance. Take, for example, Brooklyn Crockton, a Black RWU law student who made news in March of this year when she was blocked from entering a courtroom by a sheriff who assumed she was a defendant. It will take a concerted effort on behalf of our schools, bar associations, and the JNC to actively prepare, recruit, and advance applicants of color.

The result of a bench that doesn't represent the community it serves is a justice system that lacks perspective and is less fair. Former Ohio Supreme Court Justice Yvette McGee Brown observed, "The public's perception of justice suffers ... when the only people of color in a courthouse are in handcuffs." There are fewer judges of color on the Superior Court now than there were in 2013. There has never, in the history of Rhode Island, been a chief judge that is not white. Across the state, 30% of Rhode Islanders are Black or Hispanic, yet its criminal courts are presided by judges that are 91% white.

We hope that the nominees for these four seats will be selected fairly with both a recognition of the high degree of talent by the applicants of color and the bias and structural barriers that have prevented the advancement of candidates of color in the past. This will show defendants, students, victims, and aspiring judges across the state that, regardless of their race and ethnicity, justice belongs to all Rhode Islanders.

Jim Vincent is president of the Providence Branch of the NAACP. Rep. Leonela Felix represents Pawtucket, District 61. Sen. Tiara Mack represents Providence, District 6.

Also signing this commentary are:

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