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November 20, 2018

Wayne Kezirian via-email
Board Chairperson
RIPTA
705 Elmwood Avenue
Providence, RI 02907

Dear Mr. Kezirian:

The ACLU of RI has been contacted by local video journalist Steve Ahlquist about an incident that occurred before a RIPTA Board meeting yesterday. Because we agree with him about the troubling nature of the incident, I am writing to request that RIPTA take immediate action to ensure that appropriate officials and employees of your agency are reminded of their obligations under the state's Open Meetings Act (OMA).

In setting up his camera to record yesterday's meeting, Mr. Ahlquist was confronted by your agency's chief security officer, James Pereira, who told him to remove his equipment from the room. In doing so, Mr. Pereira claimed that Mr. Ahlquist had no right to videotape the meeting. Only after a very lengthy back-and-forth colloquy with Mr. Pereira and a consultation with a RIPTA attorney was Mr. Ahlquist left alone to record the meeting.

This incident is troubling for a number of reasons. First, it has been more than 30 years since a federal court ruled that Rhode Island's Open Meetings Act authorizes individuals to record public meetings. There is thus no excuse for a public body, and particularly a major state agency like RIPTA, to claim ignorance of the law in this regard. That is especially true for an employee like Mr. Pereira, who is no minor functionary.

Second, as Mr. Ahlquist noted in his dispute with Mr. Pereira, a younger journalist not aware of their OMA rights might have easily been intimidated into relinquishing their right to record the meeting. That Mr. Ahlquist was not intimidated is hardly a reason to ignore or minimize what happened yesterday.

This incident demonstrates both a disturbing distrust of the press and a woeful lack of regard for the importance of laws like OMA. Both freedom of the press and this nation's commitment to open government are facing significant challenges in our country at the moment. It is fair to say, without attempting to be overly dramatic, that this type of incident therefore takes on special significance at times like these.

Under the circumstances, Mr. Ahlquist believes – as does the ACLU – that, in order to avoid any similar incident from happening again, it is incumbent upon RIPTA to take steps to ensure that the appropriate officials and staff of your agency are fully educated on the public's right to attend and record public meetings.

May we hear from you in the near future whether you plan on taking any corrective action? Thank you in advance for your prompt attention to this.

Sincerely,

A handwritten signature in blue ink that appears to read "Steven Brown".

Steven Brown
Executive Director

cc: CEO Scott Avedisian
Steve Ahlquist