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**TESTIMONY IN SUPPORT OF 17-H 5347,  
RELATING TO PUBLIC RECORDS – 38 STUDIOS LLC  
February 8, 2017**

The ACLU of RI strongly supports this legislation, which provides for the release of many of the records surrounding the 38 Studios investigation. Specifically, it codifies a process to petition the Superior Court to release the grand jury records relating to the investigation, and further provides for the release, with certain exceptions to protect personal privacy, of the numerous investigatory records that were not presented to the grand jury.

There is, without a doubt, an extremely strong interest among the public in having these records disclosed, and for good reason. With the closure of the investigation, there is simply no reasonable excuse for continuing to keep the public in the dark about the evidence that was gathered in the course of this massive investigation into a just-as-massive state scandal.

Attached to this testimony is a letter that the ACLU and other open government groups wrote to the Attorney General and then-State Police Superintendent O'Donnell for release of the records. I will not rehash all of the arguments made for disclosure in that detailed letter other than to point out that there is nothing unprecedented in seeking the release of these records. In at least two instances in modern times, in response to similar high-profile circumstances, grand jury records have been released to the public. I refer to the Station Fire tragedy and the tragic death of off-duty Providence police officer Cornel Young, Jr.

As for releasing investigatory records unrelated to a grand jury investigation, we have two very recent examples where the State Police recognized that release of those records in the interests of transparency was warranted. Those instances were the agency's investigation of the Cranston parking ticket scandal, and its investigation of the controversial school resource officer "body slam" incident at Tolman High School in Pawtucket.

We recognize that Governor Raimondo has expressed plans to petition the Court for release of the grand jury records. Even so, passage of this legislation remains essential if for no other reason than to ensure release of all the non-grand jury records amassed during the investigation.

The ACLU urges passage of this important legislation in order to address the legitimate concerns many members of the public have raised about the secrecy surrounding this critical investigation, which still affects all of us as taxpayers. At this stage, we hope the Committee will agree that the public's right to know is paramount.