



128 DORRANCE STREET, SUITE 220  
PROVIDENCE, RI 02903  
401.831.7171 (t)  
401.831.7175 (f)  
[www.riaclu.org](http://www.riaclu.org)

**COMMENTS IN OPPOSITION TO AN ORDINANCE IN AMENDMENT OF  
CHAPTER 2013-3, NO. 84, RELATIVE TO LOBBYIST REGISTRATION  
November 25, 2014**

The ACLU of Rhode Island continues to oppose this ordinance, as it has since 2011. Although this ordinance has gone through several iterations – all of them unenforceable – in the last several years, the ordinance remains overly broad, vaguely worded, and particularly onerous on small, non-profit community organizations and agencies. The ACLU has long cautioned that enforcement of this ordinance will seriously chill and deter local advocacy efforts; now, we are particularly concerned that the proposed amendments to this legislation appear to target exactly those organizations that rely on non-compensated volunteers to advocate for the community, not the big-money interests that were purportedly the focus of early versions of this ordinance. The ACLU of Rhode Island respectfully urges the Ordinance Committee to recognize the particular needs of community organizations and eliminate the ordinance altogether.

The ordinance’s definitions of “lobbying” and “lobbyist” remain extremely expansive, ensnaring volunteers for dozens of community groups in time-consuming and costly lobbying registration activities. Individuals testifying before this Committee today are lobbying, as are those who work closely with the City Council and other City officials on issues related to racial profiling, school equity, housing, and a tremendous number of other issues of great concern to the residents of Providence. Many of these organizations are volunteer-driven, with community members taking personal time to engage with City officials on efforts critical to bring about change. This ordinance places a burden on those volunteers that is contrary to an open and collaborative government.

Under the ordinance currently on the books, any person deemed a “lobbyist” must register with the City, obtain a lobbyist badge and wear it any time while at City Hall or at other city offices, pay an annual registration fee, and file quarterly lobbying reports. They must disclose the name and contact information of their employer, even if that employer is unrelated to their lobbying, and must declare in advance every City official with whom they may speak in the next year and on what issues, even though they cannot possibly know those issues in advance. They must keep diligent records of exactly how much time they have spent over the past year, lest it reach the arbitrary threshold contained within the ordinance. (It remains unclear whether a non-profit employee or volunteer must register and report from the first lobbying activity, as the ordinance states, or once they hit their tenth hour of lobbying and are considered a lobbyist for the purposes of the ordinance.) They must declare their contributions to any City official, whether or not that City official is ever a target of their lobbying, and they must keep copies of all of this documentation for five years. If they violate any provision of this ordinance, whether or not that violation was committed knowing and willfully, they are subjected to virtually limitless penalties imposed by the “municipal integrity officer.” All of this because they volunteered to represent their community.

The ACLU supports government transparency, but we believe rigid enforcement of this ordinance, under either the existing language or the proposed amendments, will be most harshly felt by those organizations in the City with the least power. Enforcement of this ordinance will chill and deter the community advocacy critical to ensuring that all of Providence is heard, not simply the voices of those large organizations and agencies with the funds and infrastructure to navigate these requirements. We understand the City's interest in promoting transparency in government, but this ordinance is not, we submit, a proper way to achieve that goal.

In light of the above concerns, we respectfully ask the City Council to abandon efforts to implement the lobbyist registration program or repeal the ordinance entirely until these concerns can be alleviated. Thank you for your time and consideration of our views.