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ACLU OF RI POSITION: OPPOSE

**TESTIMONY IN OPPOSITION TO 21-H 5417,
RELATING TO PUBLIC RECORDS
February 26, 2021**

The ACLU of Rhode Island opposes this legislation which would make secret the municipal residences of law enforcement officers. While touted as a safety measure, this new exemption to the open records law could only provide a false sense of security, while undermining an important aspect of the Access to Public Records Act.

First, it is important to emphasize that APRA already severely restricts the amount of personnel information that can be disclosed about state and municipal employees. The municipality where employees reside is one of those few pieces of information. Any attempt to limit access to that information sets a troubling precedent that could, and undoubtedly would, end up being applied to other public employees.

Second, the only information that is releasable under APRA is the person's municipality. APRA does not provide for the release of street address information.

Third, in this day and age, it is all too easy to find a person's street address, and the belief that hiding an officer's municipality will protect them is foolhardy. Indeed, in many municipalities, people will know officers as their neighbors in the community.

Fourth, there is a public benefit to knowing information about police officers' city or town of residence. For example, do most police officers in a department come from the city or town they are sworn to protect, and therefore have a stronger connection to the community they are serving? Is there evidence that police officers accused of misconduct are more likely not to live in the municipality where they work? This is the type of information that municipal residency disclosure can shed light on.

Finally, approval of this bill can only lead to even greater erosions of transparency in police departments – agencies which are among the most prevalent violators of APRA. If there is a concern that knowing an officer's municipality can lead to finding their address, then what of a police officer who has an uncommon name? Should their name be secret because it too could be used to find out where they live? Once one accepts the premise of this bill, the ramifications on transparency are enormous.

For all these reasons, while we do not oppose legislation clarifying that *street addresses* of police officers are not public under APRA, we urge rejection of this bill.