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ACLU OF RI POSITION: AMEND

TESTIMONY ON 24-H 7758, RELATING TO ACCESS TO PUBLIC RECORDS March 14, 2024

The ACLU of Rhode Island is well aware of the threats that judicial officers across the country have increasingly faced in recent years across the country, and that this may warrant proactive measures. In response, Congress enacted legislation a few years ago that protects the home addresses of judges from disclosure. To the extent there is concern that Rhode Island's Access to Public Records Act doesn't explicitly provide similar protection, we appreciate and welcome efforts to clarify the law to address that. However, we do not believe that the law should also make secret the *municipality* in which judges reside.

We believe there is some public benefit to knowing information about judicial officers' city or town of residence. To give an example, and without suggesting it would actually affect a judge's impartiality, members of the public should be able to know, as a matter of transparency, if a judge handling a case involving a municipality also lives in that city or town.

Further, in many cities and towns, people know these judicial officials as their neighbors in the community. That is not surprising in a state like Rhode Island, which is not only extremely small, but it is also where everybody seems to know or be connected to everybody else. Indeed, it would not surprise us if judicial officers sometimes tout their home community when speaking in public, so this broader restriction seems excessive.

Three years ago, we opposed the adoption of legislation which made secret the name of the municipality where law enforcement officers reside. We argued that while touted as a safety measure, this exemption to the open records law provided a false sense of security, weakened transparency under the Access to Public Records Act, and – as evidenced by this bill – created a troubling precedent that could lead to dozens of other occupations seeking similar protection.

For these reasons, we urge that the bill be amended to specify that APRA shields from disclosure the home addresses of judges, but without further expanding current exemptions in the law. Thank you for your consideration of our views.