

THREE RHODE ISLAND VICTORIES IN CASES CHALLENGING THE TRUMP ADMINISTRATION'S UNCONSTITUTIONAL ACTIONS

The ACLU of RI has good news about our local cases challenging the Trump Administration's attempts to politicize and restrict federal funding to organizations — in Rhode Island and beyond. In just the past two months, we:

1. Won a major victory for **artists and free speech** — *read more below!*
2. Won a temporary restraining order in a new case **challenging restrictions on federal housing funding** based on whether the grant applicant operates in a “sanctuary jurisdiction” for immigrants — *more on p. 3*
3. Won a preliminary injunction so direct service organizations providing **support for domestic violence survivors and LGBTQ+ youth** can apply for funding without unconstitutional restrictions — *more on p. 3*

The biggest recent decision was in late September, when we won a major victory for First Amendment rights. One of the first cases we filed against the Trump administration, *Rhode Island Latino Arts v. National Endowment for the Arts* (NEA) challenged new, unconstitutional restrictions on the agency's grant funding application process. The restrictions included requiring applicants to check a box to certify that they would not “promote gender ideology” — a requirement added after President Trump signed an Executive Order with that language on his first day in office.

In September, U.S. District Judge William Smith ruled decisively that the NEA's restrictions violated the First Amendment because the grant guidelines imposed a viewpoint-based restriction on free speech, choosing what type of art and artists could receive funding based on their identities and their beliefs, instead of their merit and artistic excellence.

Additionally, the court ruled that the NEA's requirement that applicants not “promote gender ideology” violated the Administrative Procedure Act's “arbitrary and capricious” standard for rulemaking, noting that the agency changed their grant application requirements without offering any justifiable or logical reason.

After many months of work and court hearings and briefings, the victory here in Rhode Island means that artists and arts organizations *across the country* can apply for NEA funding without having to agree to irrelevant, unconstitutional restrictions.



Lawyers, plaintiffs, and advocates after the first hearing in *Rhode Island Latino Arts v. National Endowment for the Arts* last March

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***New!* Know Your Rights Material: What You Can Do as a Bystander to Immigration Action**

After seeing immigration enforcement activity across Rhode Island, we put together new material that lays out a few actions you can take if you see someone being detained, and how you can prepare yourself and your community. Read more at www.riaclu.org/bystander.

FROM THE DESK OF THE EXECUTIVE DIRECTOR

In the past month, we have seen increasingly brazen attacks on our First Amendment rights by the federal government. But we also obtained a major victory for artists and free speech in September.

The case against the National Endowment for the Arts, showcased on the front page of this newsletter, was filed in March, with four plaintiffs who were willing to stand up for free speech at a time when cases against the second Trump Administration were quite new. Taking a stand to be a plaintiff took courage. Now, six months later, that courage (and the tireless work of many ACLU attorneys) have resulted in an enormous victory against the NEA's unconstitutional grant restrictions.

While that is only one case about one federal agency's grants, the articles on Page 3 describe how our Affiliate and partner organizations have also been successful in challenging other questionable federal grant restrictions. You can be confident that we will continue to work to ensure that our fundamental rights are protected from these efforts.

Your support and action — be it as a member, a donor, or someone who knows their rights and shares them with their neighbors — is what makes this work possible.

Don't give up on our democracy. With you, we're fighting for it every single day — and I want to assure you that it is making a difference.

— Steven Brown

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ACTION IN PROVIDENCE

Providence Police Unveil New Surveillance Center, ACLU Seeks Protection for Rhode Islanders' Privacy

In August, the Providence Police announced the establishment of a "Real Time Crime Center" (RTCC), a new way the police have of integrating real-time feeds from various surveillance devices across the city — including drones, automated license plate readers, and even privately-owned camera systems if the owners opt in to the program. The centralized system raises enormous privacy issues that clearly call for the need for statutory protections.

The existing policies governing the RTCC contain no meaningful privacy safeguards for Providence residents, or anyone who works in or visits the city. Additionally, there are virtually no substantial local, state or federal laws currently in place that provide privacy protections to individuals against this type of quickly growing technological surveillance. In short, there is currently no way to ensure this extremely invasive system is not misused.

To address the issue, the ACLU of RI sent a letter to the Providence Mayor, police chief, and City Council, raising concerns about this new surveillance system, and urging the city's leaders to pass a robust municipal ordinance to ensure privacy rights are protected. We will continue to monitor and support the Council's work toward passing an ordinance. We encourage Providence residents to call and email their City Councilor in support of this effort to protect our privacy rights.



ACLU of RI Supports Providence City Council Draft Ordinance Improving Immigrant Protections

In early October, ACLU of RI Board member Carl Krueger testified in strong support of a proposal that would strengthen an existing Providence ordinance designed to protect our immigrant neighbors, and prevent the Providence Police from assisting immigration agencies unless legally obligated to do so by court order.

The draft ordinance being considered would bar Providence Police from sharing surveillance data and footage — like what is collected by the Real Time Crime Center and automatic license plate readers — to assist in federal immigration enforcement.

The ordinance would also, among other things, more clearly define a ban on "supporting" or "assisting" immigration agents. This is especially important after an incident in July when police responded to reports of a car accident and remained on the scene to assist immigration agents apprehend someone. The Council's Committee on Ordinances approved the ordinance, which will next be voted on at the full Council meeting on October 16.

ACLU OF RI v. TRUMP: CASE UPDATES

Court Blocks Unlawful Restrictions in New Case Protecting Federal Housing Grants

A federal judge in Rhode Island has issued a temporary restraining order in *National Alliance to End Homelessness v. Turner*, ensuring that, while the litigation continues, providers and communities will not be prevented from competing for critical federal housing funding simply because they are located in what the federal government deems to be “sanctuary jurisdictions.” These jurisdictions are municipalities and states that don’t adopt the Trump administration’s ideological agenda attacking protections for immigrants. Also potentially disqualified under the restrictions: states with harm reduction practices or inclusive policies for transgender people.

The federal government’s sudden addition of extreme, new grant criteria sought to deny funding to entire communities based on political considerations.

Specifically, the court order by Judge Mary McElroy halts the unlawful restrictions on federal housing funding through the “Continuum of Care Builds” program. For decades, U.S. Department of Housing and Urban Development homelessness programs like this one have supported states, localities, and service providers in building permanent supportive housing to reduce homelessness. The federal government’s sudden addition of extreme, new grant criteria seeks to deny funding to entire communities based on political considerations.

The local plaintiff, joined by the National Alliance to End Homelessness, is the Women’s Development Corporation, which develops housing for the elderly, the poor, and those with special needs in Rhode Island. The groups are represented by the ACLU of RI, Democracy Forward, National Homelessness Law Center, and the Lawyers’ Committee of Rhode Island.

Unconstitutional Restrictions on “Violence Against Women Act” Grants Blocked by Federal Judge

A federal court in Rhode Island issued a preliminary order blocking the Trump administration from enforcing unlawful restrictions on grants from the U.S. Department of Justice’s Office on Violence Against Women. The court’s decision in the case, *R.I. Coalition Against Domestic Violence v. Bondi*, halts dangerous new requirements that threatened to cut off life-saving resources to survivors, especially those from marginalized communities, and made it impossible for many state coalitions that provide services to victims of domestic violence and sexual assault to operate legally or effectively.



After taking office in January, the administration issued a series of executive orders directing agency heads to impose conditions on federal funding, including to curtail diversity, equity, and inclusion (DEI) programs that the administration deems “illegal” and “immoral,” and efforts that recognize and represent people regardless of gender identity. Seventeen state coalitions — including the R.I. Coalition Against Domestic Violence as lead plaintiff — challenged the unlawful restrictions in the Rhode Island court, arguing that the administration had overstepped its authority and violated statutory requirements established by the Violence Against Women Act. In a detailed written opinion, the court agreed.

The suit was filed by attorneys from the ACLU of RI and the Lawyers’ Committee of RI, Democracy Forward, Jacobson Lawyers Group, and the National Women’s Law Center.

New! We’ve Updated Our Website

We invite you to check out our new website — still at www.riaclu.org — to read our recent news, find Know Your Rights materials, or check for upcoming events.

The Latest

News & Commentary



Court Rules in Favor of Artists, Free Speech, in Case Against the National Endowment for the Arts

Court strikes down unconstitutional grant restrictions on various legal...

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News & Commentary



ACLU of RI Statement on the Need to Protect Free Speech

“The ACLU has a long history of defending free speech — not just when it’s easy or agreeable...

[Explore More >](#)

Know Your Rights



KNOW YOUR RIGHTS: What You Can Do as a Bystander During Immigration Enforcement Actions

It’s easy to freeze when you see immigration agents (ICE) detaining someone, especially...

[Explore Your Rights >](#)

Resource



Firewall for Freedom: Protecting Rhode Island

The work to protect our rights and liberties is a marathon, not a sprint.

[Explore Page >](#)

RECENT ACLU OF RI ADVOCACY

CASE UPDATE

STUDENTS' RIGHTS R.I. Superior Court Judge Joseph McBurney has upheld R.I. Department of Education (RIDE) regulations that protect transgender and gender nonconforming students from discrimination in school. The judge rejected arguments from opponents of the rules that a state law barring “sex discrimination” in schools did not apply to protect LGBTQ+ students. The ACLU of RI submitted a “friend of the court” brief in the case and plans to file another one in support of transgender students’ rights now that the decision has been appealed.

ADVOCACY

ARTIFICIAL INTELLIGENCE We submitted detailed testimony to the R.I. Attorney General, who sought input on the adoption of regulations addressing the use of artificial intelligence by third parties in making housing, healthcare, education, and employment decisions. Our comments noted the importance of having rules in place to counter the problems of discrimination and bias that often permeate algorithm-derived decision-making.

OPEN RECORDS Arrest reports are one of the only documents that the state’s Access to Public Records Act (APRA) explicitly deems a public record. The ACLU was therefore surprised to receive a complaint that the legal counsel for the State Police refused to release such a report to a requester, claiming that the documents were “exempt in their entirety under Rhode Island law.” After the ACLU sent a sharply worded appeal letter, the agency reversed course and released the records. However, the incident stands as a clear example of the brazen way agencies sometimes ignore their APRA obligations.

ACCESS TO THE COURTS After being informed by Rhode Island Legal Services that the Family Court clerk’s office was requiring complainants to include their email address in order to file a case, the ACLU wrote to the court’s Chief Judge pointing out the barrier this imposed on indigent individuals who did not have an email account. The court quickly agreed to halt the clerk’s practice.

POLICE MISCONDUCT In the latest update to the story of a Pawtucket police officer who shot a resident waving a toy gun, the ACLU of RI called on the Rhode Island Police Accreditation Commission (RIPAC) to review the police department’s accreditation after the Pawtucket City Council refused to investigate the incident.

Not only did the officer fail to turn on his body camera during the encounter, but the police chief took no action when he didn’t submit any written report of the incident either, a clear violation of departmental policy and accreditation standards. Whether coincidental or not, RIPAC initiated a review of the department two weeks after the ACLU’s letter, and we now await the results of that review.



The ACLU’s letters and testimony on the items that are described above — and many others — can be found on our website at www.riaclu.org/letters-testimony.

ELECTION: ACLU of RI Board of Directors

Are you interested in being considered for the ACLU of RI’s Board of Directors? If so, let us know and we will provide you information about the process and Board Member duties and responsibilities. We especially welcome a diverse pool from our membership. You can let us know of your interest by emailing us at info@riaclu.org.

STATEMENTS ON LOCAL NEWS

ACLU of RI Issues Statement on the Need to Protect Free Speech

The Rhode Island affiliate issued the following statement on the need to protect the First Amendment, after a Barrington teacher's personal social media post about Charlie Kirk's shooting led to an investigation by the school:

"The ACLU of Rhode Island strongly condemns political violence, as it erodes and chills the free and democratic exchange of ideas underlying the protections of the First Amendment. At the same time, stifling controversial, and even offensive, speech in response to that violence also erodes those principles.

"The investigation of the comments made by a Barrington high school teacher on his own time and in his personal capacity in response to the killing of Charlie Kirk highlight the danger of stifling speech. While speech directly intended to provoke violence is not protected by the First Amendment, the ability to speak freely in one's private capacity about public issues — including the right to criticize, challenge, and denounce opposing political views, however crudely — must be safeguarded, especially when that speech is considered unpopular or provocative. Otherwise, everybody's free speech is at risk, dependent on the political tides.

"The controversy in Barrington is not an isolated incident. It reflects a disturbing national trend of speech suppression and an increasing use of government power to silence opposing beliefs and voices.

"The ACLU has a long history of defending free speech — not just when it's easy or agreeable, but also when it's difficult and divisive. Core political speech must be defended most fiercely when it is controversial, because that is precisely when it is most at risk."

ACLU Condemns Brown University's Agreement to Adopt Language from Trump Administration Anti-Transgender Executive Order

The ACLU of RI, GLAD Law, and the RI Center for Justice issued a joint statement on Brown University's capitulation to the Trump Administration by adopting anti-transgender language as a matter of school policy. The statement called the agreement "profoundly disturbing," especially for the "university's seeming willingness to use transgender people as a bargaining chip by adopting the narrow definition of sex from the administration's discriminatory executive order that denies transgender people's existence." The groups reiterated their support for all students, faculty, and staff whom Brown University still has the responsibility to protect and support. The statement ended with remarks on academic freedom and democracy:



"Our democracy can't function without independent institutions of higher learning to develop and safeguard the knowledge and tools we need to advance the values and ideals of a healthy, thriving society. Yet the Trump administration is engaged in an unrelenting campaign to undermine these institutions and values. Students and faculty alike need the freedom and resources to think, study, learn, research, and innovate if our country is to remain a leader in our increasingly complex world. We hope other universities and educational institutions will stand strong against this administration's bullying and coercion to protect the core values of the pursuit and protection of knowledge and understanding, academic freedom, freedom of expression, and openness to a range of different perspectives and experiences."

Separately, the ACLU of RI called on Brown University President Christine Paxson to publicly and unequivocally reject another demand in October from the Trump administration that it enter into a "compact" that would restrict university employees from speaking out on political issues, limit the enrollment of foreign students, and call for the punishment of individuals who "belittle" conservative ideas. The ACLU awaits the university's response.

TAKING ACTION

YOUTH ADVOCATE

Annie Boone, a rising junior at Barrington High School, attended the National ACLU's Summer Advocacy Institute. Here are her thoughts about the experience:

"I had the incredible opportunity to attend the National ACLU Institute at American University. I connected with passionate peers from around the country and engaged in energetic discussions about civil liberties and justice. A highlight that impacted me was an elective about student surveillance and how big tech companies are instilling fear in schools to get people to buy their destructive products. Another thing that inspired me was the day of action, where we applied all we learned about advocacy to empower us to take action.

"I participated in phone banking, where I called people and told them about KOSA, the Kids Online Safety Act, a bill that would limit children's First Amendment rights. I asked them to fill out a form that would send a message to their representatives to let them know to vote 'no' to this bill. I was lucky enough to get on the phone with many people, most of whom filled out the form.

"I felt empowered and excited that I made a difference, even if small. As I learned from my inspiring peers and this excellent program, it is never too early to stand up for something you believe in and make your voice heard. The experience deepened my understanding of advocacy and inspired me to use my voice more boldly."



DEVELOPMENT CORNER

Friend,

We continue to be in turbulent times, and I wholeheartedly believe one part of the solution is *always* to lean into community. Talk to your neighbors, send a text to that friend you've been meaning to check in on, gather together in this time when we can feel more isolated than ever by threats from the federal government.

I saw this in action at a recent house party hosted by a long-time ACLU supporter, Karen Ziner. She gathered more than 20 people together in her home. I attended with our Executive Director to discuss our ongoing work to protect Rhode Islanders' civil liberties. It was a warm, welcoming evening that raised money to support our work and brought Karen's community together.

If you'd like to host a house party to support our work, or to simply share information about the ACLU of RI, reach out to me any time at development@riaclu.org or 401-831-7171. A house party doesn't have to be fancy — invite 10 friends to your home, order a pizza, and make space to connect with your community about what's happening in our state. We can provide educational materials and resources, and our staff can plan to attend to talk about the ACLU of RI's work.

And, if you want to connect with more local people who care about civil liberties, I invite you to join us at our Annual Meeting on November 6 — all the details are on the next page!



– Monica Smith, Development Coordinator

Photo by Maddie Van

EVENTS & COMMUNITY

There are still tickets available for our 2025 Annual Meeting!

Connect with fellow advocates, community members, and supporters as we reflect on the past year, honor Marta V. Martinez and Rhode Island Latino Arts for their strong stand for civil liberties, and prepare for the challenges before us.

Thursday, November 6, 2025 | 6:00pm - 8:00pm
The Guild in Pawtucket, 461 Main St, Pawtucket



Tickets \$25. Free parking, a variety of appetizers, and a drink included.

Go to www.riaclu.org/AM or scan the QR code with a smart phone.



BANNED BOOKS WEEK EVENT RECAP:

1984 and How We Protect Our Freedoms

We gathered in Cranston to discuss George Orwell's *1984*. Local reporter and author Philip Eil joined us to read excerpts from the book, then we held a discussion about themes that resonate with the threats to our democracy today. Our Policy Associate, Madalyn McGunagle, presented on local and state issues that we're currently taking action on, and how everyone can get involved. All attendees received a packet of resources, which can be found on our website at www.riaclu.org/1984.

Special thanks to the Rhode Island Library Association for co-sponsoring this event, and to Sylvia Pacheco for designing our Banned Books Week merch! Find Sylvia's work at www.noodlcatstudio.org.



Attendees discuss George Orwell's *1984* in small groups during the Banned Books Week event



From back to school events (left and center), a CCRI Democracy fair (right), a folk festival, and professional conferences, we've been out in the community sharing information and resources across the state. Special thanks to our staff, Board Members, and volunteers for helping to spread the word!



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This newsletter includes updates on our continuing work to protect free speech, privacy, and other fundamental rights — including three recent major court victories.

Plus, an invite to our Annual Meeting on p. 7!

If you'd like to help us continue our work of protecting and defending civil liberties across Rhode Island, consider making a special tax-deductible gift:

MAIL A DONATION

Mail a check made out to
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IN THIS ISSUE:

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about a new case to
ensure "sanctuary
jurisdictions" can still
receive federal housing
money.