

2025 ACLU OF RHODE ISLAND CASE DOCKET

Active Cases: January-November 2025

* Indicates case opened in 2025; # indicates case closed in 2025

Includes the names of the attorneys of record for ACLU of RI

ACLU of Rhode Island v. Salisbury. ACCESS TO THE COURTS. Lawsuit challenging the Department of Corrections' unilateral adoption of practices authorizing the opening of attorney-client mail outside the presence of prisoners. Sonja Deyoe, Lynette Labinger

Andrew C. v. McKee. CHILDREN'S RIGHTS. ACLU of RI joined in this federal class action lawsuit requiring DCYF to implement systemic reforms to improve the treatment of children in its care. Following a detailed settlement agreement entered in 2017, monitoring of the agreement has concluded this year with successful completion of its terms by the agency. Lynette Labinger

A.O. v. Warwick School District. ECONOMIC JUSTICE. Appeal before the R.I. Department of Education of a school district policy that charges families for repairs and replacement of school-loaned Chromebooks regardless of ability to pay. RIDE ruled that the policy was lawful, and an administrative appeal has been filed. Ellen Saideman

A.P. v. North Kingstown School District; P. Doe v. West Warwick School District. STUDENTS' RIGHTS. Administrative complaints filed jointly with R.I. Legal Services against two school districts for excessively restraining and placing in seclusion young children, resulting in trauma and physical injury. The cases have been briefed, and a decision is awaited. Ellen Saideman

* ***Bilow and Brigham v. Brown University.*** OPEN RECORDS. Lawsuit contesting the Brown University Police Department's position that it is not subject to the state's Access to Public Records Act. Defendants have filed a motion to dismiss. Fausto Anguilla

Blackie v. Hammond. POLICE MISCONDUCT/RACE DISCRIMINATION. Federal lawsuit on behalf of an African American man arrested and jailed twice based on a Woonsocket police officer's knowingly false affidavit. The case settled for a substantial monetary sum. Joshua Xavier, Chloe Davis

Cintron v. Bibeault. RIGHTS OF PRISONERS. A "friend of the court" brief supporting an ACI inmate's challenge to his confinement in solitary for over a year as cruel and unusual punishment. The appellate court agreed that the treatment of the prisoner violated his Eighth Amendment rights. Sonja Deyoe, Lynette Labinger

Cote v. Travis. FREEDOM OF SPEECH. Federal lawsuit challenging the Warwick City Council's refusal to allow a resident to speak at a meeting based on the content of his remarks. The City agreed to the entry of a consent order allowing him to make his comments at the next Council meeting. Discovery is proceeding. Thomas W. Lyons, Rhiannon Huffman

*# ***DeBritto v. R.I. Department of Corrections.*** RELIGIOUS FREEDOM/PRISONERS' RIGHTS. Successful representation with RWU Prisoners' Rights Clinic of an ACI inmate to address the lack of appropriate meals for Muslim prisoners who observe Ramadan. Lynette Labinger

* ***Doe v. Infante-Green.*** LGBTQ+ RIGHTS. "Friend of the court" brief opposing a lawsuit challenging a R.I. Department of Education regulation that protects transgender and gender nonconforming students from discrimination in school. The court upheld the regulation, and the decision has been appealed. Ellen Saideman, Lynette Labinger

Doe v. Providence School District. STUDENTS' RIGHTS/RIGHTS OF IMMIGRANTS. Lawsuit, filed with R.I. Legal Services, charging the Providence School District with violating the rights of English Language Learner students. A court ruled that the district was in violation of the law, and a RI Department of Education hearing officer is considering potential remedies. Ellen Saideman

*# ***G.M.G. v. Trump.*** RIGHTS OF IMMIGRANTS. Federal lawsuit, filed with the National ACLU, to prevent a Venezuelan national's deportation under the Alien Enemies Act. The court barred his transfer without advance notice. After further hearings, the petitioner was granted asylum and released from prison. Lynette Labinger National ACLU: My Khanh Ngo, Lee Gelernt

Gaines v. State of Rhode Island. DISABILITY DISCRIMINATION. Lawsuit challenging the R.I. Department of Education's failure to reasonably accommodate the plaintiff's disability while employed there. Discovery is proceeding. Sonja Deyoe, Lynette Labinger

* ***In Re: GoodRx and Pharmacy Benefit Manager Antitrust Litigation.*** DISABILITY RIGHTS. The ACLU of RI is assisting the AIDS Healthcare Foundation in this antitrust suit challenging prescription drug pricing practices of pharmacy benefit managers that create significant financial burdens on HIV patients seeking necessary health care. Lynette Labinger

* ***Guerrero Orellana v. Moniz.*** RIGHTS OF IMMIGRANTS. Federal class-action lawsuit filed by the ACLU of MA on behalf of immigrants in the jurisdiction of the First Circuit, challenging the federal government's action in misclassifying immigrants in order to deny them immigration bond hearings.

*# ***J.E. v. Barrington.*** STUDENTS' RIGHTS/FREEDOM OF SPEECH. Representation of a student in a school's C.T.E. program who was removed from the program after making an allegedly "threatening" social post on her private Instagram account. After an administrative appeal was filed, the school district agreed to reinstate the student to the program. Ellen Saideman

J.E.L. v. Charest. CHILDREN'S RIGHTS. Class-action lawsuit, filed with Disability Rights Rhode Island and a national children's rights group, challenging the state's denial to Medicaid-eligible children of their right to community-based mental health care. The suit is in mediation. Lynette Labinger

Johnson v. City of Pawtucket. RACE DISCRIMINATION/STUDENTS' RIGHTS. Federal lawsuit on behalf of a 13-year-old Black middle school student arrested by a school resource officer and detained in jail for allegedly fighting with another girl. A motion by defendants to dismiss the case was denied, and discovery is proceeding. Shannah Kurland, Lynette Labinger

Liberty v. R.I. Department of Corrections; Paiva v. R.I. DOC. DISABILITY RIGHTS. Two federal suits, one filed with the ACLU National Prison Project and Disability Rights RI, challenging the DOC's use of solitary confinement, including on individuals with severe and persistent mental illness. Settlement negotiations are proceeding. James Rollins ACLU NPP: Maria Morris

*# ***Mayer v. Town of Smithfield.*** FREEDOM OF SPEECH. Federal lawsuit challenging school district actions in blocking a local school critic from the official X accounts of the district and the superintendent. Under a settlement agreement, the district agreed to unblock the plaintiff and others from the accounts, and to make both accounts fully public. David Cass

McLaren v. Salisbury; DePina v. Salisbury; Leyland v. Salisbury. RIGHTS OF PRISONERS. Separate negligence lawsuits brought on behalf of the families of three people who died by suicide in the span of five months while incarcerated at the ACI. The court denied defendants' motion to dismiss the cases, and discovery is proceeding. Mark Decof, Jeffrey Mega, Shad Miller

Morelli v. Rhode Island Public Transit Authority. RIGHT TO PRIVACY. Class-action lawsuit challenging RIPTA and United Healthcare's negligence over a data breach that compromised the personal and health care information of thousands of current and former state employees. A settlement agreement authorizing compensation to the class members has been entered. Peter Wasyluk, Carlin Philips

* ***National Alliance to End Homelessness v. Turner.*** DUE PROCESS. Federal lawsuit, filed with local and national groups, barring federal housing grants to organizations in states that are deemed "sanctuary jurisdictions" for immigrants. The court halted the award process and ordered that the grant funds be preserved pending further hearing. Lynette Labinger

* ***Parente v. Lefebvre.*** ACCESS TO THE COURTS. "Friend of the court" brief, filed with the National ACLU, arguing that the State does not have sovereign immunity from suit under the R.I. Civil Rights Act. Lynette Labinger National ACLU: Terry Ding, Matthew Segal

Parents Leading for Educational Equity v. Providence Public School Department. DISABILITY RIGHTS. Federal lawsuit challenging the Providence School District's failure to provide 3-to-5-year-olds the special education services to which they are entitled under the law. A detailed settlement agreement was entered and complied with. Ellen Saideman, Lynette Labinger

*# ***Pasula v. U.S. Department of Homeland Security.*** RIGHTS OF IMMIGRANTS. Federal class-action lawsuit, filed by four regional Affiliates, on behalf of students whose immigration status was abruptly terminated with no explanation. The government restored the plaintiffs' status and reactivated other student statuses nationally. Lynette Labinger ACLU of New Hampshire: Gilles Bissonnette

Pawochawog-Mequinosh v. R.I. Department of Corrections. RELIGIOUS FREEDOM. Federal lawsuit challenging prison policies that limit the religious freedom of incarcerated individuals, in this case a Native American's request to wear a religious headband. The headband was provided, and a settlement agreement was entered. Jared Goldstein, Lynette Labinger

Perry v. Spencer. RIGHTS OF PRISONERS. "Friend of the court" brief filed by ACLU Affiliates in the First Circuit seeking review of a decision granting qualified immunity to corrections officials who placed a person in solitary confinement for over a year. The appellate court concluded that the appellant had not received the process due to him for such a lengthy placement in solitary.

* ***R.I. Coalition Against Domestic Violence v. Bondi.*** DUE PROCESS. Federal lawsuit, filed with local and national groups, challenging conditions placed by the Office on Violence Against Women on federal grant funding, including a bar on "activities that frame domestic violence or sexual assault as systemic social justice issues rather than criminal offenses." The court issued a preliminary injunction against enforcement of the provisions. Lynette Labinger

* ***R.I. Coalition Against Domestic Violence v. Kennedy.*** DUE PROCESS. Federal lawsuit, filed with local and national groups, challenging restrictions on grant funding by federal housing and human service agencies to organizations supporting DEI efforts and transgender individuals. The court has temporarily barred imposition of the certification requirements on the plaintiffs. Lynette Labinger

In re R.I. Department of Labor and Training. LANGUAGE DISCRIMINATION. Federal administrative complaint, filed with R.I. Legal Services, challenging the state DLT's failure to provide adequate language interpretation services. The U.S. Department of Labor found the DLT in violation of a prior consent decree and ordered compliance measures. Ellen Saideman

* ***Rhode Island Latino Arts v. National Endowment for the Arts***. FREEDOM OF SPEECH. Federal lawsuit, filed with the National ACLU, challenging the legality of conditions placed on the receipt of federal arts grants, including a ban on “promoting gender ideology.” The court ruled that the conditions violated the First Amendment and Administrative Procedure Act and enjoined their use. Lynette Labinger National ACLU: Vera Eidelman, Scarlet Kim

Rivera v. Butler. FIRST AMENDMENT RIGHTS. Lawsuit on behalf of low-income tenants threatened with eviction for associating with a non-profit agency that organizes tenants to vindicate their rights to safe housing conditions. An interim settlement agreement was entered and additional proceedings are pending. Lynette Labinger

Shepard v. Diniz. FREEDOM OF SPEECH. Federal lawsuit, filed with the R.I. Center for Justice, challenging a person’s placement in solitary confinement for eight months after he internally raised concerns about prison conditions. Discovery is proceeding. Sonja Deyoe

* ***Smith v. R.I. Department of Corrections***. RELIGIOUS FREEDOM/RIGHTS OF PRISONERS. Federal lawsuit, filed with the RWU Law Prisoners’ Rights Clinic, on behalf of Native American prisoners, challenging the DOC’s failure to reasonably accommodate their religious practices. A decision is awaited. Lynette Labinger

* ***State of New York et al. v. Kennedy***. REPRODUCTIVE FREEDOM. “Friend of the court” brief, filed with national abortion rights organization, supporting a challenge to the Trump administration’s unilateral dismantling of the federal agency that researches maternal health issues. Lynette Labinger

Stern v. City of Providence. OPEN RECORDS. Lawsuit challenging the City’s refusal to release any documents about its decision to bar a rapper’s performance at a nightclub. After the City’s summary judgment motion was denied, a settlement agreement was entered. Jeff Levy

* ***Tuttle v. McKee***. FREEDOM OF SPEECH. Federal lawsuit challenging the closing of the State House rotunda prior to the Governor’s annual State of the State address in order to prevent a planned rally from taking place there. Sonja Deyoe, Lynette Labinger

* ***United States v. Worster; United States v. Carl***. RIGHT TO PRIVACY. “Friend of the court” brief challenging a federal law that bars unlawful users of controlled substances under federal law, including medical marijuana, from possessing firearms. Thomas W. Lyons, Rhiannon Huffman

* ***Wilson v. R.I. Department of Corrections***. RELIGIOUS FREEDOM/RIGHTS OF PRISONERS. Federal lawsuit filed with the RWU Prisoners’ Rights Clinic, challenging restrictive policies governing the religious freedom of Muslim prisoners at the ACI, including their ability to observe Ramadan and to engage in communal prayer. Lynette Labinger

Yanes v. Martin. RIGHTS OF IMMIGRANTS. Class-action federal suit, filed with the National ACLU at the beginning of the Covid-19 pandemic, challenging the continued civil detention of ICE detainees at the Wyatt Detention Center in light of the unique dangers of spreading the disease in prison facilities. The suit led to the release of dozens of detainees and, under a settlement agreement, adoption of detailed Covid-19 mitigation measures. Deborah Gonzalez, Jared Goldstein