RHODE ISLAND **CIVIL LIBERTIES**

NEWSLETTER OF THE ACLU FOUNDATION OF RI

JAN/FEB 2026
VOLUME XXXII
ISSUE 1

PRIVACY TAKES CENTER STAGE IN TRUMP VOTER LAWSUIT

Seeking to stop the federal government's overreach and potential misuse of voters' sensitive data, the ACLU and ACLU of Rhode Island, representing Common Cause and individual voters, intervened in a Department of Justice (DOJ) lawsuit demanding that Secretary of State Gregg Amore turn over sensitive, non-public information contained in the Rhode Island state voter file. In their brief, the ACLU lawyers concisely describe the DOJ's lawsuit as "an affront to the rule of law, the role of the judiciary, and the intelligence and rights of the American public."

The government has argued that the purpose of the demand for these records is to "ascertain Rhode Island's compliance with the [voter] list maintenance requirements" of federal voting laws, but the DOJ has never explained how access to this information — and particularly to the personal, non-public portions of the voter data — would assist the agency in doing that.

Instead, the ACLU brief argues that the DOJ has never denied that the true purpose of the request is to create a national voter database to "identify ostensibly ineligible voters and challenge their right to vote."

The federal government's use of private voter data would not only lead to faulty data matching and attempts to disenfranchise qualified voters, it would also make this sensitive information more vulnerable to hacking.

A court hearing on the ACLU's motion to dismiss the DOJ lawsuit is scheduled for March. Information on another lawsuit that the ACLU of RI and other groups are pressing against the Trump administration can be found on p. 6.

2026 Legislative Session

A lot is at stake during this year's legislative session, with our chance to create tangible legal protections for people under attack by our federal government — especially immigrants and those seeking reproductive and gender-affirming health care.

We are hard at work trying to get these bills over the finish line this year, but we need your help. Read more about some of our priority bills on p. 4, register for our legislative advocacy training at the link on p. 7, and get involved this session!

LOOK INSIDE

SURVEILLANCE TECHNOLOGY WIN IN RI

Even though more than 240 automated license plate reader (ALPR) cameras have spread across Rhode Island in recent years, we have had a series of wins for privacy in Rhode Island at the beginning of 2026.

These surveillance cameras, mostly made by the brand Flock Safety (pictured), are virtually unregulated in the state and have extensive data collection capabilities. The data is often shared with police and federal agencies across the country for immigration enforcement and other questionable purposes.

However, in response to a concerted ACLU of RI campaign, both the Warren and Portsmouth Town Councils rejected Flock Safety cameras in the past two months. Additionally, although Bristol agreed to install a camera at the request of the state police, the Council agreed to adopt an ordinance to limit the camera's use. Middletown has postponed its consideration of purchase of six cameras in response to community and ACLU objections. *Read more about Flock Safety ALPR cameras and the ACLU's campaign on p. 3.*

ACLU Rhode Island

FROM THE DESK OF THE EXECUTIVE DIRECTOR

Two months into 2026, and we already have our work cut out for us this year. But we've been able to respond quickly to new threats to our rights, and to continue forward steadily and strategically, addressing protections for those most vulnerable in our communities.

As you saw on the front page, we quickly intervened in a case to prevent the Trump administration from receiving sensitive personal data of Rhode Island voters. Simultaneously, we've been raising awareness about surveillance camera technology here in Rhode Island that is not only capable of being misused now, but sets up our state for expanding "surveillance creep" for years to come.

In the legislative session, we will be pushing for bills that would provide civil rights protections at the state level that are currently being undermined at the federal level. The need to enshrine legal protections in state law cannot be overstated.

If you want to get more involved in Rhode Island law-making, check out our upcoming legislative advocacy training info on p. 7. It's always a rewarding experience for me as a presenter, and we hear feedback that it's rewarding for attendees too.

Your support and involvement make the difference. Thank you.

— Steven Brown

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DEFENDING THE **FIRST AMENDMENT**

ACLU and Law Clinic Sue Again Over ACI's Failure to Accommodate Religious Freedom of Native Americans

For the third time in as many years, attorneys for the ACLU of Rhode Island and the RWU Law Prisoners' Rights Clinic have sued the R.I. Department of Corrections (RIDOC) over its refusal to accommodate the religious practices of Native American prisoners at the ACI.

The lawsuit was filed by Jared Goldstein, Director of the Clinic, and ACLU of RI cooperating attorney Lynette Labinger on behalf of five prisoners of Native American ancestry housed at the ACI's maximum security facility.

The complaint argues that RIDOC has refused to accommodate an array of religious practices that Native Americans are routinely allowed to practice in federal and state prisons across the country. The suit documents the plaintiffs' repeated unsuccessful efforts to get RIDOC to accommodate their beliefs, including the right to hold religious ceremonies, to possess religious items such as headbands and dreamcatchers that express their religious traditions, and to be given a diet consistent with their religious beliefs.

ACLU of RI Challenges Landlord's SLAPP Suit Against Tenant Organizers

In response to a defamation lawsuit filed by controversial landlord Jeffrey Butler against tenants and tenant organizers, the ACLU of RI and private counsel have filed a counterclaim alleging that the lawsuit is a classic SLAPP suit aimed at chilling the tenants' freedom of speech.

> Strategic Lawsuit Against Public Participation are lawsuits that target individuals for exercising their rights to free speech and petition guaranteed by the First Amendment and that seek to chill that speech.

The suit and countersuit are part of a multi-year history involving Butler and his property management company, Elmwood Realty. A mugshot of Butler, taken after an altercation with some tenants that led to arrests in 2024, was posted on a TikTok account run by some of his unionized tenants, along with the caption "Jeffrey Butler, slumlord." The TikTok had background music from a rap song which contained the lyric, "You are not a pimp/You're a borderline sex offender."

Although the TikTok was taken down shortly thereafter, more than a year later Butler brought this pending suit against the tenants and union organizers, claiming that the TikTok reference to "sex offender" defamed him. The ACLU's counterclaim, filed by ACLU of RI cooperating attorney Lynette Labinger and private counsel Mary Dunn, argues that the TikTok post was protected by the state's anti-SLAPP law as it was about a matter of public concern, and Butler has acknowledged he is a public figure. The counterclaim seeks dismissal of the lawsuit and an award of attorneys' fees.

State Agrees to Allow Access to State House Rotunda by Protesters Before the 2026 "State of the State" Address

In an important preliminary victory for First Amendment rights and the role of the State House as a quintessential forum for free speech activity, state officials agreed to keep most of the first floor and rotunda open for use by the public, including those engaged in peaceful protest, immediately prior to, and during, Governor McKee's annual "State of the State" address in January.

2026 "Peoples' State of the State" rally in the State House rotunda

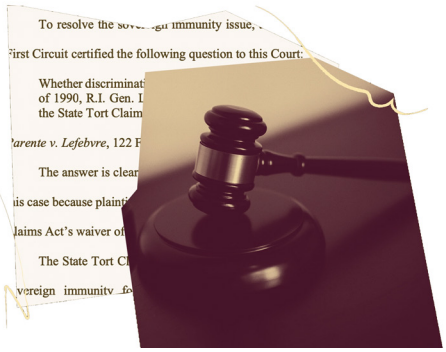
The decision to keep the rotunda open was in response to a lawsuit filed in 2025 by attorneys for the ACLU of RI on behalf of activists who were intentionally denied access to the rotunda for a rally and threatened with arrest prior to January 2025's annual gubernatorial address. The rally was held this year without incident, but the lawsuit seeking permanent relief will proceed.

BRIEF CHALLENGES ATTORNEY GENERAL ON **CRITICAL CIVIL RIGHTS QUESTION**

The ACLU of RI filed a brief in the state Supreme Court challenging the RI Attorney General's troubling position that state officials are immune from suit under one of RI's key anti-discrimination civil rights statutes. Oral argument was heard in early February, and we are awaiting a decision from the court.

The lawsuit involves two men incarcerated at the ACI who allege that the state Department of Corrections discriminated against them based on their disabilities, in violation of federal law and the Rhode Island Civil Rights Act (RICRA), by deliberately ignoring and exacerbating their preexisting medical conditions. In response, the Attorney General argued that the State has sovereign immunity from suit and therefore can discriminate based on disability without being sued under RICRA.

The ACLU's brief contests that position, arguing that "shielding state actors from RICRA liability would undermine the statute's broad purpose" and often "leave individuals discriminated against by state officials without a remedy."


To resolve the sov... immunity issue, ...
First Circuit certified the following question to this Court:
Whether discriminat... of 1990, R.I. Gen. L... the State Tort Claim...
...arente v. Lefebvre, 122 F...
The answer is clear...
...is case because plaintif...
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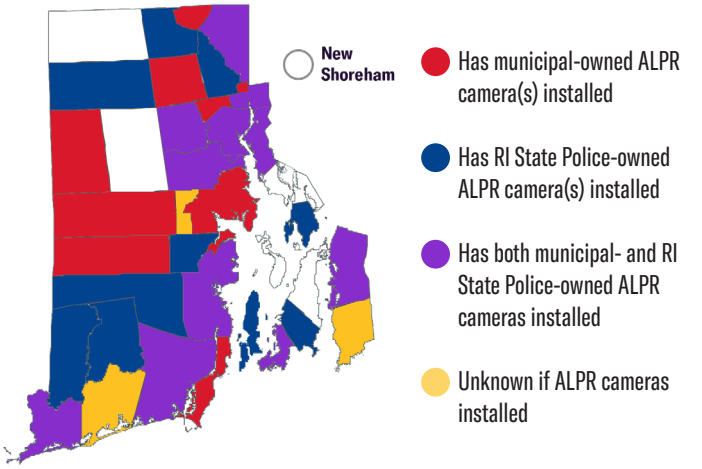
PRIVACY & SURVEILLANCE TECHNOLOGY IN RI

Cont'd from p. 1 In addition to municipalities entering into contracts with Flock Safety, the Rhode Island State Police have been soliciting approval to install 39 Flock Safety ALPR cameras in 22 municipalities. While the ACLU has had some success in beating back this effort, with a handful of Town Councils that have rightfully brought the request up for a public hearing and a vote, many police chiefs signed off on the State Police-owned cameras without any public input.

Want more information? We held a webinar in early February explaining what ALPRs are, how they get installed in the state, issues and potential misuses, and what actions you can take to get them removed from your community. To learn more, go to www.riaclu.org/alpr101 or to our YouTube channel to view the webinar.

MAP: AUTOMATED LICENSE PLATE READER CAMERAS IN RHODE ISLAND BY MUNICIPALITY *as of February 6, 2026*



GOOD BILLS IN THE RI LEGISLATIVE SESSION

This is our annual list of "good" bills introduced at the beginning of the session — bills that will protect or expand civil liberties in our state, if enacted into law. While several of these bills may seem familiar from past sessions, every one of them would benefit many Rhode Islanders across the state.

We encourage you to pick a bill, send an email or make a phone call to your state legislators, and tell them your views on it! Your words as a constituent hold weight. For more information about any of these bills, check out the legislative section of our website, and our legislative dashboard weekly for information about bills that are coming up for a hearing that week. Go to www.riaclu.org/legdashboard.
Note: If a bill does not have a bill number, it has not yet been introduced as this newsletter went to print.

REPRODUCTIVE FREEDOM

Reproductive Freedom and Gender-Affirming Care Health Data Privacy Act (H 7357)
In an effort to protect reproductive and gender-affirming healthcare data, the ACLU supports this legislation, which limits the dissemination and sale of certain consumer health data without consent. The bill is a direct response to efforts in some "red" states to track the location of individuals who may travel across state lines to seek health care that is prohibited in their own state. Unfortunately, modern technology makes such tracking much too easy; hence this bill.

GOVERNMENT TRANSPARENCY

Access to Public Records Act (H 7305, S 2389)
For the third year, the ACLU is working with a coalition of open government groups to support legislation that would make important comprehensive changes to strengthen access to public records. They include limiting the costs that can be charged for releasing records that are in the public interest, providing more access to records of police misconduct, and requiring greater transparency by public bodies in explaining their reasons for withholding records. Not surprisingly, the bill has been vigorously opposed by state agencies

ACCESS TO THE COURTS

Civil Rights Enforcement Act (H 7352, S 2607)
The Rhode Island Supreme Court has held that, without legislative authorization, the state Constitution's Declaration of Rights is not enforceable. This bill would provide long-overdue mechanisms to enforce that document, which "guarantees" the State's residents critically important civil liberties, like the federal Bill of Rights, including freedom of speech due process, freedom from unreasonable search and seizure, and equal protection of the laws.

IMMIGRANTS' RIGHTS

364 Day Misdemeanors (H 7198, S 2047)
Under federal immigration law, various minor offenses carrying a potential sentence of a year or more can lead to harsh immigration penalties for "green card" holders, including mandatory deportation. This legislation would reduce the maximum sentence for a misdemeanor charge from one year to 364 days. This one-day tweak would protect residents from those harsh immigration consequences as a result of the commission of minor offenses, such as shoplifting, that carry a potential maximum one-year sentence but often get dismissed. The bill has passed the Senate five years in a row, but died in the House due to opposition from the Attorney General.

ICE-Related Bills (ICE Masking H 7211, S 2608;
Preventing Civil Arrests in Court H 7360, S 2045)
Several bills designed to respond to the disturbing and often unlawful actions of Immigration and Customs Enforcement agents in Rhode Island and across the country have been introduced this session. One bill would generally prohibit law enforcement officers from wearing masks when interacting with the public and require them to display visible identification. Another bill would generally bar the civil arrest of individuals while they are in a courthouse to attend a court proceeding.

Video still of ICE agents in RI from body-worn camera footage

JUVENILE JUSTICE REFORM

Juvenile Interrogation (H 7195, S 2158)

Following an incident handled a few years ago by the ACLU of RI in which an eight-year-old student was removed from her school bus based on another child's claims that she had "chemicals" in her backpack, and then questioned in police custody without her parents' knowledge, we are supporting this legislation that would require parental notification and involvement before juveniles can be questioned by law enforcement. The bill passed the House last year but died in Senate committee.

RIGHT TO PRIVACY

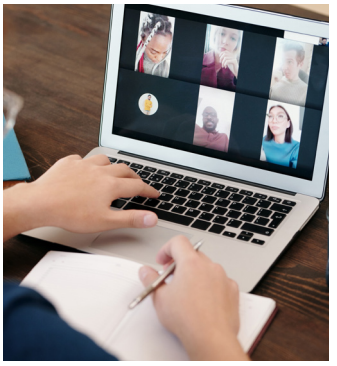
Automated License Plate Readers (ALPRs) (H 8077)

With intrusive surveillance cameras known as automated license plate readers quietly popping up in our communities (see our cover story), we're advocating for legislation to halt their unfettered and unregulated installation and use. Specifically, this legislation would, among other things, require city or town council approval prior to installing the cameras, restrict their use to very limited law enforcement purposes, and bar sharing the collected data with immigration officials.

A Flock Safety camera on South Main St., Providence

School Computer Privacy (H 7032)

Distributing laptops to students in public schools for home use is now commonplace. Unfortunately, students have virtually no privacy protections when they use these computers, with school administrators having blanket access to the laptop's microphone and camera while students are at home. In order to protect students' privacy, this legislation would greatly limit remote access to the computers by school officials. The bill has passed the House three years in a row, only to die in the Senate for unstated reasons.



RACIAL JUSTICE

Comprehensive Community-Police Relationship Act (CCPRA) (H 7353, S 2303)

In order to address the problem of racial profiling, the CCPRA, enacted in 2015, mandated the reporting and analysis of traffic stop and search data by race from every RI law enforcement agency. The expiration of this obligation in 2020 reinforced the need for its renewal and for amendments to ensure that it truly achieves its intent. This legislation would reinstate the law and add more stringent requirements for analysis of the data and establishment of a community advisory board with oversight over the process. The bill passed the House last year, but it died in a 7-5 vote in the Senate Judiciary Committee.

VOTING RIGHTS

Voting Rights Act

The ACLU has joined with a broad coalition of organizations working to protect the right to the franchise for Rhode Islanders by supporting legislation based on the federal Voting Rights Act. This legislation would establish legal remedies to address government actions that undermine voting rights in various ways. The bill is needed to fight against voter suppression because of U.S. Supreme Court rulings that have largely gutted the historic federal law.

RHODE ISLAND VOTING RIGHTS ACT

ECONOMIC JUSTICE

Homeless Bill of Rights

Over a decade ago, Rhode Island recognized the dignity and civil rights of those who are unhoused by codifying the first-in-the-nation Homeless Bill of Rights. We strongly support this legislation which updates that important statute, including strengthening the remedies available for violations of the law, clarifying that police may not enter encampment tents without a warrant, and requiring sufficient notice and relocation options before an encampment could be shut down.

DWBR DeLuca Barry & Weizenbaum Revens, Ltd.

*Special thanks to last year's **Constitutional Champion** sponsor of our 2025 Annual Meeting! If you want to be a 2026 Annual Meeting sponsor, contact Monica at development@riaclu.org.*

LAWSUIT AGAINST TRUMP TO AID DOMESTIC VIOLENCE SURVIVORS EXPANDS

The R.I. Coalition Against Domestic Violence and a nationwide group of other state domestic violence and sexual assault coalitions filed an amended complaint and a motion for a temporary restraining order to block the Trump administration from enforcing unlawful new restrictions on grants issued to help victims of domestic violence and other crimes.

The filings follow a lawsuit — ***Rhode Island Coalition Against Domestic Violence, et al. v. Bondi*** — filed in June 2025 that successfully obtained preliminary relief against the administration's conditions on federal funding for life-saving programs administered by the U.S. Department of Justice's (DOJ) Office on Violence Against Women. The DOJ's efforts targeted grantees that implement diversity, equity, and inclusion programs and respect people regardless of gender identity. The court issued a preliminary order in August 2025, blocking the DOJ from enforcing its unlawful restrictions, which would have made it impossible for many grantees to operate legally or effectively.

Now, the DOJ has imposed additional conditions on critical grant funding administered by the Office for Victims of Crime. These new conditions include restrictions and limitations that would prevent providers from serving certain noncitizen survivors. The Coalition argues that the conditions are unauthorized by law, unconstitutionally vague, and fail to provide a legal justification for the devastating consequences they will unleash.

The amended complaint, filed by ACLU of RI cooperating attorney Lynette Labinger alongside local and national partners, expands the Coalition's original lawsuit and asks the court to halt enforcement of the new restrictions while the case proceeds. The complaint argues that the administration's new conditions exceed the DOJ's authority, violate the Constitution, conflict with statutory requirements protecting communities in vulnerable situations, and unlawfully leverage the threat of False Claims Act liability to pressure providers to alter their programming and speech. The newest unlawful conditions once again put organizations in the impossible position of having to either risk severe financial penalties and undermine their missions or sacrifice essential funding that supports survivors of violence.

UPCOMING **EVENTS**

Legislative Advocacy Training

Attendance is free for all, advance registration is required — please see below.

Saturday, March 21, 12:30pm-2:30pm
Newport Public Library, 300 Spring St., Newport

In this free, beginner-friendly training, you'll learn about the legislative process in Rhode Island, we'll explain some bills that are being heard this session, and you'll leave equipped to take action. The event will include a presentation from ACLU of RI staff and a guest legislator, with time for Q&A throughout the training.

Attendees at an Advocacy Training in East Providence on February 21

Ways to register
Scan the QR code with a smart phone or go to www.riaclu.org/events.
Alternatively, email us at communications@riaclu.org
or call our office at 401-831-7171 to request we save you a spot!

DEVELOPMENT CORNER

Happy New Year!

The optimist in me hopes for a year shaped by progress and renewed commitment to civil liberties; the realist in me knows that meaningful change is rarely easy and often hard-won. What gives me genuine hope as we begin this year is our community. Over the past year, our membership has grown substantially — a reminder that when rights are threatened, Rhode Islanders show up. With your continued engagement, that community continues to grow, and its collective voice becomes stronger.

While I don't make New Year's resolutions, I do believe a little housekeeping is a good way to begin the year.

I've noticed that many households maintain separate ACLU accounts — and that's absolutely fine. We love when families share their values with one another. That said, if the amount or type of mail you receive feels like more than you need, or if you'd like to streamline your communications, I'm happy to help. Here at the RI affiliate, we can adjust your preferences to receive affiliate-only mail, National ACLU mail, or a balance of both. Mailings, emails, event invitations, phone calls, and solicitations can all be managed in-house. If you'd prefer to combine accounts into a joint household record, we can assist with that as well.

Staying connected also helps ensure you receive timely updates about our work and opportunities to engage. We currently have **two in-person events coming up**, and keeping your contact information up to date ensures you receive invitations and details that align with your interests.

There is one important exception to note. If you are a **Guardian of Liberty** and need to update payment information, donation amounts, or other financial details, those changes must be made through the National ACLU by calling 1-888-567-ACLU. However, if you are a monthly donor to the ACLU of Rhode Island through **Network for Good**, our office can assist you directly with any updates you may need.

As tax season approaches, this is also a helpful moment to ensure your donation records are in order. If you have questions about receipts or need assistance locating past records, please don't hesitate to reach out — we're glad to help. Reach out to me at **development@riaclu.org** or **401-831-7171.**

Your continued support makes it possible for the ACLU of Rhode Island to respond quickly when civil liberties are threatened and to remain active in the courts, at the State House, and in communities across the state. We look forward to seeing many of you at upcoming events and sharing additional ways to stay involved throughout the year.

As we begin the year ahead, we're grateful to be moving forward together — grounded in realism, strengthened by community, and hopeful because of what we're building collectively.

– Monica Smith
Development Coordinator

Photo by Maddie Van Wylen

NEW **KNOW YOUR RIGHTS MATERIAL**

Know someone who doesn't speak English who has a court date? Check out on website our new printable wallet card about your right to have a court interpreter.

The information is available in Spanish, Portuguese, Haitian Creole, Cape Verdean, and English.

Scan the QR code with a smartphone, or go to www.riaclu.org/CourtInterpreter.

You can find more information about your rights on our website, including what you can do as a bystander to immigration enforcement actions (riaclu.org/bystander), and what your rights are when interacting with ICE or police (riaclu.org/ice).

2026 **401GIVES**

Donate to the ACLU Foundation of RI during 401Gives, which this year is **6am on March 31 - 6pm on April 1!**

All donations are tax-deductible. Learn more about how to **double your donation** by giving at certain times of day at www.401gives.org.

401 GIVES
MARCH 31, 2026

ACLU Rhode Island

ACLU FOUNDATION of RHODE ISLAND
128 Dorrance Street, Suite 400
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It's the beginning of 2026. **We're standing strong in the fight to protect civil liberties.**

Thank you for being with us. Your support enables us to remain constantly in action to protect your rights at the local, state, and federal level.

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:

IN THIS ISSUE:
Read about important bills introduced in the General Assembly on p. 4, and our work to create safeguards against surveillance technology on p.3.

MAIL A DONATION

Mail a check made out to "ACLU Foundation of RI" to:

ACLU Foundation of Rhode Island
128 Dorrance Street, Suite 400
Providence, RI 02903

or

MAKE A GIFT ONLINE

Scan the QR code with your phone camera to make a one-time gift or set up a recurring donation, or go to: **www.riaclu.org/donate**