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## **ACLU OF RI POSITION: SUPPORT**

### **TESTIMONY ON 26-S 2612, RELATING TO STATE AFFAIRS AND GOVERNMENT – OPEN MEETINGS May 26, 2026**

The ACLU of Rhode Island supports this legislation, which would allow members of advisory bodies to participate in public meetings using videoconferencing, subject to certain requirements; require all city and town councils and school committees to provide livestreaming of their meetings beginning in 2027 and remote public participation by 2028; and require those two bodies to also provide the public with copies of agenda documents with their posted agendas. These are all major and helpful revisions to the state's Open Meetings Act.

On the first issue, the bill would allow advisory bodies or their members to meet remotely as long as they operated their meetings in ways that would also ensure meaningful public access. Presently, the Open Meetings Act (OMA) allows public body members to participate remotely only under two specific and narrow circumstances: if they are on active duty in the armed forces; or they have a disability as defined in state disability law, the disability prevents them from being physically present, and remote participation is the only reasonable accommodation. By creating an additional narrow exemption for *advisory* bodies while requiring that those meetings also be conducted in a way that promotes remote public access, we believe this bill accomplishes two goals: it promotes greater public involvement both in the membership of advisory bodies and in audience involvement, since advisory bodies are least likely to generate a lot of in-person attendance.

But it is important that any exemption for public bodies to meet remotely remains narrow. For public bodies that have decision-making power, we firmly believe, as a matter of policy during the post-COVID regime, that there is a strong public benefit to having public bodies meet in person, while at the same time encouraging greater remote access to meetings *by the public*. Accountability and transparency are enhanced when public bodies meet in person, allowing the public and the media to see the interaction among the public body members and to follow up with them on matters that get discussed – something that cannot happen when members of the public bodies are insulated from direct contact with the public.

In this regard, the legislation would ensure that, for major public bodies like city and town councils and school committees, members of the public would be able to view meetings remotely and, with a few years lead time, get to participate in meetings remotely as well. The COVID pandemic demonstrated both the value and feasibility of remote access to meetings by the public. It encourages more public engagement and removes longstanding barriers to participation for

residents with disabilities, seniors, people with limited access to transportation, and people with work and family obligations that would otherwise prevent them from attending meetings in person.

Three years ago, the ACLU of RI conducted a survey of the policies of city and town councils and school committees on these issues. We found that 32 of 39 councils were livestreaming their meetings, as were 25 of 34 school committees. While continuing to allow for remote *participation* was less prevalent, about a third of city and town councils authorized this option, and they encompassed communities large and small – including Cranston and Pawtucket on one end and Coventry, Hopkinton and West Warwick on the other. In other words, this bill does not impose obligations on these public bodies that should be considered onerous; most are already in compliance.

As for two of the other requirements that this bill would impose on those major public bodies – requiring them to record and archive their meetings and to include documents with their agenda packets – here too our survey found many of these bodies engaging in those activities voluntarily. We found that 35 of 39 city and town councils, and 26 of 34 school committees, had easily accessible archive links to watch previously recorded meetings. Further, 31 of 39 councils included with their agenda notices an online link to an agenda packet or the documents being discussed at the meeting.

In short, nothing in this bill imposes an undue burden on these public bodies. Instead, by requiring major public bodies, like municipal councils and school committees, to continue to offer a remote meeting alternative for the public, the bill promotes the Open Meetings Act's goal of having "public business be performed in an open and public manner." At the same time, the bill also allows advisory bodies the option to meet remotely.

We therefore urge the committee's support of this legislation. Thank you for considering our views.