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July 13, 2026
VIA EMAIL

Dear Members of the Westerly Town Council:

Our organization only just learned this morning that you will be considering at tonight's council meeting possible amendments to the Town Charter for voter approval, including one that would "require elected officials and volunteers on boards to have an annual BCI on record at Town Hall for public access." The ACLU of Rhode Island has serious concerns about both the legality and wisdom of such a charter amendment, so we are writing to urge you to reject this particular proposal.

First, we do not believe that the Town has the legal authority to require candidates for office to undergo a criminal record check, much less have it placed on record at Town Hall. It is true that under the Rhode Island Constitution, there are certain qualifying standards for candidates for state and local office, including a durational bar on individuals convicted of certain crimes from running. However, it is our firm belief that a person without such a record cannot be prohibited from running as a candidate simply because they refuse to relinquish their privacy rights in this context.

We also have strong concerns from a policy perspective about imposing a BCI requirement on any resident seeking to serve on a Town board. While the Town may be able to demand that such individuals undergo a BCI check and have it publicized, this strikes us as a very counterproductive approach that can only have the effect of discouraging community engagement. A person should not have to, for example, make a 20-year-old shoplifting record public as a condition of volunteering on a Town committee. A requirement like this is almost certain to deter some Westerly residents who would be effective and talented board members from submitting their names for service. While the demand for this information may quench the curiosity of some individuals, we firmly believe that it will ultimately hurt, not help, the Town and the conducting of Town business.

We apologize for the lateness of these comments but hope that you will take them into careful consideration during your deliberations.* Thank you in advance for your attention to our views.

Sincerely,

A handwritten signature in black ink that reads "Steven Brown". The signature is fluid and cursive, with the first name "Steven" and last name "Brown" clearly distinguishable.

Steven Brown
Executive Director

* Due to the time constraints, we have not had an opportunity to carefully review the other proposed amendments. However, in terms of the proposals to limit newspaper publication of town ordinances and hearings, we have raised elsewhere a general concern with similar proposals in light of the fact that many people still do not have regular access to the Internet, and local newspaper announcements of important municipal matters can still serve an important notification function.