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## ACLU OF RI POSITION: AMEND

### TESTIMONY ON 22-H 7319, ACTS RELATING TO OPEN MEETINGS February 15, 2022

With Governor McKee's executive order authorizing remote meetings of public bodies scheduled to expire next month, the ACLU supports, with two exceptions noted below, this bill as a temporary measure to keep that option available through June.

There are many complicated issues surrounding the post-pandemic role of remote meetings, and we support this bill as an interim attempt to thread a needle. Trying to balance the greater public participation that remote meetings have allowed with the special accountability that is lost when public bodies do not meet in person is difficult. While the ACLU believes that additional safeguards would need to be included in considering any permanent legislation addressing the topic of remote meetings, discussion of those can be saved for another day.

While we therefore support this interim measure as Covid-19 continues its high transmission course in the state, we also believe that two amendments are necessary.

1. This bill inappropriately makes one of its proposed changes permanent. Specifically, it would allow the URI Board of Trustees to hold all of its meetings completely remotely for all time. [Page 4, line 30] We strongly oppose this. Last year, we did not oppose passage of a special exemption for URI that permanently allows URI Board members to participate remotely *as long as a majority of the Board members meet in person*. Eliminating that requirement undermines both the compromise behind last year's URI bill and the whole point of this legislation to establish a *temporary* process. The removal of the in-person quorum requirement for URI Board meetings should be provisional just like the rest of the bill.

2. We also strongly oppose a provision in the bill that allows public bodies to destroy recordings of their meetings after 200 days. [Page 10, lines 8-12] This is not only bad public policy, but it is counter to basic archival standards involving maintenance of, and access to, records of public agencies.<sup>1</sup> We urge deletion of this language.

With these amendments, the ACLU supports passage of the bill as a temporary measure, and we look forward to working with committee members on passage of a more comprehensive permanent measure codifying remote access. Thank you for your consideration of our views.

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<sup>1</sup> Secretary of State archive guidelines require public bodies to keep recordings of meetings for at least five years unless a verbatim transcript of the meeting is prepared. [https://sosri.access.preservica.com/uncategorized/IO\\_3f9116a6-bc54-476a-8554-466d6bc97fa4/](https://sosri.access.preservica.com/uncategorized/IO_3f9116a6-bc54-476a-8554-466d6bc97fa4/)