

ACLU OF RI POSITION: OPPOSE

**TESTIMONY ON 24-H 7632,
AN ACT RELATING TO CRIMINAL OFFENSES -- ASSAULTS
March 5, 2024**

This legislation, similar to some extent to a law in effect for victims of domestic violence, would allow healthcare employees who have been assaulted at work to have their names and addresses removed from public records, including the voter rolls. While the ACLU of Rhode Island recognizes the intent behind this bill, we are nonetheless constrained to oppose it, as we did with the domestic violence law.

We believe that having what is essentially a secret voting list is incompatible with the need for transparency in the electoral process. The voter registration list is, and has long been deemed, a quintessential public record. In that regard, it has been used for various purposes, and has especially served as a fundamental safeguard in ensuring the integrity of elections. Indeed, the public nature of the voting list (with appropriate redactions for certain personal information like SSNs) has been just as central to the electoral process as the private nature of one's actual vote in the polling booth. And while we can appreciate the interest, in carefully circumscribed circumstances, in protecting the address of people who fear for their safety, removal from the voting list is particularly problematic.¹

We recognize that the General Assembly established an application process through the Secretary of State (SOS) to authorize a substitute mailing address for victims of domestic violence who had obtained restraining orders against, and feared for their safety from, their abusers.² Unlike that law – which is specifically limited to individuals who have filed papers in court as victims of domestic violence – this bill does not even require an applicant seeking a substitute address to provide evidence that a person has been charged with an assault against them or even that the applicant has contacted the police about the assault.

More importantly, we fear the precedent that would be created by this expansion of the current domestic violence exemption. There is no principled rationale for creating an exception for health care employees but not any other victim of assault who alleges similar safety concerns. One can also envision victims of crimes other than assault seeking to keep their names and addresses off the voting rolls. The net effect is to create two voter registration lists in the state, one secret and one public. Yet the notion that a close election race could be decided by people on a secret voting list is extremely troubling, to say the least.

The ACLU of RI has long supported efforts to promote the franchise, but transparency in the voting process is diminished when potentially large numbers of individuals can vote while keeping their names off the public voting rolls. In raising these concerns, we don't question the good faith of the individuals who would make use of this process, but we simply do not believe this secrecy represents an appropriate electoral policy. For these reasons, we oppose this legislation.

¹ The broad scope of the bill to apply to just about any other "public record" raises separate problems, but we limit our testimony to its effect on the electoral process.

² Another bill being heard today, H-7799, also establishes a substitute mail and process policy for the same cohort of health care employees. We do not read it as similarly providing for the opportunity to make their name and address secret on the voting rolls, but if that is its intent, we would oppose it for the same reasons.