

ACLU OF RI POSITION: SUPPORT/AMEND

**TESTIMONY ON 22-H 7706,
AN ACT RELATING TO THE CIVIL RIGHTS ACT OF 1990 – THE CROWN ACT
March 24, 2022**

The ACLU of RI writes in strong support of this legislation which would expand the definition of race in our state’s Civil Rights Act to include “traits historically associated with race,” importantly including hair texture and protective hairstyles. Discrimination on the basis of hair texture or hairstyles is nothing but racial discrimination, and the inclusion of specific statutory protection against this type of discrimination is critical to ensure that the rights of BIPOC individuals are clearly and legally safeguarded in workplaces. For many people of color, this is far from a minor issue.

A quick online search will inform anyone that hair discrimination is a pervasive and insidious issue across the country. It prompted the U.S. House of Representatives to recently pass a bill classifying it as a violation of federal anti-discrimination laws. The Massachusetts House of Representatives just did the same this past week. Stories of individuals being told that their hair is not “professional” enough for the workplace constitute instances of racial discrimination that have led to this demand for distinct legal protection under the law. This bill would explicitly ensure that biases, however unconscious or unintentional they may be, posited around standards of appearance will not be tolerated.

In expressing our strong support for the legislation, we would also encourage the consideration of two amendments. One would be to include this language in the state’s Fair Employment Practices Act as well, as that Act has different procedures and remedies for discrimination victims than the Civil Rights Act has. Our second suggestion would be to include explicit language to ensure that this protection against hair discrimination would also apply in the school setting. There have been many reported incidents across the country of young students being sent home for having “distracting” hair or, in at least one case, of a student athlete being forced to cut their locks or else forfeit a match.

We therefore strongly encourage passage of this bill, and also encourage our proposed amendments to strengthen it.