



128 Dorrance Street, Suite 400
Providence, RI 02903
Phone: (401) 831-7171
Fax: (401) 831-7175
www.riaclu.org
info@riaclu.org

November 12, 2020

The Hon. Lisa Baldelli-Hunt
Mayor
Woonsocket City Hall
169 Main Street
Woonsocket, RI 02895

(by mail and email)

Dear Mayor Baldelli-Hunt:

I am writing in response to a complaint our office recently received from Woonsocket resident Greg Duhamel, who resides at 30 Glaude Lane. Because we believe he has raised a legitimate concern, I am writing in the hope that you will be able to resolve this matter for us.

Specifically, Mr. Duhamel has complained to us that he has been blocked from commenting on your Mayoral Facebook page, and that previous comments of his have been deleted from that page. As a result, he is no longer able to post or respond to any comments appearing on that Facebook feed. Mr. Duhamel advised us that the blocking occurred shortly after he posted a critical comment relating to your involvement in the placement of a skate park in the city.

In light of the robust interaction you have on your page with other constituents, the only basis for this blocking appears to be because Mr. Duhamel's views on an issue involving your governance were contrary to yours. We believe that blocking a constituent for this reason violates Mr. Duhamel's First Amendment rights to freedom of speech and to petition for the redress of grievances. Although we note you describe the site as "the personal page of Mayor Lisa Baldelli-Hunt," it is clearly designated as, and designed to be, the page of a government official. It consists almost exclusively of government-related content and is separate from another page you use on Facebook that is not so designated.

As the interactions on your Mayoral page imply, social media like Facebook have become an important and recognized forum in which public officials can communicate their messages to constituents and on which citizens can voice their views in response to, and seek assistance on, governmental matters. As the U.S. Supreme Court has noted, social media sites like those allow citizens to "petition their elected representatives and otherwise engage with them in a direct manner." *Packingham v. North Carolina*, 137 S.Ct. 1730, 1738 (2017). Because social media have become a popular forum for people to share information and opinions, courts have "repeatedly affirmed the First Amendment significance of social media, holding that speech utilizing Facebook is subject to the same First Amendment protections as any other speech." *Davison v. Loudon Cty. Bd. of Supervisors*, 227 F.Supp.3d 605, 611 (E.D. Va. 2017).

Page Two
The Hon. Lisa Baldelli-Hunt
November 12, 2020

It is clear that Woonsocket constituents have used this Facebook page to contact you in your role as Mayor and to commend you on governmental issues of concern to them, and that you have encouraged them to do so. In your creation and use of this public forum, we believe it is essential to allow all individuals the right to engage in core political speech without fear of censorship, regardless of whether that speech includes praise or criticism of your policies and positions.

I am therefore writing to request that you remove any block on Mr. Duhamel that prevents him from fully accessing your Mayoral Facebook page, in order to allow him to participate in this forum in the same manner as other constituents regularly do. If this blocking has been inadvertent, which I certainly understand may be possible, I would ask you to check into it and correct any settings that may have led to this unintentional impediment.

Thank you for your consideration of this matter, and I look forward to hearing back from you about it at your earliest convenience.

Sincerely,

Steven Brown
Executive Director

cc: Greg Duhamel
Solicitor John DeSimone