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ACLU OF RI POSITION: OPPOSE

**TESTIMONY ON 24-H 7835,
AN ACT RELATING TO RAILROAD, STEAMBOAT, AND BRIDGE POLICE
April 4, 2024**

This bill would make it crime to release any police report involving a railroad fatality and all communications between railroad employees in those situations. The ACLU of Rhode Island opposes this legislation. We do not believe there is a legitimate privacy or other concern that would warrant such a broad exemption from the Access to Public Records Act, especially in light of the strong public interest in obtaining information about an accident on our railroads that has led to fatalities.

If the intent of the bill is to protect the names of individuals involved in these fatalities, APRA already has a long-standing exemption for personally identifiable information that requires use of a balancing test to determine if there is a strong enough public interest in the information that outweighs any privacy concerns. This is an appropriate standard to use, and we do not believe there is a compelling reason to provide special consideration for that information when something as consequential as a railroad fatality occurs.

We therefore oppose this legislation. Thank you for your consideration of our views.