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Chairman Robert Craven
House Judiciary Committee
82 Smith Street
Providence, RI 02903

Dear Chairman Craven,

On behalf of the Rhode Island Association for Justice (“RIAJ”), I am writing to express RIAJ’s support for H 5223.

The RIAJ is dedicated to defending and upholding the constitution of the State of Rhode Island. Our state constitution has expansive protections for civil liberties, including protections for due process, equal protection under the law, and protections against discrimination and unlawful search and seizure. These protections however, lack an enforcement mechanism. Currently, there is no “implied right of action” to seek a civil relief for violations of rights enumerated in the Rhode Island Constitution.

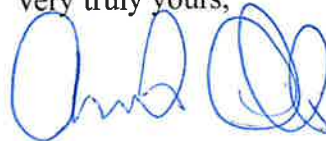
Without an enforcement mechanism, the protections granted to civil liberties are in name only. In order for the Rhode Island Constitutional protections to hold any weight, the Rhode Island General Assembly must enact an enforcement statute. As of now, Rhode Islanders can seek relief for violations of their federal civil rights under 42 U.S.C Sec. 1983, the enforcement of statute passed by Congress, but not for civil rights violations at the state level. This poses problems for Rhode Island citizens for several reasons. Specifically, the Rhode Island Constitution has broader protections than that of the federal government and 42 U.S.C 1983 can be repealed.

In the current climate of our country, protecting civil rights and liberties are of the utmost importance. Civil liberties are being stripped away at the nation level, and with this bill the

Rhode Island General Assembly has the opportunity not only to protect the civil rights of its citizens, but has the opportunity to make sure such protections are enforced.

With these points in mind, the Rhode Island Association for Justice supports H 5223 and urges the House Judiciary Committee to pass this bill.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Anthony DeSisto', with a stylized, circular flourish at the end.

Anthony DeSisto