



STATE OF RHODE ISLAND
OFFICE OF GOVERNOR DANIEL J. MCKEE

February 11, 2025

Honorable Robert E. Craven, Sr.
Chair, House Judiciary Committee
House Lounge, State House
Providence, Rhode Island 02903

Re: *2025 – H 5223, An Act Relating to State Affairs and Government – The Rhode Island Civil Rights Enforcement Act*

Dear Chairman Craven:

The Administration writes regarding H 5223, An Act Relating to State Affairs and Government – The Rhode Island Civil Rights Enforcement Act (Act). The Act would broadly waive the State of Rhode Island’s governmental and sovereign immunities to create a private cause of action against the state and any of its administrative and political subdivisions for alleged deprivation of any rights, privileges, or immunities secured under the Rhode Island constitution and laws.

The Administration fully supports guaranteeing the civil rights of all Rhode Islanders, however, the U.S. Court of Appeals for the First Circuit recently certified a question to the Rhode Island Supreme Court that may render all or parts of this Act unnecessary. In *Parente v. Lefebvre*, 122 F.4th 457 (1st Cir. 2024), the First Circuit certified to our state’s highest court the question of whether Rhode Island waived its sovereign immunity for civil rights claims brought under the Rhode Island Civil Rights Act of 1990. If answered in the affirmative, individuals would have an avenue to bring claims against the State alleging violations of their civil rights. Because the Rhode Island Supreme Court’s answer to the certified question may resolve the issue, and further define the parameters of Rhode Island’s civil rights protections, the Administration urges the House to wait until the Court has addressed this question of law.

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Sincerely,

A handwritten signature in blue ink that reads "Claire Richards". The signature is written in a cursive style with a large initial "C".

Claire Richards

Executive Counsel

cc: Honorable Members of the House Judiciary Committee
Nicole McCarty, Esq., Chief Legal Counsel