

Ethan White

From: Samuel Howard [REDACTED]
Sent: Friday, August 23, 2024 1:14 PM
To: Constitutional Convention Commission
Subject: Opposition to the Constitutional Convention

Dear Co-Chairs and Members of the Constitutional Convention Commission,

I'm writing to express my opposition to a constitutional convention. The question must be put before the voters, but I urge you to be clear-eyed in laying out the pitfalls alongside the promise of a convention.

A decade ago, I was publicly in *favor* of a convention. While my thinking on the issue has changed considerably over the last ten years, the basic arguments against a convention have not. Ten years ago, opponents argued that a convention would put fundamental rights — reproductive rights, worker rights, voting rights and others — under threat. The intervening decade has proven opponents correct in assessing the danger as these are exactly the rights have come under assault nationally by well-heeled forces seeking to undo the years of progress we have made at both state and federal levels.

In a similar fashion, proponents' arguments are practically the same as they were ten years ago; a hodgepodge of reforms that overpromise and underwhelm. Some of these reforms, despite the best of intentions, threaten to write political discord into our constitution; discord that will be all the more difficult to remove once placed in our constitution. And when confronted with that fact that they risk the previously mentioned rights in favor of ineffective reforms, convention proponents tell us not to worry, because Rhode Island's voters will make the right choice.

Let me make it clear that I trust in my fellow Rhode Islanders to protect the rights I outlined above. They've shown it through their actions by winning these rights. And I have a deep faith in the democratic process and in the ability of the people of our state to make the right choices for one another — when they are *fully* informed of what they are voting on.

That we will be fully informed of what we vote on when the questions emerge from the convention is not guaranteed because, when it comes to a constitutional convention, nothing is guaranteed. I have seen, in recent years, charter review commissions that have produced ballot questions seemingly designed to win a particular outcome by writing the question in a benign manner while omitting key information about what exactly was being changed. Who writes the language of the questions that will emerge from a constitutional convention? This is an unknown. And when we start asking "well, what do we actually know about the convention?" the question marks multiply rapidly.

What will the process for electing delegates be? We only know that they'll be elected from the 75 state House districts, not whether it will be by primary or a cattle call special election. How long will the convention have to run its process? We don't know. Will the public be able to testify on proposed amendments? We don't know. Will delegates meet in secret or hold a transparent process? We don't know. Will corporate lobbyists have access to delegates? We don't know. Will amendments be asked individually of voters or bundled together, and who will decide which amendments are bundled together? We don't know. Will we vote on amendments in the same year as the convention or will we have until the next general election? We don't know, we don't know.

We don't know, and no one can guarantee us how the process will play out, because so much of a convention depends on what occurs *after* the votes are cast for or against holding one. That basic truth must be made clear to the people. Because, again, I don't fear my fellow Rhode Islanders or how they'll vote if they understand an issue. But what I do fear is a convention dominated by wealthy out-of-state interests that does its work in secret and produces amendments put to voters in packages and in language that intentionally

obscures its intent in order to produce false mandates for policies that lack democratic legitimacy or majority support.

This is, at least, the advantage of the regular legislative process. It contains within it guarantees. That there will be public debate and deliberation, that each step of the way will enter the public record for transparency and posterity. And should there be unintended consequences arising from the text of a law, it can be altered relatively speedily through the same process. And that those who pass the laws can be held accountable by the people.

Why then, should a convention given the power to propose sweeping changes to our state's fundamental law be held to less accountability than our General Assembly? Rhode Island may be a lively experiment, but we are not a science experiment for outsiders to poke at and alter to their whims.

It is for these reasons I write to state my opposition to a convention, and ask you to be sharp and exacting in your report as you examine the great many things that are up in the air about the process. Fully informed, I know Rhode Islanders will make the right choice. But you must provide them with a complete picture of the issues at stake. Our rights depend on it.

Thank you for your vital work on this issue.

Sincerely,
Samuel G. Howard
Concerned Citizen
Providence