

ACLU OF RI POSITION: AMEND

**TESTIMONY ON 24-H 8219,
RELATING TO AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY
INTERSTATE COMPACT
May 9, 2024**

The ACLU of Rhode Island appreciates the opportunity to provide testimony on this legislation which seeks to provide uniformity in the manner in which audiologists are licensed between different states. The legislation is lengthy, and though this should not be considered a comprehensive analysis of the bill and we have no position on its general content, we would like to provide brief commentary on a few provisions which we believe may warrant amendment.

- First, as the General Assembly acknowledged four years ago when it passed “fair chance licensing” legislation, the preclusion from licensure that a criminal record can have – especially those records which are outdated or irrelevant to the position being sought – can inappropriately bar otherwise qualified individuals from seeking occupational and professional licenses. That statute ensures that an individual cannot be disqualified from licensure solely or in part because of their criminal record unless the crime relates directly to the occupation being sought. Such protections are critical to ensure that cycles of discrimination are not perpetuated against ex-offenders who are otherwise well-qualified for their chosen professions.

In that regard, in providing for criminal record checks on Page 4, we urge that the bill cite the “fair chance” statute to ensure that the procedural mechanisms for considering offenses follow that law.

- The bill also requires, in the course of conducting a criminal records check, the submission of “fingerprints or other biometric-based information.” (Page 4, line 13.) It is unclear to us how using other “biometric-based information” could provide insight into a criminal record that a fingerprint could not, and we find this language to be concerningly broad. We should not be setting a precedent that allows for the collection of more personal information than absolutely necessary to carry out the limited goals of a criminal record check, so we urge that this language be removed prior to passage.
- The legislation appears to broadly authorize the sharing of private information, without any protections, with law enforcement agencies (Page 11, line 26). We would urge amendments that would set reasonable boundaries on the sharing of any information.

Thank you for your consideration of these comments.