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March 25, 2025

The Honorable Robert E. Craven, Sr.
Chair, House Judiciary Committee
82 Smith Street-Room 205
Providence, RI 02903

Re: ***Opposition to House Bill H-5223, entitled the Rhode Island Civil Rights Enforcement Act***

Dear Chairman Craven,

On behalf of the Rhode Island Police Chiefs Association, we write to express our strong opposition to House Bill H-5223, entitled the Rhode Island Civil Rights Enforcement Act. While we fully support the protection of constitutional rights and ensuring accountability within law enforcement and government, we have significant concerns that this legislation will have unintended and harmful consequences for public safety, municipal governance, and law enforcement personnel across the state.

Our opposition to this bill is based on the following key concerns:

1. **Expansion of Legal Liability**

While proponents claim the bill does not create new rights, it undeniably establishes new remedial rights, significantly expanding the ability to sue public officials and government entities under state constitutional

provisions. This would expose municipalities and public employees, including law enforcement officers, to an increased risk of litigation without providing meaningful benefits to the public.

2. **Increased Litigation and Legal Costs**

This bill is likely to encourage a surge in lawsuits against state and local governments and individual public officials. The ability to sue directly under state constitutional violations—without the constraints of existing federal law—will embolden litigation, burden municipalities with legal expenses, and divert critical resources away from public services and public safety initiatives.

3. **Undermining Qualified Immunity and Public Officials' Protections**

While the bill claims to preserve qualified immunity, its practical impact will weaken these protections by subjecting law enforcement officers and other public employees to unnecessary legal battles. Without the procedural safeguards that currently exist under federal law, officers

acting in good faith may find themselves embroiled in costly and lengthy lawsuits, deterring effective policing and decision-making in critical situations.

4. **Potential for Abuse and Overreach**

This bill invites frivolous and retaliatory lawsuits against public officials by expanding liability to government entities broadly, including the state, municipalities, and even federal and foreign governmental entities operating within Rhode Island. The lack of a clear limiting principle will encourage a “sue everyone” mentality, increasing the burden on local governments and discouraging qualified individuals from serving in public service roles.

5. **Existing Legal Remedies Are Sufficient**

There is no demonstrated need for this legislation. Federal and state laws already provide adequate avenues for individuals to seek redress for civil rights violations, including through federal courts under 42 U.S.C. § 1983. The assertion that Rhode Islanders currently lack a mechanism to enforce their state constitutional rights is misleading, as many legal claims already incorporate both state and federal constitutional provisions.

For these reasons, we urge you to oppose House Bill H-5223. While we recognize the importance of protecting civil liberties, this bill is a misguided approach that will have negative consequences for public officials, law enforcement personnel, and the citizens we serve.

Thank you for your time and consideration. We would welcome the opportunity to discuss our concerns further and provide additional input on this critical issue.

Sincerely,

A handwritten signature in blue ink that reads "Chief Thomas Oates III". The signature is written in a cursive, flowing style.

Chief Thomas Oates III
President
Rhode Island Police Chiefs Association