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ACLU OF RI POSITION: SUPPORT

TESTIMONY ON 26-H 7433, RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS February 11, 2026

The ACLU of Rhode Island supports this legislation, which would require law enforcement to obtain consent or a warrant before placing audio or video recorders on the private property of another.

As with another bill being heard today dealing with the need for search warrants to obtain access to electronically stored personal information, this legislation recognizes the important privacy interests that electronic devices – in this case, audio and visual recorders – can invade. In light of the special status that one's home has always had in our society – and enshrined in the Fourth Amendment (as well as the Third) – the surreptitious placement of recording devices on one's private property should be subject to the warrant standards that the Constitution requires.

Because this bill would help protect this important privacy safeguard, we support its passage.

Thank you for your consideration.