

March 4, 2026

Hon. Carol H. McEntee
Chairperson, House Judiciary Committee, Rhode Island General Assembly
Email: rep-mcentee@rilegislature.gov; chm.law@rilegislature.gov

RE: SUPPORT FOR H 7352/S 2607 – THE RHODE ISLAND CIVIL RIGHTS ENFORCEMENT ACT

Dear Chairperson McEntee,

I am sending this letter to express support for the Rhode Island Civil Rights Enforcement Act. I moved to the United States at the age of eight, and it was my faith in this country's system of justice that led me to pursue a career in law. I now serve as a law professor at Roger Williams University School of Law, where I train the next generation of Rhode Island lawyers.

This legislation is vitally important for all Rhode Islanders who rely on our system of justice to enforce the protections and guarantees enshrined in our state constitution. It would never occur to a member of the public that the rights enumerated in our state's framing document are devoid of enforcement power. After all, what would be the point. And the Rhode Island constitution agrees; its plain text states that "[e]very person within this state ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which may be received in one's person, property, or character."

This bill does not create any new rights; it simply ensures that the rights we already have under our state constitution are reified. This vital legislation would restore a remedy that was foreclosed in a series of judicial decisions. Until *Bandoni v. State*, Rhode Islanders had an implied right to seek relief for violations of our state constitution. In the sole dissenting opinion in *Bandoni*, a prescient Justice Flanders expressed his concern that the majority's decision threatened "all our rights to free speech, free association, free assembly, petitioning the government, due process, equal protection, legal counsel, freedom of religion, just compensation, trial by jury, and any other rights in the constitutional pantheon [] absent legislative creation of private rights of action."

Justice Flanders understood what our state constitution spells out; a right without a remedy is not truly a right. In this moment, when our rights under the federal Constitution are under assault, it is more important than ever to restore our judiciary's ability to enforce the constitutional protections afforded to Rhode Islanders. This state's residents should feel secure in the knowledge they have reliable, state-level rights and remedies that cannot be taken away in Washington.

I hope for your support.

Respectfully submitted,



Monica Teixeira de Sousa