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**TESTIMONY ON 26-H 7489,
AN ACT RELATING TO MOTOR VEHICLE OFFENSES
April 28, 2026**

The ACLU of Rhode Island opposes this bill's elimination of judicial discretion in deciding whether to require the use of ignition interlock devices on individuals convicted of driving under the influence or refusing to take a breath test. At the same time, we support the bill's provision establishing a fund to help defendants sentenced to use of this device who cannot afford the costs associated with it.

The ACLU has long supported the principle that judges should have discretion in imposing sentences. It is critical to consider the individual circumstances of each offender and offense in order to ensure that the punishment meted out is fair, equitable and reasonable. By automatically requiring ignition interlocks on those convicted of driving under the influence or refusal to submit to a chemical test, the bill fails to allow for that important exercise of discretion. For example, this expensive and onerous system would be unnecessarily required even when alcohol was not involved, such as with a person who was driving under the influence of drugs. This makes little sense. Ignition interlocks might also be an inappropriate penalty for some first-time offenders convicted of driving slightly over the .08% blood alcohol concentration limit. In short, a judge should be able to evaluate the individual's need for an ignition interlock device instead of painting all DUI offenders with the same brush.

At the same time, to the extent these devices are part of a court's sentencing options, we welcome and support the bill's establishment of a fund to help pay for the interlock systems of defendants ordered to install the devices but not able to afford them. The costs can be insurmountable for some individuals and can end up undermining the rehabilitative goals that should accompany any punishment for these offenses.

However, we would urge that the cohort of defendants eligible for funding be expanded to address individuals in that gray area who may not be poor enough to qualify for a public defender but are poor enough to be significantly hampered by the costs associated with use of an ignition interlock system.

Thank you for your consideration of our views.