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ACLU OF RI POSITION: OPPOSE

TESTIMONY ON 23-H 5382, AN ACT RELATING TO ACCESS TO PUBLIC RECORDS February 15, 2023

This bill would exempt from disclosure under the Access to Public Records Act the names of state lottery winners. As an organization concerned deeply about both the right to privacy and the public's right to know, the ACLU of Rhode Island recognizes that legislation like this raises competing interests.

While there are legitimate and strong arguments on both sides, and we recognize the legitimate privacy interests underlying the bill, we ultimately believe that transparency in the process outweighs a lottery winner's right to privacy. Scandals across the country over the years regarding games of chance highlight the importance of ensuring an openness to the process. In order to both objectively and subjectively assure the public that lotteries are being conducted above board, we believe this level of transparency regarding winners is necessary.

Separately, regardless of one's view on this substantive issue, we also want to point out that, as worded, the proposed exemption would go much further than keeping the specific names of lottery winners confidential. By exempting "all records relating to winners," this provision could prevent people from learning information about where winning tickets were sold, how many winners there were, and a host of other related pieces of information that clearly should be public.

For these reasons, the ACLU opposes this legislation, but if the committee supports its passage, we urge that it be amended in order to limit its scope to the specific issue intended.