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**TESTIMONY ON 26-S 2023,
RELATING TO OFFICE OF INSPECTOR GENERAL
May 21, 2026**

The ACLU of Rhode Island has no position on the substantive issue of establishing an office of inspector general (IG). In conducting an initial review of this legislation, however, we do wish to point out a few concerns regarding provisions that could have a significant impact on the public's right to know.¹

One section of the bill [Page 6, lines 18-26] provides that subpoenas issued by the IG will not be made public, "nor shall any documents or records provided pursuant to this section be made public" until the IG deems it necessary. We would urge that this section, and others like it, make clear that all records that would otherwise be public under the Access to Public Records Act do not suddenly become confidential simply because they are turned over to the IG as part of an investigation. In fact, APRA was amended a few decades ago to address a similar issue with grand jury records. That amendment made clear that public records do not lose their public status merely because they are also part of a grand jury investigation. R.I.G.L. §38-2-13. We believe it would be helpful to include a similar clarification in this bill.

We are also concerned about the strict confidentiality provisions in that bill that are in place for persons who provide testimony to the IG, putting any speech about it on the same plane as grand jury testimony. [Page 8, lines 2-10]. We do not believe that individuals can or should face serious criminal sanctions for speaking about their interactions with a state administrative agency.

Finally, we would urge the addition of language that would clarify the availability under APRA of records maintained by the IG's office. The many references to secrecy and confidentiality throughout the bill could be interpreted to prevent appropriate public oversight of this agency itself and the work that it is performing.

Thank you for considering our views.

¹ A few other issues worth initially flagging include provisions (1) establishing an extremely broad standard for access to records of non-governmental bodies in IG investigations (allowing access to any information which is "in any way" related to programs and operations with the government) [Page 5, lines 6-12]; and (2) authorizing public reports to have critical information kept redacted indefinitely in the absence of an "official disposition." [Page 10, lines 2-6].