

**ACLU OF RI POSITION: SUPPORT/AMEND**

**TESTIMONY ON 26-S 2638,  
RELATING TO CRIMINAL OFFENSES –  
IDENTITY THEFT PROTECTION ACT OF 2015  
March 31, 2026**

This proposed legislation would amend the Identity Theft Protection Act of 2015 by, among other things, instructing municipal and state agencies to adopt policies to protect personally identifiable information from data breaches. The ACLU of Rhode Island supports continued efforts like this bill to strengthen protections against security breaches and to protect the data and information of all Rhode Islanders. These efforts are especially important in light of the data breaches that the state itself has suffered in recent years.

However, we wish to offer a few comments about provisions in the bill that we believe could be made stronger. We are concerned with the use of such phrases as “industry recognized cybersecurity framework” (page 1, lines 8-9; page 2, line 7) and “industry recognized sanitization and destruction guideline” (page 2, line 2). In the absence of clearly defined standards, these statements of “frameworks” and “guidelines” may leave room for weak or inconsistent implementation. We similarly worry that relying on vague, industry-developed guidelines based on a self-regulating field may fall short of providing the necessary protections that Rhode Islanders deserve.

Additionally, while we support the effort to strengthen the remedies associated with violations of this chapter, we believe that the most important remedy that this bill could provide would be to explicitly authorize a private right of action for victims of data breaches. Under current law, for the most part, only the Attorney General has the authority to bring claims, which can severely limit the recourse available for victims of data breaches. A private right of action serves, in our view, as a much stronger incentive to encourage compliance with the law.

Protecting Rhode Islanders’ data is more important than ever. We appreciate this bill’s effort to achieve that critical goal and urge that it be strengthened with the suggestions offered above. Thank you for considering our views.