

CELEBRATING

10
YEARS
OF ADVOCACY
2006 - 2016

EXECUTIVE DIRECTOR
Justin Silverman, Esq.

EXECUTIVE COMMITTEE
Karen Bordeleau
NEFAC President
The Providence Journal (formerly)
Michael Donoghue
First Vice President
Vermont Press Association
Robert A. Bertsche, Esq.
Second Vice President
Prince Lobel Tye, LLP (Mass.)
Naomi Schalit
Treasurer
Gloucester, Mass.
Lynne DeLucia
Fundraising Chairwoman
Connecticut Health I-Team
David Rosen
Communications Chairman
David Rosen Communications (Mass.)
Gregory V. Sullivan, Esq.
Clerk
Malloy & Sullivan (Mass.)

DIRECTORS
Jonathan P. Albano, Esq.
Morgan, Lewis & Bockius LLP (Mass.)
Dan Barrett
ACLU of Connecticut
Dieter Bradbury
Portland Press Herald
Edward Cafasso
WinnCompanies (Mass.)
Peter Caruso, Sr., Esq.
Caruso & Caruso, LLP (Mass.)
William Chapman, Esq.
Orr & Reno (N.H.)
Linda Conway
New England Newspaper & Press Assoc.
Lia Ernst
ACLU of Vermont
Thomas Fiedler
Boston University
Edward Fitzpatrick
Roger Williams University
Richard Gagliuso, Esq.
Gagliuso & Gagliuso (N.H.)
George Geers
Academy of New England Journalists
Daniel J. Klau
McElroy, Deutsch, Mulvaney & Carpenter (Conn.)
Amanda Milkovits
The Providence Journal
Maggie Mulvihill
Boston University
Jennifer Peter
The Boston Globe
Elizabeth Ritvo, Esq.
Brown Rudnick, LLP (Mass.)
Walter V. Robinson
The Boston Globe
Sigmund D. Schutz, Esq.
Preti Flaherty (Maine)
James H. Smith
Connecticut Council on FOI
Todd Smith
Caledonian Record (Vt.)
Mike Stanton
University of Connecticut
Emily Sweeney
The Boston Globe
Tim White
WPRI-TV Providence
Yohuru Williams
Fairfield University (Conn.)
Janet Wu
WCVB-TV Boston

*Affiliations appear for
identification purposes only.*



New England First Amendment Coalition

Phone 508.983.6006 Fax 617.860.2559 Web nefac.org
Twitter @FiveFreedoms Mailing Address 111 Milk Street, Westborough MA 01581

*SUBMITTED VIA EMAIL TO
SLEGISLATION@RILEGISLATURE.GOV*

ATTN: Rhode Island Senate
Committee on Judiciary
Robert A. Ricci, Clerk

March 27, 2018

Dear Members of the Senate Committee on the Judiciary,

On behalf of the New England First Amendment Coalition, I'm writing in opposition to Senate Bill 2450, "An Act Relating to Criminal Offenses - Electronic Imaging Devices." NEFAC is a regional non-profit organization that advocates for First Amendment freedoms and the public's right to know.

During the last two years, we have expressed our concern with legislative attempts to criminalize so-called revenge pornography that also infringe upon the First Amendment rights of Rhode Islanders. Most recently, we joined with the ACLU of Rhode Island, the Rhode Island Press Association and the Media Coalition to emphasize the need for an "intent to harm" standard in any legislation considered by your committee.

While an "intent to harm" standard is not included in Senate Bill 2450, it is included in Senate Bill 2581, which is supported by Gov. Raimondo and more effectively addresses potential First Amendment conflicts. We strongly encourage your committee to consider the governor's bill and to support the "intent to harm" standard it wisely includes.

This standard is already used by many states with revenge pornography laws. Without it, news organizations would risk criminal charges every time they chose to show nude images. As we explained in our May 9, 2017, letter to your committee, this risk would lead journalists to self-censor and not publish newsworthy images they otherwise would. This is the chilling effect that could occur with the passage of Senate Bill 2450. In comparison, Senate Bill 2581 more effectively targets the purveyors of revenge pornography — which is the goal of this type of legislation — and also provides protection for news organizations.

Our coalition takes very seriously the privacy interests at stake with revenge pornography legislation. These interests, however, need to be protected in a way that does not infringe on the First Amendment rights provided by our Constitution.

Sincerely,

Justin Silverman
Executive Director

MAJOR SUPPORTERS

The Boston Globe



PHF THE PROVIDENCE JOURNAL
Charitable Legacy Fund



The Robertson Foundation

