

**RESOLUTION IN SUPPORT OF 2020 – H 7755 and S 2756
AN ACT RELATING TO CRIMINAL OFFENSES
TRESPASS AND VANDALISM**

WHEREAS, Article I, Section 17 of the Rhode Island Constitution provides, in relevant part, the right of people to access the shore to enjoy and freely exercise all the rights of fishery, and the privileges of the shore; and,

WHEREAS, the Rhode Island Supreme Court has determined what property constitutes “the shore” based on tidal flows, erosion and accretion; and

WHEREAS, the people have been unable to enjoy their constitutional right to access the shore due to ambiguities associated with defining the location of the shore; and

WHEREAS, conflicts have arisen between property owners along the shore and the people exercising their constitutional right to access the shore; and

WHEREAS, the Town Council of the Town of Charlestown is committed to protect the right of the people to access the shore free from intimidation, harassment or conflict with property owners and/or government entities or agents; and

WHEREAS, 2020 – H 7755 and S 2756 provide, in relevant part, that no person shall be prosecuted, punished or subject to any penalty or forfeiture for or on account of conduct or an attempt to engage in conduct protected in the Rhode Island Constitution, Art. 1 § 17, when the conduct or attempted conduct occurs on a sandy or rocky shore and within ten feet (10') of the most recent high tide line. Protected conduct shall include, but not be limited to, fishing, gathering seaweed, swimming, and passage along the shore; and

WHEREAS, the Town Council of the Town of Charlestown finds that it is in the best interests of the health, safety and welfare of the people and visitors to Rhode Island to protect their constitutional right to access the shore free from infringement by private persons and/or governmental entities or agents.

NOW, THEREFORE, BE IT RESOLVED that the Town Council; of the Town of Charlestown hereby requests that the General Assembly act favorably and pass 2020 – H 7755 and S 2756; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to provide a copy of this resolution to the Town of Charlestown’s representatives in the R.I. General Assembly.

The RESOLUTION shall take effect upon passage.

By resolution of the Charlestown Town Council at a meeting held on March 9, 2020



Amy Rose Weinreich, CMC Town Clerk

