The American Civil Liberties Union of Rhode Island today criticized the Warwick Board of Public Safety's decision to ban a local nightclub from hosting hip-hop or rap music events in response to a shooting that took place at the club earlier this month.

"The Board of Public Safety has embarked down a slippery slope in dictating to club owners what type of music they can host or perform," said Steven Brown, Executive Director of the ACLU of Rhode Island. "When the board goes so far as to ban certain types of music at an establishment, extremely serious First Amendment issues are implicated."

The public safety board imposed the ban on Barry's Nightclub on Tuesday in response to an incident earlier this month in which a man was shot during a fight outside the club. In a letter to the board, Brown noted that the city has many means at its disposal-unrelated to the censorship of speech-to reduce the further likelihood of violence, including setting liquor restrictions and requiring an increased security presence.

The ACLU pointed to a recent highly publicized shooting at an Ohio nightclub during a performance by a heavy metal band as demonstration that particular types of music cannot be singled out as more or less likely to lead to patron misconduct. The ACLU noted that hip-hop and rap concerts routinely take place throughout the state without any criminal activity.

"Banning hip-hop and rap music at Barry's Nightclub because of disruptive incidents is no more appropriate than banning 'The Star Spangled Banner' at sporting events where spectator melees have occurred," Brown said. "Further, since hip-hop and rap music often have a decided anti-establishment edge to them, a decision singling out these forms of musical performance for a ban has a content-based component that is especially troubling in a free speech context."

The ACLU also raised concern that the ban targets music that traditionally has a large African American constituency and could be racially biased.