



STATE OF RHODE ISLAND
OFFICE OF THE ATTORNEY GENERAL

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Peter F. Neronha
Attorney General

May 17, 2022

The Honorable Robert E. Craven, Sr., Chair
House Committee on Judiciary
RI Statehouse, House Lounge
Providence, RI 02903

RE: HB 8230 – Support

Dear Chair Craven:

I write today in support of House Bill 8230, sponsored by Representative Julie Casimiro, which would amend R.I.G.L. § 11-37-6, entitled “Third degree sexual assault,” to address a gap in current law.

Under current law, R.I.G.L. § 11-37-6 criminalizes sexual penetration involving a person over the age of eighteen (18) and a person who is over the age of fourteen (14), but under the age of consent, which is sixteen (16). The proposed legislation seeks to expand the offense of third-degree sexual assault to include sexual penetration *or sexual contact* between a person over the age of eighteen (18) and a person over the age of fourteen (14) and *under the age of eighteen (18)* where the older person is in “a position of authority” over the younger person. The bill exempts sexual penetration or contact between persons over the age of 16 and persons under the age of 20, provided (1) it is consensual and (2) there are no more than 30 months between the parties.

Recent events in our state have further underscored the need to ensure that our laws protect our children from adults who use their position, and access, to harm them. My Office takes allegations of sexual assault involving children very seriously. This is made evident not only by our aggressive prosecution of these types of cases, but also by our legislative efforts and priorities. As a result of our experience prosecuting more than a hundred of these cases every year, we proposed two new pieces of legislation this year, both of which would address other gaps in the law related to the protection of children. The first, HB 7807, would establish criminal penalties for the wanton or reckless act or omission of a parent or guardian that results in substantial risk of serious bodily injury or sexual abuse to a child in their care. The second, HB 7693, would eliminate the current three-year statute of limitations for second-degree sexual assault.

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With respect to the statute of limitations, I believe that HB 8230 would be much more effective in protecting children if it included a provision exempting the crime of third-degree sexual assault from the existing three-year statute of limitations. That exemption would extend the time period within which child victims of sexual assault may report the abuse they suffered and enhance the prosecution's ability to hold perpetrators responsible for their crimes.

In summary, I support the intent behind HB 8230. I thank the Committee for its consideration and remain available to work with Representative Casimiro, the Committee, and other stakeholders regarding this legislation.

Sincerely,



Peter F. Neronha
Attorney General

Cc: House Committee on Judiciary Members