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Chairman Robert Craven, Esq.

House Judiciary Committee

Rhode Island State House

RE: H 5908 Punitive Damages

Dear Chairman Craven,

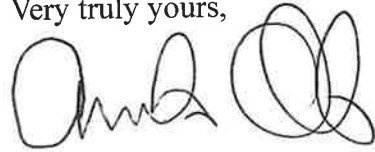
There is no Rhode Island statute that delineates the standard for punitive damages. At least twenty-five (25) other states have statutes that detail this standard.

The purpose of punitive damages in Rhode Island is to “punish and deter” future reckless and wanton conduct in the future. This is a critically important element of damages, that tries to correct the worst wrongs that occur in our society.

In Rhode Island, the current standard for punitive damages requires that the conduct at issue be “tantamount to criminality.” This standard is often nearly impossible to prove. The standard is also much more onerous than the vast majority of state statutes or decisions from state supreme courts.

This bill would detail a standard for punitive damages that is in line with other similar states and allows for a recovery of punitive damages when there is “willful and wanton” conduct or conduct that is so “reckless” that the conduct needs to be punished or deterred for the betterment of Rhode Island citizens.

Very truly yours,

A handwritten signature in black ink, consisting of a stylized 'A' followed by 'nthon' and a large, ornate flourish that loops back to the 'n'.

Anthony DeSisto, Esq.