

Subject: Opposition to H-5923: Unintended Criminalization of Adolescents

To: The Honorable Robert E. Craven, Sr., Chair
House Judiciary Committee
Rhode Island House of Representatives
HouseJudiciary@rilegislature.gov

Dear Chairman Craven and Honorable Members of the Judiciary Committee,

I am writing to voice my opposition to House Bill H-5923, which seeks to expand criminal penalties for the possession, transfer, or distribution of material involving minors engaged in sexual conduct when such material may lack “serious literary, artistic, political, or scientific value.”

While the intention of this bill—to protect children from exploitation—is one we all support, the bill as written risks sweeping unintended consequences that could harm the very youth it aims to protect.

Criminalizing Normal Adolescent Behavior

The bill’s broad and vague language opens the door to criminalizing adolescents who share intimate images with a peer in the context of a consensual romantic relationship. While the behavior may be inappropriate or risky, it is not the same as the production or distribution of child pornography. However, H-5923 risks treating these teens as criminals and labeling them as sex offenders—sometimes for life. We must recognize that the digital age has introduced new challenges in adolescent behavior, and while education and prevention are critical, harsh criminal penalties are not the answer. Charging teens under laws intended for predatory behavior does not protect them—it ruins lives, limits opportunities, and fails to address the underlying issues.

Existing Laws Already Address Exploitation

Rhode Island already has laws in place that effectively address child pornography and exploitation. These laws are tailored to target those who intentionally produce, distribute, or consume exploitative material. We do not need additional legislation that could inadvertently punish minors for developmentally normal—if unwise—behavior.

Overreach and Collateral Damage

By not clearly distinguishing between malicious intent and impulsive, private behavior, H-5923 creates the risk of criminalizing youth who are not predators but simply need guidance and support. It also may deter adolescents from coming forward in situations where they are being coerced, fearing that they themselves might be prosecuted.

Conclusion

Protecting children from exploitation is essential. But H-5923, as written, risks causing real harm by casting too wide a net. Instead of protecting youth, it could criminalize them—forever altering the course of their lives for mistakes made in moments of poor judgment. We must be careful not to confuse education and discipline with prosecution.

I urge you to reject H-5923 or significantly revise it to protect youth from exploitation without putting them at unnecessary legal risk.

Sincerely,

Damian Lima
Providence, RI