



## **RHODE ISLAND SUPREME COURT**

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**Via Electronic Mail ([HouseJudiciary@rilegislature.gov](mailto:HouseJudiciary@rilegislature.gov))**

Chairman Robert E. Craven, Sr.

House Committee on the Judiciary

Rhode Island State House

House Lounge

Providence, RI 02903

### **Re: House Bill #5893: An Act Relating to Criminal Offenses – Sexual Assault**

Dear Chairperson Craven:

I write on behalf of the Rhode Island Judiciary to respectfully urge the House Judiciary Committee to support passage of House Bill #5893, scheduled to be heard this evening. If enacted, this legislation would require law enforcement officers to electronically file with the Supreme Court's Domestic Violence Training and Monitoring Unit (the "Unit") a new, upgraded domestic violence/sexual assault reporting form under standardized data reporting and timing conditions.

Under current law, a law enforcement officer responding to or investigating a sexual assault or child molestation sexual assault incident must, upon determination of probable cause for arrest or referral to the Attorney General's Office, complete a sexual assault reporting form (the DV/SA-1). This is the same form that officers must complete upon responding to or investigating a domestic violence incident, whether or not an arrest occurs. These reporting forms are submitted to the Unit in paper form with the accompanying police report attached.

The Judiciary has proposed House Bill #5983 to enhance this system in four (4) consequential ways. First, it has come to the Judiciary's attention that the creation of a statewide records management system is underway in which some, but not all, Rhode Island law enforcement agencies will participate. The creation of a new, electronic DV/SA-1 form would ensure that all law enforcement agencies, regardless of their participation status in the new statewide records management system, would be able to access and submit the same standardized form to the Unit. It would also permit the Unit to make quick and easy future form modifications and transmit them electronically to all law enforcement agencies at the same time.

Second, the Unit receives approximately 7,500 forms each year, which must all be individually reviewed, edited if inaccurate (for example, existing challenges include hard-to-read

information, incomplete sections, and improper data field use), numbered and processed, have its data contents entered into the Unit's database by hand, and scanned into electronic form. The migration of the DV/SA-1 form from paper to electronic format would save the Unit significant time, resources, and work hours at each step of this process while allowing it to better conform to the Judiciary's ongoing adoption of electronic documentation across the unified judicial system. It would also streamline the completion and submission process for law enforcement agencies by allowing them to complete the forms on the scene or immediately thereafter while eliminating the need for printing them on paper, completing them by hand, and mailing them by post. Further, the filing of the form electronically would ensure that the relevant information is accurately submitted.

Third, House Bill #5983 would enlarge the number and type of information reported on the DV/SA-1 form. The current paper form does not allow, among other things, the ability to select all 17 of the enumerated domestic violence offenses, the ability to select more than one ethnicity, or the ability to indicate language as a barrier—all important data points the Unit currently cannot track. By remediating such notable absences, the new form would provide the Unit with a far more representative and useful data set than before.<sup>1</sup> Recognizing that requiring law enforcement officers to provide additional data would entail additional work, the new form would also be designed to increase the reporting officers' efficiency by walking them through each box to form completion using yes/no questions, dropdowns, and radio buttons.

Finally, House Bill #5983 would establish a standardized reporting time period for submitting incomplete or "under investigation" DV/SA-1 forms. Currently, such a standard is lacking, leading to some law enforcement agencies submitting DV/SA-1 forms before making a probable cause determination and later failing to follow up with the requisite information. The Unit must then list such cases as "under investigation" indefinitely, leaving gaps in their database and skewing their statistics. This bill would resolve this problem by requiring law enforcement officers to submit completed forms by the end of each month and finish and submit incomplete, "under investigation" forms by the end of the relevant calendar year.

For the foregoing reasons, I ask the House Judiciary Committee to consider supporting passage of this bill. Thank you for the opportunity to address this important matter.

Sincerely,



Chrisanne Wyrzykowski  
Deputy General Counsel

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<sup>1</sup> Again, the electronic format of the form would permit the Unit to efficiently alter the data fields as needed and transmit an updated form to all law enforcement agencies at the same time.