

The Just Criminal Justice Group, LLC



Michael A. DiLauro, Esq.
Owner/Manager

February 10, 2026

Carol Hagan McEntee
Chair, House Judiciary Committee
The Statehouse
Providence, RI 02903

**RE: House Bill No. 7488
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- ABUSE IN HEALTHCARE
FACILITIES {LC4603/1} (Removes the intent requirement relative to the
definitions of "abuse" within the chapter on "abuse in healthcare facilities" and
amends the definitions of "abuse" and "neglect" with regard to elderly affairs by
deleting the element of willful conduct.) I write to express concerns about the
legislation referenced here.**

HEARING DATE: February 11, 2026

Dear Chairperson McEntee and Members of the House Judiciary Committee:

This act would amend several provisions of the General Laws by removing the intent requirement relative to the definitions of "abuse" within the chapter on "abuse in healthcare facilities" and would amend the definitions of "abuse" and "neglect" with regard to elderly affairs by deleting the element of willful conduct. As such the legislation appears to dispense with the specific intent necessary to prove alleged violations of law thereby criminalizing behavior that may not rise to that level but be only negligent in nature.

Specific intent crimes require not just that someone did the act, but that they meant to bring about a particular result or had a particular purpose in mind. That matters because:

1. Someone who intends harm is generally more blameworthy than someone who causes harm accidentally.
2. Criminal punishment is supposed to reflect culpability, not just bad outcomes.

3. Protects against over-criminalization of conduct that while not entirely innocent may only be worthy of civil and not criminal sanctions.
4. Without intent requirements, people could be convicted for mistakes, misunderstanding.
5. It helps distinguish between different levels of the same conduct
6. It reinforces the deterrence function of criminal law.

Should this legislation become law the scenario of an overworked and underpaid health care worker short of time and resources now being susceptible to criminal sanctions is a realistic one. At such times the line between innocent and behavior worthy of criminal and other sanctions may be blurred. The current framework strikes the correct balance in discerning between conduct that is civil in nature and does not rise to the level requiring criminal sanctions.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Michael A. DiLauro". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael A. DiLauro, Esq.

CC: House Judiciary Committee Members