



DORCIS INTERNATIONAL
INSTITUTE OF RHODE ISLAND

Testimony in support of 26-H 7198
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House Judiciary Committee
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Dorcias International Institute of Rhode Island stands in support of House Bill 7198, a bill that would reduce the maximum possible prison sentence for a misdemeanor in Rhode Island by a single day – from one year to 364 days – a change that has essentially no impact on law enforcement in Rhode Island, but could have a significant impact for many immigrants in Rhode Island.

Dorcias International is an independent, non-profit agency with a guiding mission to cultivate an inclusive community for immigrants and those seeking refuge by providing integrated services, fostering cross-cultural understanding, and nurturing strong partnerships. Our Citizenship & Immigration Services program provides free consultations to over 5,000 individuals each year and represents approximately 2,000 immigrants and refugees each year on humanitarian and family-based applications. Our clients are an essential and valued part of our community and our economy. This bill deeply affects our clients and our community.

Under federal immigration law, certain types of criminal convictions (state or federal) that are punishable by a year or more in prison can make any non-citizen subject to detention and deportation. The benchmark is not misdemeanor vs felony. The benchmark is the maximum term of imprisonment allowed for the crime. Therefore, even if the crime is relatively minor, even if the crime is non-violent, and even when the individual never served a day in prison or had any jail time as part of their sentence, they may be at risk of deportation without the possibility of a waiver.

A common example is shoplifting, which is a misdemeanor under Rhode Island law, and therefore, is punishable by up to one year in prison. It is a non-violent crime, and most people convicted of shoplifting in Rhode Island do not receive any jail time, and instead pay a fine. But under federal immigration law, crimes of theft, including shoplifting, are categorized as “crime involving moral turpitude”. Therefore, a Rhode Island conviction for shoplifting can have the additional and disproportionate consequence of deportation – which can result in permanent separation from children and family, loss of job, loss of home, and loss of community.

This bill does not change what crimes are classified as misdemeanors or felonies. This bill does not impact a prosecutor’s ability or discretion to charge defendants with crimes in Rhode Island. And this bill does not impact a judge’s ability or discretion to sentence a defendant once convicted – except for by a single day.



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The benefit this bill affords, is to prevent the automatic triggering of deportability for certain Rhode Island misdemeanor convictions – which is currently a collateral and detrimental impact. Immigrants should not be punished more harshly than others, and yet we are seeing this every day carried out by the current administration in our community. This one-day change in sentencing laws would protect many immigrant Rhode Islanders from the cruel and disproportionate consequences of misdemeanor convictions.

We respectfully urge you to pass this bill and allow Rhode Island to join more than a dozen other states that already define a misdemeanor to carry a maximum sentence of less than one year.

Thank you for your consideration.