



State of Rhode Island
Office of the General Treasurer

James A. Diossa
General Treasurer

12 March 2026

The Honorable Carol McEntee
Chair, House Committee on Judiciary

The Honorable Members of the House Committee on Judiciary

RE: 2026-H 7547 – *An Act Relating to Criminal Procedure – Criminal Injuries Compensation*

Chair McEntee,

I write in strong support of 2026-H 7547, which would create a vital lifeline for victims of stalking that so often find themselves trapped in dangerous living situations. Stalking “includes repeated unwanted contacts or behaviors that cause[] the victim to experience fear or substantial emotional distress or would cause a reasonable person to experience fear or substantial emotional distress.” Rachel Morgan, *et al.*, *Stalking Victimization, 2019*, United States Department of Justice (Feb. 2022). Stalkers can use a variety of actions to frighten, harass, and control their victims that can include following a person to their home. **While the CVCP helps hundreds of victims each year, victims of stalking do not qualify for compensation.** See R.I. Gen. Laws §12-25-20.

This amendment includes stalking as a compensable offense and would entitle victims to up to \$5,000 to relocate or \$1,000 for reasonable home security measures. The ability to move to a new and secure location is not just a practical hurdle – it is a preventative measure against escalating violence before a threat turns into a tragedy. **Increased resources for stalking intervention have saved lives across the country and will here.**

Currently, the financial burden of relocation falls entirely on the victim and may not always be financially feasible. This bill helps ensure that a victim’s financial means do not dictate their ability to feel secure from their stalker in their own home.

This act would also remove three offenses currently eligible for compensation: the abominable and detestable crime against nature, assault with the intent to commit the abominable and detestable crime against nature, and larceny. The abominable and detestable crime against nature is a vestige of a homophobic state law previously used to prosecute what was then considered unnatural sexual

activity “with mankind.” See Pub. Laws 1998 ch. 24, § 1. This was an implicit reference to consensual and nonconsensual sodomy. When the legislature repealed the portion of R.I. Gen. Laws § 11-10-1 that prohibited certain sexual conduct “with mankind,” the Rhode Island Supreme Court has found the General Assembly “clearly intended that such activity be regulated by the criminal statute on sexual assault” going forward. *State v. Mullen*, 740 A.2d 783, 786 (R.I. 1999). The statute is now only used in the prosecution of acts of bestiality. Nonconsensual sex acts are prosecuted as first or second-degree sexual assault under R.I. Gen. Laws § 12-25-20 (11) and (13) and are eligible for compensation under the current statute.

Larceny – a property crime – is a lesser included offense of robbery and is therefore redundant to the extent a perpetrator uses real or threatened physical force against a crime victim. State law that prescribes penalties for robbery “incorporates the common-law definition of robbery, that definition being the ‘felonious and forcible taking from the person of another of goods or money of any value by violence or by putting the victim in fear.’” *State v. Rolon*, 45 A.3d 518, 524 (R.I. 2012) (quoting *State v. Robertson*, 740 A.2d 330, 333 (R.I. 1999)). “A required element of robbery is that ‘the taking be accomplished by force, violence, or intimidation.’” *Id.* “It is the additional element of force, violence, or intimidation in the taking of property that differentiates robbery from larceny; thus, ‘[l]arceny is a lesser included offense of robbery.’” *Rolon*, 25 A.3d at 524 (quoting *State v. Briggs*, 787 A.2d 479, 487 (R.I. 2001)). The Rhode Island Supreme Court has noted that robbery is punished more severely than larceny “because the crime presents the risk of harm to the person of the victim and not *solely* to the victim’s property.” *Robertson*, 740 A.2d at 333-34 (emphasis added).

Since “[t]he distinguishing characteristic between robbery and larceny ‘is the [additional] element of force, violence, or intimidation in the taking of property,’” and because property loss is *not* compensable under the CVCP, the program can repeal this provision without a material loss of coverage for victims. *Briggs*, 787 A.2d at 487 (quoting *Holley*, 604 A.2d at 774).

If you have any further questions, please do not hesitate to reach out to me directly or to my Director of Policy and Intergovernmental Affairs, Robert Craven, Jr., at Robert.CravenJr@treasury.ri.gov.

Respectfully,



James A. Diossa
General Treasurer

cc: The Honorable Jenni Furtado