

H8058
Support
Jennifer Lima

Chair McEntee and Members of the Committee,

I was elected to the North Kingstown School Committee in 2020. I testified last year in support of this same piece of legislation.

I want to begin by being very clear: I strongly support the First Amendment. I believe deeply in the right of constituents to criticize, challenge, and repeatedly contact their elected officials. That is not only protected speech — it is essential to democracy.

What I experienced was not that.

For over a year, one individual engaged in a sustained course of online conduct directed at me and my family. He posted and deleted hundreds of comments on my social media accounts — 799 in total. Some referenced death or sexual violence. He tagged my young adult children in disturbing posts. He once followed me in town. Not every message he sent was overtly threatening. But the totality of them created fear and disruption in my daily life.

Some of the messages could be framed as related to public policy. And that is precisely the problem with the current statute.

Because the law requires communications to be made for the **sole purpose** of harassment, there was nothing that law enforcement could do. As long as even a small portion of the conduct could be characterized as civic communication, the entire pattern became effectively untouchable.

The example raised last year by the Public Defenders Office in opposition to this bill - a constituent repeatedly emailing about legislation — does not resemble the reality of stalking or harassment cases. Sending daily - even multiple - emails about a stop sign or a bill is civic participation. Sending hundreds of messages over months that include threats, intimidation, and fixation is harassment. The current statutory language forces law enforcement to pretend those two situations are the same. They are not.

H8058 would not criminalize political speech. It would not prevent constituents from contacting public officials — even frequently or forcefully. Prosecutors must still prove intent. Courts must still evaluate context and totality. Patterns of intimidation, fixation, and threatening or degrading communications are distinguishable from civic advocacy. Law enforcement and courts make those distinctions every day.

Removing the word “solely” does not eliminate constitutional safeguards. It corrects an overly rigid standard that prevents enforcement even in extreme situations. The current language does not simply protect legitimate speech. It creates a loophole that allows sustained

harassment to continue as long as it is interspersed with occasional policy-related communication.

I ultimately had to hire a private attorney at significant personal expense to obtain a civil restraining order. Many victims cannot do that. Criminal law should not be structured in a way that makes protection functionally unavailable.

Public service should not require accepting sustained harassment as the price of participation. And no one should have to wait for a specific actionable threat of violence before the law recognizes sustained harassment as harm.

I urge you to support this legislation.

Thank you,

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