

March 24, 2026

**RE: Support for H8272 - “An Act Relating to Criminal Offenses – Law Enforcement Sexual Misconduct”**

To the House Committee on Judiciary,

I strongly support H8272, which prohibits law enforcement from engaging in sexual contact or penetration with individuals in their custody, under arrest, or under investigation – situations where true consent is impossible. As both a sex worker and an advocate for survivors of sexual violence, I've seen firsthand how power imbalances can lead to coercive behavior by those in positions of authority. I have also personally experienced sexual harassment by law enforcement in another New England state, and I know how devastating it is when those entrusted with public safety exploit that power. This bill is a crucial step toward establishing clear boundaries of consent and accountability within policing – not only for the safety of sex workers, but for the community at large.

Police sexual violence is the second-most prevalent form of police violence behind excessive force, but because victims are often hesitant to report their experience, there are likely exponentially more cases than have been documented.<sup>1</sup> Sexual assault is already illegal; however, police sexual violence is unique because an officer of the law inherently has power and control over their victim. They can use that power to coerce their victim and can then later assert that the sexual contact was consensual, which leaves victims fearful to report an assault, or victims are not believed when they do report. A law explicitly prohibiting sexual contact with someone in police custody or someone who is the subject of an investigation is necessary to ensure these crimes don't go unpunished, that victims feel safe to report their experience, and that law enforcement is able to build trusting relationships with communities.

Custodial sexual assault can affect anyone who comes into contact with law enforcement, but marginalized people are especially at risk. The International Association of Chiefs of Police's "Addressing Sexual Offenses and Misconduct by Law Enforcement Executive Guide" acknowledges that policing "create[s] opportunities for sexual misconduct" because officers "have power and authority over others" and "engage with vulnerable populations who lack power and are often perceived as less credible",<sup>2</sup> including juveniles, people involved in the sex trade, undocumented people, those with substance use disorders and mental illnesses, etc.<sup>3</sup>

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<sup>1</sup> Dara E. Purvis & Melissa Blanco, Police Sexual Violence: Police Brutality, #MeToo, and Masculinities, 108 Cal. L. Rev. 1487 (2020). <https://californialawreview.org/print/police-sexual-violence/>

<sup>2</sup> Int'l Ass'n of Chiefs of Police, Addressing Sexual Offenses and Misconduct by Law Enforcement: Executive Guide at 4 (2011). <https://www.theiacp.org/sites/default/files/all/a/AddressingSexualOffensesandMisconductbyLawEnforcementExecutiveGuide.pdf>.

<sup>3</sup> *Id.* at 4, 13.

Most states across the country have already addressed this issue; Rhode Island is now one of only 16 states that does not explicitly protect victims in law enforcement custody.<sup>4</sup> In fact, neighboring states have begun amending existing custodial sexual misconduct laws to make them even more effective. In 2023, Vermont expanded its law to not only protect people in police custody but also subjects of investigations and confidential informants.<sup>5</sup> Massachusetts and New York legislators are currently considering similar legislation.<sup>6</sup> H8272 protects persons who have been seized, detained, placed in custody or under arrest, confined in a correctional or law enforcement facility or vehicle, and/or are subjects of an investigation or questioning. This bill would not only bring Rhode Island law up to speed with the rest of the country's protections against custodial law enforcement sexual misconduct; it would make Rhode Island the tenth state to protect victims in a broader swath of police interactions.

It is time for Rhode Island law to catch up with the rest of the country and prevent police misconduct, protect especially vulnerable members of the community, and support victims of sexual assault. Critically, this bill will benefit law enforcement officers by fostering trust from the communities they serve. I strongly urge you support the passage of H8272.

Mila Lapente,  
New England-based sex worker and advocate

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<sup>4</sup> See "Police Sexual Violence: Enacting Effective Laws", <https://decriminalizensex.work/advocacy/fact-sheets/police-sexual-violence-enacting-effective-laws/>.

<sup>5</sup> 13 V.S.A. § 3259, <https://legislature.vermont.gov/statutes/section/13/072/03259>.

<sup>6</sup> H2634, Massachusetts 2025-2026, <https://malegislature.gov/Bills/194/H2634>; S4404/A5399, New York 2026, <https://www.nysenate.gov/legislation/bills/2025/S4404>.