

SOAR INSTITUTE

March 24, 2026

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

To the House Committee on Judiciary,

I am writing to express my strong support of H8272, which prohibits law enforcement sexual penetration and sexual contact when the victim is in police custody, under arrest, or subject to an investigation and thus cannot consent. I am a longtime attorney and advocate for survivors of trafficking and sex workers, and am the Co Director of the Sharmus Outlaw Advocacy and Rights (SOAR) Institute. During my tenure doing appellate criminal defense for people in the sex trade at the Urban Justice Center (UJC), I witnessed firsthand the toll that interactions with law enforcement took on my clients. Having shifted to policy work in the past decade, I also have a birds-eye view of the many ways this legislation affects our communities, and have been honored to work on similar legislation in New York, Massachusetts, and Vermont.

During my time at UJC, all of my clients had been involved in the criminal justice system at one time or another, and thus had had experience with law enforcement. Many of my clients reported being coerced into sexual activity with law enforcement; unfortunately, this behavior was not infrequent, but rather a pattern of abuse and control over marginalized and powerless individuals. Strengthening laws that protect the most vulnerable individuals must be of the utmost importance. Working throughout the northeast on policy, it is clear that such abuse is not limited to one jurisdiction, but rather nationwide and systemic.

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.¹ 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

¹ 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/>

“have power and authority over others” and “engage with vulnerable populations who lack power and are often perceived as less credible”,² including juveniles, people involved in the sex trade, undocumented people, those with substance use disorders and mental illnesses, etc.³

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.⁴ 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.⁵ Massachusetts and New York legislators are currently considering similar legislation.⁶ 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.

Rhode Island has always been a leader in ensuring that its most vulnerable citizens are protected, especially from sexual violence. 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. We strongly urge you support the passage of H8272. It should also be noted that this bill was supported by this chamber’s Special Legislative Commission to Study Ensuring Racial Equity and Optimizing Health and Safety Laws Affecting Marginalized Individuals in its 2023 report to Speaker Shekarchi.

Please don’t hesitate to contact me for more information on this incredibly important matter.

Best,



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² 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>.

³ *Id.* at 4, 13.

⁴ See “Police Sexual Violence: Enacting Effective Laws”, <https://decriminalizesex.work/advocacy/factsheets/police-sexual-violence-enacting-effective-laws/>.

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

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