

OFFICE OF THE PUBLIC DEFENDER

160 Pine Street, Providence, Rhode Island 02903

TELEPHONE: (401) 222-3492

FAX: (401) 222-3287

EMAIL TO: info@ripd.org

WEBSITE: www.ripd.org

April 2, 2026

TESTIMONY OF THE OFFICE OF THE PUBLIC DEFENDER REGARDING:

House Bill No. 7652

ENTITLED, ACTS RELATING TO CRIMINAL PROCEDURE – SENTENCE AND EXECUTION

Chairwoman Hagan McEntee and Members of the House Judiciary Committee:

The Office of the Public Defender **supports** the passage of House Bill 7652, which would require courts to consider the effects of incarceration on the dependents of a defendant when determining the appropriateness of imposing a term of incarceration. While we believe that sentencing courts are already considering this type of mitigation, we nevertheless believe codifying such a requirement promotes fairness and justice.

We believe the key points in support of H7652 include:

1. **Consideration of Impact on Dependents:** The proposed bill acknowledges the significant and often long-lasting impact that a term of incarceration can have on the dependents of a defendant. By requiring courts to consider these effects, the bill would ensure that presentence reports and defense attorney mitigation reports include such information. This promotes a more thoughtful and holistic approach to sentencing that recognizes the interconnectedness of individuals within families and communities.
2. **Flexibility in Sentencing Decision:** As long-time advocates for judicial discretion in sentencing, we appreciate that the bill does not tie the hands of the court in terms of sentencing. It strikes a balance by introducing a factor for consideration without mandating a particular outcome, allowing courts the flexibility to make informed and just decisions on a case-by-case basis.
3. **Limitations on Exceptions:** H7652 does not interfere with existing mandatory sentencing requirements, such as in cases where home confinement is prohibited or where a term of incarceration is required, for example certain domestic and firearm-related offenses.

In conclusion, we believe that H7652 encourages a more thoughtful evaluation of the consequences of incarceration on dependents and urges the committee to support passage

Sincerely,

Angela M. Yingling
Legislative Liaison
Office of the Public Defender
401-222-1505
ayingling@ripd.org