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ACLU OF RI POSITION: SUPPORT

TESTIMONY ON 26-H 7037, RELATING TO DELINQUENT AND DEPENDENT CHILDREN – PROCEEDINGS IN FAMILY COURT April 16, 2026

The ACLU of Rhode Island supports this legislation which would prohibit handcuffing children aged twelve or under at initial police contact unless public or personal safety so requires. This legislation represents a step towards ensuring that Rhode Island’s police practices reflect the impact they have on children.

This practice disproportionately impacts communities of color. A 2014 study from the American Psychological Association found that Black boys as young as 10 are often seen as “responsible” for their actions, while white boys benefit from the assumption that children are innocent. This perspective leads more officers to assume guilt for Black children, which presents increased police violence and use of force.¹ A report issued by AP in 2021 noted that while Black children make up only 15% of the U.S. child population, data suggests that Black children make up more than 50% of those handled forcibly by police. The report also noted that Black children and children in other minority groups are often perceived by police as being older than they actually are.² These disparities in treatment reinforce the need for clear safeguards that protect all children from this conduct and that will require police to take into account, in non-emergency situations, the age of a young child being subjected to police seizure and arrest.

We have long opposed policing practices that treat children as if they were adults. The use of handcuffs can cause fear, confusion, and distress. These effects are heightened when applied to children, because of their continuing cognitive development, leaving them unable to understand or fully process the encounters. Negative interactions with law enforcement can have lasting consequences on a child, including affecting sleep, concentration, and overall well-being, which combined can then harm academic performance. These outcomes all contribute to the “school-to-prison pipeline” we have consistently warned against.

By allowing police to use this restraint on very young children when truly necessary – but only when truly necessary – this legislation establishes a common-sense policy that protects them from the harmful consequences that flow from the use of this criminal-related restraint. We therefore support the bill’s passage. Thank you for considering our views.

¹ <https://www.apa.org/news/press/releases/2014/03/black-boys-older>

² <https://apnews.com/article/death-of-george-floyd-arrests-george-floyd-chicago-only-on-ap-5df43637790f1750dcfbac559ec3bfdb>