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May 5, 2026

TESTIMONY OF THE OFFICE OF THE PUBLIC DEFENDER REGARDING:

House Bill No. 8482

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES

Chairwoman Hagan McEntee and Members of the House Judiciary Committee:

The Office of the Public Defender **opposes** H8482, which would double the maximum sentence for the crimes of both driving to endanger and driving under the influence with either death or serious bodily injury resulting.

Our objection is based on the fact that no data suggests that higher prison sentences would deter people from driving dangerously or under the influence.¹ On the contrary, there has been research that indicates that raising the maximum imprisonment sentence or imposing mandatory sentences has very little deterrent effect in these types of cases.² In addition, our current maximum sentence of the DUI/death resulting cases (fifteen years) places us among the average states in terms of punishment; to raise it to thirty years would vault us into the top echelon.³ We agree that this conduct is extremely dangerous and can result in tragedies that are breathtaking in scope and effect. However, in our collective experience, the sentences imposed in these cases fall squarely in the current range; a survey of our most experienced trial lawyers revealed that no one could recall a DUI case where either the prosecution or sentencing judge was seeking the current maximum sentence during plea negotiations. Accordingly, it follows that the current sentencing range appropriately punishes this dangerous conduct.

¹ Alexander Wagenaar, *General deterrence effects of U.S. statutory DUI fine and jail penalties: long term follow-up in 32 states*, NATIONAL INSTITUTE OF HEALTH, (March 2007), available at <https://www.sciencedirect.com/science/article/abs/pii/S0001457507000140?via%3Dihub> (last accessed May 5, 2026).

² *Id.*

³ It is noteworthy that, according to the Mothers Against Drunk Driving (MADD), twenty-seven states have penalties that are either equivalent or lower to Rhode Island's for DUI/death resulting, and only seven have penalties as high or higher than the proposed thirty years. See MADD Report, *Penalties for Drunk Driving Vehicular Homicide*, available at <https://madd.org/wp-content/uploads/2022/06/Vehicular-Homicide.pdf> (last accessed May 5, 2026).

Accordingly, the OPD **opposes** the sentencing increases contained in H8482, and encourages the Committee to reconsider this bill.

Sincerely,

/s/ Angela M. Yingling

Angela M. Yingling

Legislative Liaison

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