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**TESTIMONY IN OPPOSITION TO 18-H 7445,
RELATING TO ASSAULTS
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Last month, the ACLU of Rhode Island released a report, “Rhode Island’s Statehouse to Prison Pipeline,” which addressed the pervasiveness of the passage of laws creating new crimes and increasing criminal penalties for various existing offenses, helping fuel the twin problems of overcriminalization and mass incarceration. While we have no doubt about the good intentions behind this bill, it encapsulates the concerns raised in our report.

H-7445 would make it a felony to assault a taxi driver, even though assault is, obviously, already a crime. Instead, by creating another carve-out to increase the penalties for this crime, it would turn more offenders into felons, with all the consequences that entails.

We realize that, as a result of legislation passed just last year, assault on delivery people is now a felony. This bill could be seen as a logical extension of that law. But it is also precisely why the ACLU opposed that bill last year. Pretty soon almost any assault against another person will, by slow accretion, turn into a felony, and end up significantly increasing the universe of ex-felons in the state who face housing, employment and other woes because of one mistake they made. Rather than expanding the assault statutes, we would respectfully encourage the Committee to reconsider its decision to pass last year’s bill.

Before spending hundreds of thousands of dollars in taxpayer money in locking people up for longer periods of time for this offense, the committee should first deeply consider how truly necessary these increased penalties are. Among the questions that should be considered: what is the fiscal cost to taxpayers if these increased sentences are imposed? Is there any evidence that this increase in punishment will serve as a meaningful deterrent, or is it merely upping the retribution? What are the collateral consequences that flow from making this crime a felony, and is it worth doing that?

One does not have to condone offenses against taxi drivers to recognize that the General Laws is filled with too many laws that lock up too many people for too long for too many crimes. We therefore urge your opposition to this legislation.