

PVD

AMNESTY INTERNATIONAL



Hon. Robert E. Craven, Sr., Chairperson, House Committee on Judiciary,
et al. sitting Judiciary Committee Members, Rhode Island General Assembly

Amnesty International USA Local Group 1016
ITEM: H7053, H7164, H7170
POSITION: SUPPORT

To The Esteemed Members of the House Committee on Judiciary,

Thank you for considering House Bills 7053, 7164, and 7170, which together seek to create a more restorative environment in our State for those among us who have “paid their debt to society” in terms of rehabilitating themselves post conviction and seeking great integration and opportunities post re-entry. It is our position that civil disabilities for ex-offenders ought to in all cases be reduced rather than reinforced. This is the single best way to minimize barriers to basic human rights (housing, livelihood, education, etc.) for the formerly incarcerated, lowering rates of recidivism and ultimately lowering incarceration rates. All three pieces of legislation would be a solid step in the direction away from the antiquated punitive carceral system founded on bygone concepts of racism and the inherent criminality of the working classes, and towards a system that prioritizes the power of individuals and their communities to become whole again.

As has been mentioned by many observers, criminal sentences that have been served and put in an individual’s past ought not restrict their present or future opportunities, welfare, or liberty. They may have done a crime, but they have also, by definition of being back in society, done their time. Misdemeanors or nonviolent felony offenses for some have been an opportunity for reflection, growth, and a new approach to participating in society. They should have a clear expectation of continued benefits that come with good time outside; yes, H7053 and H7164 are a matter of access to an important feature of our criminal justice system—expungement filings—but together they are also a mechanism to further incentivize positive behaviors and restoring oneself in the fabric of one’s communities and society at large. After so many years, retributive penalties satisfied in full, everyone would have the right to rewards for their new and

positive ways of relating. This should include access to housing, employment, and enrichment opportunities as a matter of basic human rights; that is why H7170 would expand our “ban the box” concept in rehabilitative justice to include a ban on criminal background checks as well as self-reporting during many application processes. This is not a matter of hiding things; on the contrary, it would allow a candidate to fully reveal their qualifications and character first, before having their image and experience foreclosed on by what amounts to a challenge in their personal histories which they met and overcame. Any misgivings about what these three bills seek to affect indicate a gross misunderstanding of our criminal justice system and specifically the ways that retribution and rehabilitation are intended to work for the individual and society.

Amnesty PVD urges the Committee to consider these bills favorably and immediately send them to the House floor for a full vote.