



RHODE ISLAND KIDS COUNT

ONE UNION STATION
PROVIDENCE, RHODE ISLAND 02903
401/351-9400 • 401/351-1758 (FAX)

**Testimony Re: H-5071 An Act Relating to Criminal Offenses -- Threats
And Extortion**

House Committee on Judiciary

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Kelsey Bala, Senior Policy Associate

Mr. Chairman and members of the Committee, thank you for the opportunity to provide testimony today. Rhode Island KIDS COUNT would like to voice its concerns about House Bill 5071, which would add state government caseworkers or investigators, to the definition of a “public official.” This updated definition would make it a felony, with a potential sentence of up to five years in prison and or up to a \$5,000 fine, to threaten the life or bodily harm of a state government case worker or their immediate family.

We would like to acknowledge that we understand the intent of this bill is to provide protections for state case workers, and we recognize the seriousness of actual threats of bodily harm that should be met with penalties.

However, as the bill is written, there are no protections for children and youth as an exempt party from the severe penalties outlined in this legislation. This could give way for youth who may be dysregulated, and say things they don’t mean, to be charged with a felony if they say something that is perceived as a threat. We are extremely concerned about the implication of this bill for children and youth. Neuroscience research shows that during adolescence, the prefrontal cortex -- the part of the brain that controls reasoning, weighs consequences, helps youth consider the implications of their behavior and is responsible for emotion regulation -- is still developing. Research over the last two decades has confirmed that the human brain does not reach maturation until at least age 26.

We know that children and youth are inclined to say things in the heat of the moment that they do not mean and would not act on. We are especially concerned with the implications for children and youth who may have special needs or emotional/behavioral challenges.

We implore you to hold this bill for further study until language can be added to protect children from the potential unintended consequences of this bill that could create a criminal record for them and severely impact their future. Thank you for the opportunity to provide testimony today.