

July 9, 2013

The Hon. Lincoln Chafee  
Governor  
State House  
Providence, RI 02903

BY MAIL AND EMAIL

RE: VETO S-548A/H-6276

Dear Governor Chafee:

Our organizations urge you to veto S-548A/H-6276, which would significantly increase the penalties for graffiti offenses, making it a crime punishable by imprisonment and potentially imposing on young people the lifetime burden that comes with a felony record.

Concern about the problem of graffiti is a legitimate one, but the imposition of extremely punitive criminal measures, including prison time, is not the solution. Graffiti offenses are overwhelmingly committed by young people, often minors. Introducing them – and their parents – to the criminal justice system and potential jail time only exacerbates the “school-to-prison pipeline” we are trying so hard to slow down.

Judges should have various tools at their disposal, including ordering restitution from offenders when it is warranted, but we reject this bill’s harsh approach. We understand that a felony prison sentence is available only after a third offense. But this “three strikes” provision is triggered no matter how minor the damage the person’s graffiti offenses may have caused. Frankly, there are many more serious misdemeanor offenses – more likely to implicate adults – that do not turn into felonies upon a third offense.

We also object that the bill’s penalties are harsher for juveniles than for adults. In addition to various increased monetary and community service penalties, minors face a one year suspension of their driver’s license or permit. Further, the minor’s parents could be hauled into court and ordered to pay restitution – up to \$10,000 – if the court decides the parent “neglected to exercise reasonable supervision and control of the minor’s conduct,” a standard that could put many loving parents at risk of jail time themselves if they violate the restitution order in any way.

We urge your veto of this unnecessarily punitive legislation. Thank you. Our contact information appears on the following page.

Sincerely,

Jim Vincent  
NAACP – Providence Branch

Chanravy Proeung  
Providence Youth Student Movement

Mary McElroy  
Rhode Island Public Defender

Steven Brown  
ACLU of Rhode Island

Fred Ordoñez  
Direct Action for Rights and Equality

Nick Figueroa  
Univocal Legislative Minority Advisory  
Coalition

Rick Harris  
National Association of Social Workers,  
Rhode Island Chapter