

**TESTIMONY IN OPPOSITION TO 20 – H 7035
RELATING TO CRIMINAL OFFENSES – THEFT, EMBEZZLEMENT, FALSE
PRETENSES, AND MISAPPROPRIATION
January 28, 2020**

Although the ACLU generally has concerns with pieces of legislation that increase the penalties for offenses which are already criminalized and carry punishments, this legislation, H 7035, contains a unique penalty which would allow for the confiscation of a motor vehicle used by an individual to steal a package from a home, office, or other dwelling.

With the already stiff punishment which those guilty of larceny receive, this additional penalty is both unnecessary and could have reverberating and unintentional effects on individuals not associated with the offense. Not only does the motor vehicle not have to *belong* to the individual who commits the offense, but the confiscation of an item so necessary for daily life activities – including going to school, work, or the doctor, and more – could have extremely detrimental effects on other individuals in the perpetrator’s life who had no involvement in the crime.

While we appreciate the legislature’s interest in providing more financial support to the Rhode Island Veterans Home Community Living Center, we are certain that there are ways to achieve this which do not inadvertently or excessively harm other residents of Rhode Island.

Thank you for your consideration of our views.