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## **ACLU OF RI POSITION: OPPOSE**

### **TESTIMONY IN OPPOSITION TO 24-H 7630 and 24-H 7649, BILLS INCREASING THE PENALTIES FOR MOTOR VEHICLE OFFENSES March 21, 2024**

H-7630, sponsored by the Attorney General, would significantly increase the prison sentences for five motor vehicle-related offenses, some by as much as two or three times the current sentence that can be imposed. H-7649 would increase the mandatory prison sentences imposed for driving under the influence.

These bills address serious crimes that involve conduct that deserves to be punished. But the focus of these bills – sending people to prison for longer periods of time – is simply not the answer. This approach will not deter reckless or drunk driving, nor will it assist in the rehabilitation of offenders. Instead, it will divert limited fiscal resources away from approaches that would better address this driving behavior. Further, by failing to present any fact-based evidence that these increased penalties will have any deterrent effect, the bills are antithetical to the “justice reinvestment” approach that the General Assembly has embraced in recent years. It is especially problematic in the context of criminal statutes that carry mandatory prison sentences.

As you have heard from the ACLU and the Public Defender over the years, there is a significant cost to the state in regularly, and somewhat arbitrarily, increasing the sentences for various crimes without considering their fiscal impact. Outside the criminal context, the financial costs of any bill are thoroughly scrutinized, and the time has long since gone for “get tough on crime” legislation to get a free pass from that scrutiny. The adverse fiscal, social and policy impact from the continued passage of legislation increasing prison sentences for crimes without any underlying evidence-based rationale is real and should be rejected. That is especially the case when it comes to the regressive use of mandatory sentencing.

Without minimizing the severity of the offenses covered by these bills, if just *one* person spends an extra 10 years in prison because of the increased penalties contained in this legislation, it will cost the taxpayers approximately half-a-million dollars. Is this the best way to expend limited resources? Half a million dollars, we submit, could be much better spent on prevention and treatment than on the upkeep of a prison cell.

In short, strong penalties are already in place for these crimes, and without in any way denigrating the seriousness of the offenses, we urge the Committee to be “smart on crime” and reject these bills.