

Call Off Your Old
Tired Ethics



SUBMITTED ON BEHALF OF COYOTE RI

My name is Bella Robinson. I am a resident of West Warwick, RI. I am writing to you today in opposition to HB7247

This bill makes many kinds of continued hostile interactions a crime, if they're the kind that would cause most people substantial "distress" and the person affected does in fact feel seriously alarmed (H7247). The new crime defined by this bill, called "criminal harassment", can be invoked when someone sends unfriendly online messages or when someone says or does something unfriendly in person, or by phone, etc., where the person intended to cause some unpleasant feeling or other negative effect as part of a "pattern of conduct".

I think the bill would allow people to be jailed for repeatedly calling someone else racist, for some harsh business disputes, for bad relationship breakups, for participating in online forums where harsh mutual attacks are frequent, or for the kinds of semi-negative dynamics that are not particularly uncommon in families. And of course, it would definitely be used when a corporate leader or politician has done something wrong and is facing repeated harsh criticism from members of the public - this kind of criminalization most protects people in top-ranking positions from criticism. The bill says nothing about considering whether the "victim" has carried out the same kind of unpleasant conduct themselves, or whether the victim has done anything wrong that might understandably attract criticism.

It is a really bad idea to criminalize annoying or distressing speech sure, and being kind is better, but jail and criminalization are not a solution. Penalty for a first offense is up to 1 year in jail plus a \$500 fine, and for a second offense up to 3 years in jail plus a \$1000 fine; this is a classic example of imprisonment for non-violent self-expression. Protective orders are also allowed. Under pre-existing law, these kinds of annoying acts can sometimes be punished as "stalking" which has a sentence up to 5 years in jail, as long as the acts serve "no legitimate purpose". This bill no longer allows these acts to be punished with stalking's harsher 5-year penalty, but on the other hand this bill is more

aggressive than the existing stalking law because it allows people to be jailed for annoying acts even when their acts DO serve a legitimate purpose. The bill also adds more aggressive penalties for a different existing crime, "cyberharassment", at least for repeat offenders.

It is problematic to let law enforcement decide if someone felt seriously alarmed. This is why all social media platforms have a BLOCK feature. I believe this law to be unconstitutional on its face as its a violation of the first amendment "freedom of speech"

For these reasons I ask you to VOTE NO on HB7247

Sincerely,

Bella Robinson
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2022 Free Her Fellowship Facilitator