

2022 -- H 7360

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION

Introduced By: Representatives Casimiro, Donovan, Cortvriend, and Noret

Date Introduced: February 04, 2022

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 15-15-1 of the General Laws in Chapter 15-15 entitled "Domestic
2 Abuse Prevention" is hereby amended to read as follows:

3 **15-15-1. Definitions.**

4 The following words as used in this chapter have the following meanings:

5 (1) "Course of conduct" means a pattern of conduct composed of a series of acts over a
6 period of time, evidencing a continuity of purpose. Constitutionally protected activity is not
7 included within the meaning of "course of conduct."

8 (2) "Courts" means the family court.

9 (3) "Cyberstalking" means transmitting any communication by computer to any person or
10 causing any person to be contacted for the sole purpose of harassing that person or his or her family.

11 (4) "Domestic abuse" means:

12 The occurrence of one or more of the following acts between present or former family
13 members, parents, stepparents, a plaintiff parent's minor child(ren) to which the defendant is not a
14 blood relative or relative by marriage, adult plaintiffs who are or have been in a substantive dating
15 or engagement relationship within the past one year and who are (either individually or together)
16 parents of minor children, or persons who are or have been in a substantive dating or engagement
17 relationship within the past one year in which at least one of the persons is a minor:

18 (i) Attempting to cause or causing physical harm;

19 (ii) Placing another in fear of imminent serious physical harm;

1 (iii) Causing another to engage involuntarily in sexual relations by force, threat of force, or
2 duress;~~or~~

3 (iv) Stalking or cyberstalking; or

4 (v) Coercive control of another, which is a pattern of behavior that in purpose or effect
5 unreasonably interferes with a person's free will and personal liberty. "Coercive control" includes,
6 but is not limited to, unreasonably engaging in any of the following:

7 (A) Isolating another from friends, relatives or other sources of support;

8 (B) Depriving another of basic necessities;

9 (C) Controlling, regulating or monitoring another's movements, communications, daily
10 behavior, finances, economic resources or access to services;

11 (D) Compelling another by force, threat or intimidation, including, but not limited to,
12 threats based on actual or suspected immigration status, to:

13 (I) Engage in conduct from which such individual has a right to abstain; or

14 (II) Abstain from conduct that such individual has a right to pursue;

15 (E) Committing or threatening to commit cruelty to animals that intimidates another; or

16 (F) Forced sex acts, or threats of a sexual nature, including, but not limited to, threatened
17 acts of sexual conduct, threats based on another's sexuality or threats to release sexual images.

18 (5) "Harassing" means following a knowing and willful course of conduct directed at a
19 specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no
20 legitimate purpose. The course of conduct must be such as would cause a reasonable person to
21 suffer substantial emotional distress, or be in fear of bodily injury.

22 (6) "Parents" mean persons who together are the legal parents of one or more children,
23 regardless of their marital status or whether they have lived together at any time.

24 (7) "Present or former family member" means the spouse, former spouse, minor children,
25 stepchildren, a plaintiff parent's minor child(ren) to which the defendant is not a blood relative or
26 relative by marriage, minor children of substantive dating partners, or persons who are related by
27 blood or marriage.

28 (8) "Sexual exploitation" means the occurrence of any of the following acts by any person
29 who knowingly or willfully encourages, aids, or coerces any child under the age of eighteen (18)
30 years:

31 (i) Recruiting, employing, enticing, soliciting, isolating, harboring, transporting, providing,
32 persuading, obtaining, or maintaining, or so attempting, any minor for the purposes of commercial
33 sex acts or sexually explicit performances; or selling or purchasing a minor for the purposes of
34 commercial sex acts.

1 (A) "Commercial sex act" means any sex act or sexually explicit performance on account
2 of which anything of value is given, promised to, or received, directly or indirectly, by any person.

3 (B) "Sexually explicit performance" means an act or show, intended to arouse, satisfy the
4 sexual desires of, or appeal to the prurient interests of patrons or viewers, whether public or private,
5 live, photographed, recorded, or videotaped.

6 (9) "Stalking" means harassing another person or willfully, maliciously, and repeatedly
7 following another person with the intent to place that person in reasonable fear of bodily injury.

8 (10) "Substantive dating" or "engagement relationship" means a significant and
9 personal/intimate relationship that shall be adjudged by the court's consideration of the following
10 factors:

11 (i) The length of time of the relationship;

12 (ii) The type of relationship; and

13 (iii) The frequency of interaction between the parties.

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would modify the definition of domestic violence to include coercive control of
2 another, resulting in a pattern of behavior that in purpose or effect unreasonably interferes with a
3 person's free will and personal liberty.

4 This act would take effect upon passage.

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