

2026 -- H 8272

LC006061

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO CRIMINAL OFFENSES -- LAW ENFORCEMENT SEXUAL MISCONDUCT

Introduced By: Representatives Hull, Azzinaro, Bennett, J. Lombardi, Fogarty, and Slater

Date Introduced: March 11, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 11 of the General Laws entitled "CRIMINAL OFFENSES" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 71

4 LAW ENFORCEMENT SEXUAL MISCONDUCT

5 **11-71-1. Definitions.**

6 The following words and phrases, when used in this chapter, have the following meanings:

7 (1) "Force or coercion" shall have the same meaning as in § 11-37-1.

8 (2) "Peace officer" shall have the same meaning as in § 12-7-21.

9 (3) "Sexual contact" shall have the same meaning as in § 11-37-1.

10 (4) "Sexual penetration" shall have the same meaning as in § 11-37-1.

11 **11-71-2. Law enforcement sexual penetration prohibited.**

12 (a) A person is guilty of law enforcement sexual penetration if:

13 (1) He or she is a peace officer; and

14 (2) Engages in sexual penetration during the course of duty with another person who has
15 been seized, is detained, has been placed in custody, has been placed under arrest, is confined in a
16 correctional or law enforcement facility or vehicle, and/or is the subject of an investigation or
17 questioning.

18 (b) A person convicted of a violation of this chapter shall be punished by imprisonment for
19 a period not to exceed five (5) years.

1 (c) It shall be an affirmative defense that the act of sexual penetration resulted from force
2 or coercion by the alleged victim or victims.

3 (d) Consent of the victim shall not be a defense to a prosecution under this section.

4 (e) Any sentence imposed under this chapter shall run concurrently with any other sentence
5 imposed for the same case.

6 **11-71-3. Law enforcement sexual contact prohibited.**

7 (a) A person is guilty of law enforcement sexual contact if:

8 (1) He or she is a peace officer; and

9 (2) Engages in sexual contact during the course of duty with another person who has been
10 seized, is detained, has been placed in custody, has been placed under arrest, is confined in a
11 correctional or law enforcement facility or vehicle, and/or is the subject of an investigation or
12 questioning.

13 (b) A person convicted of a violation of this chapter shall be punished by imprisonment for
14 a period not to exceed eighteen (18) months.

15 (c) It shall be an affirmative defense that the act of sexual contact resulted from force or
16 coercion by the alleged victim or victims.

17 (d) Consent of the victim shall not be a defense to a prosecution under this section.

18 (e) Any sentence imposed under this chapter shall run concurrently with any other sentence
19 imposed for the same case.

20 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 make sexual contact or penetration between any law enforcement officer
2 that is on duty and a person that is a detainee, arrestee, in custody or a suspect during questioning,
3 a felony.

4 This act would take effect upon passage.

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