



RHODE ISLAND KIDS COUNT
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**Testimony Re: House Bill 5502 Relating to Criminal Offenses --
Misdemeanors
House Judiciary Committee
April 1, 2025
Stephanie Geller, Deputy Director**

Mr. Chairman and members of the Committee, thank you for the opportunity to provide testimony today. Rhode Island KIDS COUNT supports House Bill 5502, which would change the maximum prison sentence for a misdemeanor defense from one year to 364 days. We would like to thank Representative Felix for sponsoring this bill and Representatives Batista, Cruz, Alzate, Morales, Giraldo, J. Lombardi, McEntee, Potter, and Solomon for co-sponsoring.

Rhode Island KIDS COUNT supports this bill because in 2023 more than one in four (29% or 56,000) Rhode Island children were living in immigrant families (defined as children living with at least one foreign-born parent) and because under immigration law, certain minor convictions that are punishable by a year or more in prison may lead to detention, denial of necessary forms of immigration relief, and deportation for immigrants.

Making a one-day change in the definition of “misdemeanor,” would protect hundreds of Rhode Islanders, many of whom are parents, from these unnecessary, harsh immigration consequences. Passing this legislation would help protect vulnerable members of our immigrant community, including asylum seekers and victims of domestic violence, who otherwise could be barred from immigration relief due to a misdemeanor conviction. We are also concerned because the deportation consequences apply to all non-citizens, including lawful permanent residents (green card holders) who may have lived here for most of their lives. A single conviction for a first-time minor offense, such as shoplifting, for which they were given no jail time, could still lead to deportation and permanent exile from their family and home.

It is important to note that, under this bill, judges will still have the discretion to impose prison sentences up to 364 days instead of 365. In addition, many serious misdemeanors would still trigger grounds for removal under federal law, including convictions for controlled substance and firearm offenses, child abuse, and domestic violence.

We urge the Committee to approve this legislation and join states like New York, Washington, and Nevada that have amended their criminal codes in recent years in this way to protect their residents from the harsh immigration consequences of federal law. Thank you for the opportunity to provide this testimony.