

2021 -- H 5467

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO CRIMINAL OFFENSES -- CRIMINAL SEXUAL ACTIVITY

Introduced By: Representatives Williams, Messier, Ajello, Slater, Felix, and Alzate

Date Introduced: February 10, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 11-34.1 of the General Laws entitled "Commercial Sexual Activity"

2 is hereby amended by adding thereto the following section:

3 **11-34.1-6.1. Immunity from criminal prosecution.**

4 In the event a person is the victim of or a witness to a crime, including an individual who
5 becomes aware that another person is a victim of a crime, and has engaged or is alleged to have
6 engaged in an act prohibited pursuant to §§ 11-34.1-2, 11-34.1-3, 11-34.1-4, or 11-34.1-6, or in
7 reasonable proximity to the time of the crime or under circumstances reasonably related to the
8 crime, that person shall not be charged with a violation of §§ 11-34.1-2 through 11-34.1-4 or 11-
9 34.1-6 if that person, in good faith, reports the crime to a criminal law enforcement agency, seeks
10 or receives health care services as a result of the crime, or assists or attempts to assist in the
11 investigation or prosecution of the crime. If the victim or witness later withdraws cooperation due
12 to safety concerns, physical or emotional health, or any other reason, the victim or witness shall not
13 be charged under those sections. As used in this section, "crime" shall include an act that reasonably
14 appears to be a crime, regardless of whether it results in conviction.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO CRIMINAL OFFENSES -- CRIMINAL SEXUAL ACTIVITY

1 This act would grant immunity to people engaged in commercial sexual activity if they
2 report to law enforcement that they are victims of or witnesses to a crime. This act would ensure
3 that they feel safe in coming forward to report crimes and are able to report exploitation or violence
4 committed against others.

5 This act would take effect upon passage.

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