

# 2010

## State Law Report Card



## Rhode Island

### Access to Protective Orders

In Rhode Island, minors can obtain Protective Orders (POs),<sup>1</sup> and courts can issue POs against minor abusers.<sup>2</sup> Rhode Island also allows people in dating relationships to seek POs against their abusers.<sup>3</sup>

### Procedure

State law allows minors to petition for a PO on their own behalf;<sup>4</sup> however, the law does not specify the age at which a minor may do so. Rhode Island law also fails to specify who else may file on the minor's behalf. Rhode Island law does not specify whether the parent or guardian of the minor will be notified about the PO.

### Definition of Abuse

A judge may issue a PO when the respondent has physically abused, sexually abused, threatened to physically abuse or stalked (including cyberstalking) the petitioner.<sup>5</sup> The statute fails to explicitly recognize harassment as a form of abuse that qualifies for relief. The statute may recognize other forms of abuse not specifically listed here.

### Relief Available

The court may order<sup>6</sup> the respondent to:

- stay away from the petitioner;
- vacate the petitioner's residence;
- comply with a custody/visitation schedule;
- pay child support;
- pay spousal support;
- not possess a gun; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not specifically listed here. The Protective Order is modifiable.<sup>7</sup>

### Minors' Access to Sensitive Services<sup>8,9</sup>

All minors can consent to:

- HIV/STI testing and treatment
- Medical care for minor child(ren)

Minors need parental consent to access abortion services or put a child up for adoption.

### School Response to Dating Violence<sup>10</sup>

Rhode Island law requires school districts to incorporate dating violence education into the health education framework for grades 7-12, implement a dating violence policy, and provide dating violence training to school personnel in middle and high schools.

### Recommendations for Immediate Policy Change

In order to improve Rhode Island's response to teen dating violence, the following changes are recommended:

- Specify the age at which a minor can petition for POs on their own behalf.
- Allow victims of intimate partner harassment to access POs.
- Allow all minors to access all sensitive services without parental involvement, including contraceptive services and prenatal care.



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### References

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<sup>1</sup> R.I. GEN. LAWS §§ 15-15-1(2) (2009). Rhode Island has two statutes addressing Protective orders, one which pertains to cases in which one party is a minor and one which pertains to cases with only adult parties. Both statutes are referenced here.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* §§ 15-15-1(2); 8-8.1-1(3).

<sup>4</sup> *Id.* §§ 15-15-3(a); 15-15-1(2).

<sup>5</sup> *Id.* §§ 15-15-1(2); 8-8.1-1(3).

<sup>6</sup> *Id.* §§ 15-15-3(a); 8-8.1-3(a).

<sup>7</sup> *Id.* §§ 15-15-3(h)(2); 8-8.1-3(i).

<sup>8</sup> Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_OMCL.pdf](http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf), accessed December 1, 2009.

<sup>9</sup> Guttmacher Institute, Minors' Access to STI Services, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_MASS.pdf](http://www.guttmacher.org/statecenter/spibs/spib_MASS.pdf), accessed December 1, 2009.

<sup>10</sup> R.I. GEN. LAWS §§ 16-21-26; 16-21-30; 16-22-24; 16-85-2.

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Empowering Youth to End  
Domestic Violence

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