State of Rhode Island and Providence Plantations
State House
Providence, Rhode Island 02903-1196
401-222-2080

Donald L. Carcieri
Governor

November 9, 2009

TO THE HONORABLE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

In accordance with the provisions of Section 14, Article IX of the Constitution of the State of Rhode Island and Section 43-1-4 of the Rhode Island General Laws, I transmit, with my disapproval, 2009 H 5227, Substitute A, "Relating to Criminal Procedure – Sentence and Execution."

This act would increase the assessment from twenty-five dollars ($25) to one hundred twenty-five dollars ($125) for individuals convicted of a domestic violence crime. Further, this bill would redirect eighty percent (80%), or one hundred dollars ($100), of the fine to the Rhode Island Coalition Against Domestic Violence ("RICADV"), a nonprofit organization, for programs to assist victims of domestic violence, while twenty percent (20%) or twenty-five dollars ($25) would be deposited as general revenue.

At face value, this legislation appears to support a worthy and noble cause. While I have absolutely no problem with increasing fines and penalties against criminals who have committed crimes of domestic violence, I have great concern about the precedent of directly allocating funds to a nonprofit organization, without a bid process, and without specific grant requirements on how these funds will be used. Unlike a grant issued by the State or federal government, this legislation provides no parameters on how this money should be spent or managed other than generally to state that the funds are for "programs to assist victims of domestic violence."

Regardless of whether the intent of the RICADV is entirely altruistic, this legislation provides no control or oversight on how these funds should be spent. Directly allocating funds to a nonprofit organization is akin to awarding a no bid contract or grant. Instead, the General Assembly should increase the fine, but then should provide for a process, under the purview of the Executive Branch, to allocate and oversee the granting of these funds.

For these reasons, I disapprove of this legislation and respectfully urge your support of this veto.

Sincerely,

Donald L. Carcieri
Governor