

2021 -- H 5087

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT

Introduced By: Representative Jason Knight

Date Introduced: January 22, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-56-5.1 of the General Laws in Chapter 42-56 entitled "Corrections  
2 Department" is hereby amended to read as follows:

3 **42-56-5.1. Justice reinvestment.**

4 (a) The department, in conjunction with the performance management staff at the office of  
5 management and budget, shall monitor the implementation of justice reinvestment policies for the  
6 period from 2017 to 2022, utilizing a benefit-cost model, such as the one developed and supported  
7 by the Pew-MacArthur Results First Initiative, including:

8 (1) Adoption and use of screening and assessment tools to inform judicial and executive  
9 branch decisions regarding arraignment and bail, pretrial conditions and supervision, probation and  
10 parole supervision, correctional programs, and parole release;

11 (2) Use of court rules designed to accelerate the disposition and improve the procedural  
12 fairness of pretrial decisions, including violations of bail, filing, deferred sentence, and probation;

13 (3) Use of judicial sentencing benchmarks designed to:

14 (i) Guide purposeful, limited probation and suspended sentence terms; and

15 (ii) Achieve proportionate sanctions for violations;

16 (4) Progress by the department of corrections, division of rehabilitative services, in  
17 achieving the initiatives required by § 42-56-7;

18 (5) The feasibility of implementing additional law enforcement training in responding to  
19 people with behavioral health and substance abuse needs, and of providing for one or more suitable

1 locations for such people to be referred for treatment; and

2 (6) Barriers to reentry and the availability and effectiveness of programs designed to  
3 increase employability and employment of people in the criminal justice system.

4 (b) The department shall attempt to report on data analyzing key decision points with  
5 information broken out by offense, risk, and appropriate demographic data whenever available. The  
6 report must provide, or report on efforts to provide, relevant measures including the following:

7 (1) The number of people for whom a pre-arraignment report is conducted under § 12-13-  
8 24.1, and the number who are affected by each subdivision of subsection (a) of this section;

9 (2) The number of people who are eligible for pre-trial diversion opportunities and the  
10 number of people selected for diversion programs;

11 (3) Length of probation terms and suspended sentences imposed;

12 (4) Sanctions imposed by probation officers and by courts and the violations triggering the  
13 sanctions;

14 (5) Pre-trial lengths of stay including length prior to probation violation hearings;

15 (6) Volume and characteristics of people on probation caseloads, including limited and  
16 high intensity caseloads;

17 (7) Restitution amounts imposed and percentage of collections by increment of time under  
18 correctional control;

19 (8) Community-based cognitive behavioral treatment programs funded, including the  
20 amount of funding received by each program and the number of high-risk probation clients served;

21 (9) Batterers intervention programs funded to increase or refine treatment, including the  
22 amount of funding received by each program and the number of clients served; ~~and~~

23 (10) Amounts of victim restitution assessed and collected; ~~and~~

24 (11) The executive branch or the department shall report its findings and recommendations  
25 in an annual report to the legislature, detailing the status and compliance of the department on or  
26 before April 1, of each year.

27 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 STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT

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1           This act would require the executive branch or the department of corrections to report its  
2 findings and recommendations regarding the justice reinvestment policies or the department of  
3 corrections, to the legislature on or before April 1, of each year.

4           This act would take effect upon passage.

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