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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO CRIMINAL OFFENSES - JAILS AND PRISONS

Introduced By: Senator Michael J. McCaffrey

Date Introduced: March 10, 2011

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 11-25 of the General Laws entitled "Jails and Prisons" is hereby
2 amended by adding thereto the following section:

3 **11-25-14.1. Unlawful possession of telecommunications devices.** – (a) It shall be
4 unlawful for any prisoner to possess any portable electronic communication device, including, but
5 not limited to, cellular telephones; cloned cellular telephones; public, private, or family-style
6 radios; pagers; personal digital assistants; or any other device capable of transmitting or
7 intercepting cellular or radio signals between providers and users of telecommunication and data
8 services. Any violation of this provision shall be punishable by a fine not to exceed five thousand
9 dollars (\$5,000), a prison term not to exceed five (5) years, or both.

10 (b) For the purposes of this section, "prisoner" includes all persons committed to the adult
11 correctional institutions, in the custody of the warden, in the custody of any other officer while
12 outside the confines of the custodial unit, or in the custody of the state director of behavioral
13 healthcare, developmental disabilities and hospitals pursuant to section 40.1-5.3-1. It shall not
14 include those offenders on home confinement pursuant to section 42-56-20.2 nor to those
15 offenders serving on parole with the condition of electronic monitoring.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO CRIMINAL OFFENSES - JAILS AND PRISONS

1 This act would make it unlawful for any prisoner to possess any portable electronic
2 communication device.

3 This act would take effect upon passage.

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