

2021 -- H 5751

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT

Introduced By: Representatives Giraldo, and Morales

Date Introduced: February 24, 2021

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-56-36 of the General Laws in Chapter 42-56 entitled "Corrections
2 Department" is hereby amended to read as follows:

3 **42-56-36. Transfer of powers and functions from department of corrections.**

4 (a) There are hereby transferred to the department of administration:

5 (1) Those functions of the department of corrections which were administered through or
6 with respect to departmental programs in the performance of strategic planning as defined in § 42-
7 11-10(c);

8 (2) All officers, employees, agencies, advisory councils, committees, commissions, and
9 task forces of the department of corrections who were performing strategic planning functions as
10 defined in § 42-11-10(c);

11 (3) So much of other functions or parts of functions and employees and resources, physical
12 and funded, of the director of corrections as are incidental to and necessary for the performance of
13 the functions transferred by subdivisions (a)(1), (a)(2) and (a)(4) of this section; ~~and~~

14 (4) Those functions and duties of the department of corrections, which were administered
15 through or with respect to departmental programs relating to the Rhode Island state marshals. The
16 department of corrections shall transfer to the department of administration all resources, including
17 positions, property, and accounts, and other funding pertinent to the state marshals, that are
18 presently allocated to the state marshals; ~~and~~

19 (5) Those functions related to safety and oversight of the Wyatt Detention Center by doing

1 [an unannounced bi-annual in-person safety inspection throughout the facility.](#)

2 (b) The functions and duties of the Rhode Island state marshals that are transferred to the
3 division of sheriffs within the department of administration consist of the following:

4 (1) To be responsible for transportation statewide of prisoners, to and from police
5 departments, the adult correctional institutions, all courthouses, and other places of detention;

6 (2) To transport persons arrested by state and local police departments to places of
7 detention; provided, however, nothing in this section shall prevent state and local police
8 departments from transporting those persons;

9 (3) To supervise the conduct of and maintain order and discipline of the prisoners in their
10 custody;

11 (4) To be responsible for the custody and safety of prisoners while being transported to and
12 from court sessions, places of detention, and outside hospitals prior to commitment to the adult
13 correctional institutions;

14 (5) To be responsible for the custody and security of prisoners detained in the cellblock
15 areas in the Kent County courthouse and Providence County superior courthouse and for the
16 security of these prisoners during the hearing of their cases, and while in outside hospitals prior to
17 commitment to the adult correctional institutions;

18 (6) To be responsible for the safety and welfare of prisoners in their custody;

19 (7) To provide all security in connection with transportation in the execution of
20 extraditions, including, but not limited to, warrants, IAD (Interstate Agreement on Detainers), arrest
21 affidavits, interstate compact extradition, and criminal detainers; ~~and~~

22 (8) To carry firearms as prescribed.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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- 1 This act would provide for a safety inspection of the Wyatt Detention Facility twice a year.
- 2 This act would take effect upon passage.

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