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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO CRIMINAL PROCEDURE - JURISDICTION AND VENUE OF OFFENSES

Introduced By: Senators Archambault, and Lombardi

Date Introduced: February 26, 2015

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 12-3-4 of the General Laws in Chapter 12-3 entitled "Jurisdiction  
2 and Venue of Offenses" is hereby amended to read as follows:

3 **12-3-4. Venue of offenses.** -- (a) Every indictment or information for offenses committed  
4 on the waters of Narragansett Bay may be tried in any county in the discretion of the attorney  
5 general, unless otherwise ordered by the presiding justice.

6 (b) For the purpose of prosecuting and punishing criminal offenses over which the  
7 superior court has jurisdiction, the state of Rhode Island is declared to be a single district. The  
8 offenses shall be prosecuted and punished at the following locations unless otherwise ordered by  
9 the presiding justice:

10 (1) For offenses committed in a city or town within Providence or Bristol counties, at the  
11 superior court in Providence;

12 (2) For offenses committed in the city of Warwick or a town within Kent county, at the  
13 superior court in Warwick;

14 (3) For offenses committed in a town within Washington county, at the superior court in  
15 South Kingstown; and

16 (4) For offenses committed in the city of Newport or a town within Newport county, at  
17 the superior court in Newport.

18 (c) For the purpose of prosecuting and punishing criminal offenses over which the  
19 district court has jurisdiction, the offenses shall be prosecuted and punished at the following

1 locations unless otherwise ordered to be moved ~~within the same county~~ by the chief judge  
2 pursuant to this section or unless otherwise agreed to by the parties and the court: (1) ~~for the~~  
3 ~~offenses committed in a town within the first division, at the district court located within Bristol~~  
4 ~~county;~~ (2) for offenses committed in the city of Newport or a town within the second division, at  
5 the district court located within Newport county; (3) (2) for offenses committed in the cities of  
6 Warwick or Cranston or a town within the third division, at the district court within the third  
7 division; (4) (3) for offenses committed in a town within the fourth division, at the district court  
8 located within Washington county; (5) ~~for offenses committed in a city or town within the fifth~~  
9 ~~division, at the district court located within the fifth division;~~ and (6) (4) for offenses committed  
10 in a city within the sixth division, at the district court in Providence. The chief judge may order  
11 any criminal case or proceeding to be transferred to another division of the court ~~within the same~~  
12 ~~county. For purposes of this section, the first division shall be considered to be a part of~~  
13 ~~Providence county.~~

14 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 CRIMINAL PROCEDURE - JURISDICTION AND VENUE OF OFFENSES

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1           This act would repeal the provisions placing jurisdiction of criminal offenses that occur  
2 on the waters of Narragansett Bay in the First and Fifth divisions of the district court. It would  
3 also permit the Chief Judge of the District Court to transfer any case within the jurisdiction of the  
4 District court, to any division of the court.

5           This act would take effect upon passage.

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