

2023 -- S 0406

LC001478

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT-- CORRECTIONS DEPARTMENT

Introduced By: Senators Kallman, Miller, McKenney, Bell, DiMario, Burke, Lauria, and
F. Lombardi

Date Introduced: February 16, 2023

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-56-38.1 of the General Laws in Chapter 42-56 entitled
2 "Corrections Department" is hereby repealed.

3 ~~**42-56-38.1. Prisoner telephone use.**~~

4 ~~(a) When an inmate requests and receives a list of parties approved to receive telephone~~
5 ~~calls, the inmate shall be provided the option of using either a debit or collect call system to place~~
6 ~~such calls. Under the debit system, either the cost of such service shall be automatically deducted~~
7 ~~from the account maintained by the inmate for that purpose, or the inmate shall set aside money~~
8 ~~from his/her account to be placed in a prepaid telephone account.~~

9 ~~(b) No telephone service provider shall charge a customer rate for calls made from a prison~~
10 ~~in excess of rates charged for comparable calls made in non-prison settings. All rates shall reflect~~
11 ~~the lowest reasonable cost to inmates and call recipients.~~

12 ~~(c) No concessions agreements for inmate telephone calling services shall include~~
13 ~~provisions for a commission payable to the state, nor shall any correctional institution impose a~~
14 ~~surcharge for telephone usage by inmates in addition to the charges imposed by the telephone~~
15 ~~service provider.~~

16 SECTION 2. Chapter 42-56 of the General Laws entitled "Corrections Department" is
17 hereby amended by adding thereto the following section:

18 ~~**42-56-38.3. Prisoner telephone use -- Communication with people confined to**~~
19 ~~**correctional facilities.**~~

1 (a) When an inmate requests and receives a list of parties approved to receive telephone
2 calls, the department of corrections of any agency charged with the operation and management of
3 state prisons, local jail cells maintained by any local or state law enforcement agency and youth
4 residential placements or detention centers shall provide persons in their custody and confined in a
5 correctional or detention facility, or held by any law enforcement agency pending an initial court
6 appearance, with voice communication service. The department of corrections or other agency may
7 supplement voice communication service with other communication services, including, but not
8 limited to, video communication and electronic mail or messaging services. To the extent that such
9 voice communication service or any other communication service is provided, which shall not be
10 limited beyond program participation and routine facility procedures, each such service shall be
11 provided free of charge to the person initiating and the person receiving the communication.

12 (b) The department of corrections, including all adult and juvenile facilities, in order to
13 facilitate and accomplish the purposes of this section, shall maintain at a minimum the greater of:

14 (1) A ten (10) to one ratio of persons in custody to operable voice communication
15 devices/telephones in each housing unit; or

16 (2) At least two (2) voice communication devices/telephones in each housing unit.

17 (c) Neither the department of corrections or any agency charged with the operation and
18 management of state prisons, or local jail cells maintained by any local or state law enforcement
19 agency or youth residential placements or detention centers, shall receive revenue from the
20 provision of voice communication services or any other communication services to any person
21 confined in any correctional facility, local jail cell or youth residential placement or detention
22 center.

23 (d) The department of corrections or any agency charged with the operation and
24 management of state prisons or youth residential placements or detention centers shall provide
25 persons in their custody and confined in their facilities with in-person contact visits.

26 SECTION 3. This act shall take effect upon passage.

=====
LC001478
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO STATE AFFAIRS AND GOVERNMENT-- CORRECTIONS DEPARTMENT

1 This act repeals provisions which allow for the department of corrections to charge inmates
2 for phone calls and require the department of corrections to provide free communication services
3 to inmates and juveniles held in residential placement or detention centers and would require that
4 those facilities provide in-person contact visits.

5 This act would take effect upon passage.

=====
LC001478
=====