

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

SENATE RESOLUTION

CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE IMPACT AND
POTENTIAL ECONOMIC BENEFITS OF BAIL REFORMS ON BLACK RHODE
ISLANDERS AND THE STATE

Introduced By: Senators Mack, Britto, Acosta, Euer, Kallman, LaMountain, Lauria,
Bell, and Gu

Date Introduced: March 07, 2023

Referred To: Senate Judiciary

1 WHEREAS, Pre-trial detention is one of the earliest points in the criminal justice system
2 and typically represents an individual's first prospect of being incarcerated. It is simply jailed
3 while awaiting trial and not yet convicted of a crime, and still legally innocent; and

4 WHEREAS, The main purposes of pretrial detention are to secure the appearance at trial
5 of defendants who are flight risks and to protect the community from further criminal activity of
6 the person charged; and

7 WHEREAS, Defendants detained before trial represent over 75 percent of all jail inmates
8 in some parts of the country, with significantly higher rates of pretrial detention among black and
9 Hispanic individuals; and

10 WHEREAS, First-time offenders accused of low-level crimes, often spend months in
11 pretrial detention and face subsequent long-term damage in the form of family separation and
12 adverse impacts on young children, work interruption, and loss of housing; and

13 WHEREAS, Many individuals are jailed pretrial because they can't afford money bail,
14 and others because a probation or parole has placed a "hold" on their release. The number of
15 people in jail pretrial has nearly quadrupled since the 1980s; and

16 WHEREAS, There are a number of different types of pre-trial supervised release
17 including social workers and case managers from local organizations working with
18 people to address barriers to court attendance and connect them to social services, employment
19 and location monitoring, mental health treatment, and substance abuse treatment; and

1 WHEREAS, Balancing the greatest social benefit and/or risks to public safety, and return
2 on investment and use of taxpayer resources is necessary in order to provide the best data-driven
3 policy solutions; now, therefore be it

4 RESOLVED, That a special legislative commission be and the same is hereby created
5 consisting of eleven (11) members; three (3) of whom shall be members of the Rhode Island
6 Senate, to be appointed by the President of the Senate; one of whom shall be the RI Attorney
7 General, or designee; one of whom shall be a representative of the Judicial Branch, to be
8 appointed by the Chief Justice; one of whom shall be the Chair of the Rhode Island Parole Board,
9 or designee; one of whom shall be a warden of a Rhode Island prison, to be appointed by the
10 President of the Senate; one of whom shall be a representative from the Center for Health and
11 Justice Transformation, to be appointed by the President of the Senate; one of whom shall be the
12 Director of the RI Department of Children, Youth & Families, or designee; and two (2) of whom
13 shall be persons formerly incarcerated pre-trial in the State of Rhode Island, to be appointed by
14 the President of the Senate.

15
16 In lieu of any appointment of a member of the legislature to a legislative study
17 commission or task force, created by a General Assembly resolution, the appointing authority
18 may appoint a member of the general public to serve in lieu of a legislator, provided that the
19 majority leader or the minority leader of the political party which is entitled to the appointment
20 consents to the member of the general public.

21 The purpose of said commission shall be to analyze the economic and societal benefits
22 and risks of pre-trial supervised release as an alternative to pre-trial detention, determine the
23 impact of reforms on Black Rhode Islanders, and provide recommendations to reduce the
24 population and all fees, costs and expenses incurred by pre-trial persons and the State.

25
26 Forthwith upon passage of this resolution, the members of the commission shall meet at
27 the call of the President of the Senate and organize, and shall select a Chairperson from among
28 the legislative members.

29 Vacancies in said task force shall be filled in like manner as the original appointment.

30 The membership of said task force shall receive no compensation for their services.

31 All departments and agencies of the state shall furnish such advice and information,
32 documentary and otherwise, to said task force shall and its agents as is deemed necessary or
33 desirable by the task force shall to facilitate the purposes of this resolution.

34 The Joint Committee on Legislative Services is hereby authorized and directed to provide

1 suitable quarters for said commission; and be it further

2 RESOLVED, That said commission shall report its findings to the President of the Senate

3 no later than February 5, 2024, and said task force shall expire on April 5, 2024.

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