

**2024 -- S 2225 SUBSTITUTE A**

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LC003946/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2024**

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT

Introduced By: Senators Murray, Mack, Valverde, McKenney, Acosta, DiMario, Euer,  
Kallman, and Lauria

Date Introduced: January 24, 2024

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 42-56-20.3 of the General Laws in Chapter 42-56 entitled  
2 "Corrections Department" is hereby amended to read as follows:

3           **42-56-20.3. Community correctional program for women offenders.**

4           (a) Program established. In addition to the provisions of § 42-56-20.2, there shall be  
5 established within the department of corrections a community correctional program for women  
6 offenders. Notwithstanding any provision to the contrary, the department of corrections may  
7 contract with private agencies to carry out the provisions of this section. The civil liability of these  
8 agencies and their employees, acting within the scope of their employment, and carrying out the  
9 provisions of this section, shall be limited in the same manner and dollar amount as if they were  
10 agencies or employees of the state.

11           (b) Persons subject to this section. Every person who is either sentenced to imprisonment  
12 in the women's division of the adult correctional institutions for a term of two (2) years or less or  
13 awaiting trial at the women's division of the adult correctional institutions shall be eligible to serve  
14 in the community confinement program for women offenders under the provisions of this section.

15           (c) Terms of community correctional program.

16           (1) The director, or his or her designee, shall refer persons eligible to serve in the  
17 community correctional program to the program director of the community correctional program.  
18 The program director shall be responsible for developing with each person an individualized plan,  
19 which shall be designed toward providing her an opportunity for rehabilitation and restitution. Each

1 plan shall assess the need for, and provide for, employment, vocational or academic education,  
2 housing, restitution, community service, or any other social service or counseling need appropriate  
3 to the particular woman. Each plan shall be submitted to the director of the department of  
4 corrections, or his or her designee, for approval.

5 (2) Upon approval by the director, or his or her designee, of the plan, the plan shall be  
6 submitted to the sentencing judge for his or her approval. Upon the court's approval, the person  
7 shall be released from the adult correctional institutions for participation in the community  
8 correctional program. The supervision of persons so released shall be conducted by the director, or  
9 his or her designee. The director, or his or her designee, shall have the full power and authority set  
10 forth in § 42-56-20.2.

11 (d) Violations. Any person serving in the community correctional program who is found  
12 to be a violator of any of the terms and conditions imposed upon her according to her plan, this  
13 section or any rules, regulations, or restrictions issued pursuant hereto shall serve the balance of  
14 her sentence in a classification deemed appropriate by the director.

15 ~~(e) Costs.~~

16 ~~(1) Assessment of additional penalty for prostitution related offenses. There shall be~~  
17 ~~assessed as a penalty, in addition to those provided by law, against all defendants charged under §~~  
18 ~~11-34-1-1 et seq., who plead nolo contendere or guilty, or who are found guilty of the commission~~  
19 ~~of those crimes as follows:~~

20 ~~(i) Where the offense charged is a felony, the assessment shall be in the amount of five~~  
21 ~~hundred dollars (\$500), or ten percent (10%) of any fine imposed on the defendant by the court,~~  
22 ~~whichever is greater;~~

23 ~~(ii) Where the offense charged is a misdemeanor, the assessment shall be in the amount of~~  
24 ~~three hundred and fifty dollars (\$350), or ten percent (10%) of any fine imposed on the defendant~~  
25 ~~by the court, whichever is greater;~~

26 ~~(iii) Costs shall be assessed whether or not the defendant is sentenced to prison.~~

27 ~~(2) When there are multiple counts or multiple charges to be disposed of simultaneously,~~  
28 ~~the judge may, in his or her discretion, suspend the obligation of the defendant to pay on more than~~  
29 ~~three (3) counts or charges.~~

30 ~~(3) The assessment shall be deposited as general revenues.~~

31 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 STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT

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1           This act would repeal provisions that assess costs for women in the community corrections  
2 program for women offenders.

3           This act would take effect upon passage.

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