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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO CRIMINAL PROCEDURE -- BAIL AND RECOGNIZANCE

Introduced By: Representatives Place, J. Lombardi, Hull, Ajello, Felix, J. Brien, and Cruz

Date Introduced: April 23, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 12-13 of the General Laws entitled "Bail and Recognizance" is
2 hereby amended by adding thereto the following section:

3 **12-13-26. Bail task force.**

4 (a) Purpose. The purpose of this section is to analyze whether or not the judges of the
5 district and superior courts:

6 (1) Should continue the use of monetary conditions of bail and if so, to what extent;

7 (2) To ensure that they have sufficiently robust, reliable, and effective options available to
8 them that serve as alternatives to monetary conditions of bail that will ensure an accused's
9 appearance in court, enhance public safety, and honor the presumptions of innocence and non-
10 monetary conditions of bail; and

11 (3) To further improve the already high quality of criminal justice in our state. In order to
12 accomplish these goals, the general assembly creates a bail task force to study, identify, and
13 recommend any necessary changes to current Rhode Island bail laws, court rules, procedures, and
14 practices.

15 (b) Membership. The task force shall be comprised of the following or their designees:

16 (1) The chief justice of the Rhode Island supreme court who shall serve as the chairperson
17 of the task force;

18 (2) The attorney general who shall serve as a co-chairperson of the task force;

19 (3) The public defender who shall serve as a co-chairperson of the task force;

1 (4) The president of the Rhode Island association of criminal defense lawyers;
2 (5) The president of the Rhode Island police chiefs' association;
3 (6) The director of the Rhode Island department of corrections;
4 (7) The head of the economic progress institute;
5 (8) The president of Amos House;
6 (9) A representative of an impacted community appointed by the president of the senate
7 and;
8 (10) A representative of an impacted community appointed by the speaker of the house.
9 (c) Vacancies in said task force shall be filled in like manner as the original appointment.
10 (d) The membership of said task force shall receive no compensation for their services.
11 (e) Consideration. In addressing the issues and related issues under consideration, the task
12 force may:
13 (1) Access and consider any relevant information including, but not limited to:
14 (i) Testimony of witnesses including members of impacted communities;
15 (ii) Relevant data from any source that the task force deems appropriate and relevant;
16 (iii) Compiled statistical information and any analyses of the data;
17 (2) Consult with experts in the criminal justice field; and
18 (3) Consider current procedures, practices, and training used in Rhode Island and other
19 jurisdictions.
20 (f) Resources. All state agencies, entities, boards, and commissions shall fully cooperate
21 with the task force by providing accurate and timely information upon request and the joint
22 committee on legislative services is hereby authorized and directed to provide suitable quarters and
23 services necessary for said task force.
24 (g) Procedures. The members of the task force shall meet and organize at the call of the co-
25 chairpersons no later than September 1, 2025.
26 (h) Final report. Upon completion of its work the task force shall prepare a report
27 containing its recommendations for any necessary changes to current Rhode Island bail law, court
28 rules, procedures, and practices in the following areas:
29 (1) Continued use of monetary conditions of bail and if so to what extent;
30 (2) The availability of sufficiently robust, reliable, and effective options that might serve
31 as alternatives to monetary conditions of bail that shall ensure an accused's appearance in court,
32 enhance public safety, and honor the presumptions of innocence and non-monetary conditions of
33 bail;
34 (3) Increased use of summons to appear in court rather than arrest;

- 1 (4) Increased use of home confinement;
- 2 (5) Use of reliable pre-trial risk assessment tools;
- 3 (6) Enhancing the availability of counsel at the initial appearance;
- 4 (7) In felony cases, enhancing and preserving the continuity of representation between the
5 district and superior courts, providing effective notice to the defendant and counsel of upcoming
6 court dates, and any information relative to changes in the information screening and charging
7 process;
- 8 (8) Education and training for judges, clerks of the court, prosecutors, defense counsel, and
9 other stakeholders;
- 10 (9) Effective use of pre-trial services; and
- 11 (10) Establishment of community bail funds.
- 12 (i) The final report shall be presented to the governor; the chief justice of the Rhode Island
13 supreme court; the presiding justice of the superior court and presiding judge of the district court;
14 the speaker of the house of representatives; the president of the senate; and the chairpersons of the
15 judiciary committees of both the house of representatives and the senate no later than January 1,
16 2027.
- 17 (j) Following the completion and submittal of the report as mandated in subsection (i) of
18 this section, the task force shall continue to meet periodically in order to assess the impact of the
19 recommendations it has made. A supplemental report from the task force shall be delivered in the
20 same manner as its initial report but in no event, no later than July 1, 2028. The task force shall
21 complete its final report no later than May 1, 2029 and dissolve on July 1, 2029.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO CRIMINAL PROCEDURE -- BAIL AND RECOGNIZANCE

- 1 This act would create a bail task force to study the need of monetary conditions of bail and
2 to consider other methods for ensuring an accused's appearance in court, enhance public safety and
3 honor the presumption of innocence.
4 This act would take effect upon passage.

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