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LC003362

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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

**RELATING TO DELINQUENT AND DEPENDENT CHILDREN -- PROCEEDINGS IN
FAMILY COURT**

Introduced By: Senators Bissaillon, Acosta, Vargas, Bell, and LaMountain

Date Introduced: January 16, 2026

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 **SECTION 1.** Sections 14-1-25 and 14-1-26.1 of the General Laws in Chapter 14-1 entitled

2 "Proceedings in Family Court" are hereby amended to read as follows:

3 **14-1-25. Arrest of juveniles without warrant.**

4 (a) Any officer authorized to make an arrest for any criminal offense may take into custody
5 without a warrant any child believed to be delinquent or wayward within that officer's jurisdiction,
6 but in no case shall a child be detained in custody longer than twenty-four (24) hours without being
7 referred to the family court for consideration.

8 (b) Beginning at the point of initial contact with a police officer, no preadjudicated child
9 known by the police officer to be twelve (12) years of age or under may be restrained using
10 handcuffs, except when necessary for purposes of public safety or because the child is using or
11 threatening to use physical force on a police officer who is engaging with such child.

12 (c) No child twelve (12) years of age or under may be arrested or adjudicated as delinquent,
13 except if probable cause exists that the child has committed a felony offense punishable by a term
14 of up to life imprisonment.

15 **14-1-26.1. Temporary custody of status and non-offenders.**

16 (a) A juvenile taken into custody at a state, municipal, or college police department for an
17 offense that would not be classified as criminal if committed by an adult, or non-offender juveniles,
18 such as dependent or neglected children, shall be held for identification, investigation, and

1 processing purposes only in an unlocked, multi-purpose room that is not designated for residential
2 use or secure detention. The child shall not be handcuffed to a stationary object and must remain
3 in continuous visual supervision of an agency representative.

4 (b) Beginning at the point of initial contact with a police officer, no preadjudicated child
5 known by the police officer to be twelve (12) years of age or under may be restrained using
6 handcuffs, except when necessary for purposes of public safety or because the child is using or
7 threatening to use physical force on a police officer who is engaging with such child.

8 (c) No child twelve (12) years of age or under may be arrested or adjudicated as delinquent,
9 except if probable cause exists that the child has committed a felony offense punishable by a term
10 of up to life imprisonment.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would prohibit handcuffing children twelve (12) or under at initial police contact
- 2 unless needed for public safety or if the child is using or threatening physical force against an
- 3 officer.
- 4 This act would take effect upon passage.

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