



## Fact Sheet: Rhode Island

### Key Facts:

- Of the 5,579 youths referred to Family Court for 9,254 offenses, only 5% were violent offenses.<sup>1</sup>
- In Rhode Island, juvenile detention must be separate from any adult jail or lockup. During the pretrial stage, youth cannot be confined with already adjudicated youth or allowed to associate with "criminal or vicious persons."<sup>2</sup>
- Approximately 4 out of every 5 youthful offenders in the US are affected by substance use in some way, but only 3.6% of incarcerated youth receive treatment after arrest.<sup>3</sup>
- There is no facility dedicated strictly to holding youths in secure detention; all youths are held at the Rhode Island Training School.<sup>4</sup> A separate detention facility for youth is scheduled to open in December 2007.
- Seventy-six percent of youths at the Training School receive special education services for behavioral disorders, and 17% receive these services for learning disabilities.<sup>5</sup>
- Rhode Island has a certification process, which could lead to blended sentencing – a youthful offender may serve out part of his or her time at the Training School (until the age of 21) and then be reevaluated to determine whether transfer to the Adult Correctional Institute is warranted.<sup>6</sup>
- In 2006, 21 motions to try youths as adults were filed in the Family Court.<sup>7</sup>
- Correctional Institute (ACI) beginning July 1, 2007.
- The extended age of juvenile delinquency for youth already at the training school ends when a young person turns 19.
- The family court may waive jurisdiction to the adult court for serious offenses if it establishes that there is probable cause to believe the juvenile committed the alleged offense and if it believes that, taking the youth's past behavior into account, the interests of society would be best served if the youth was in the adult system.<sup>8</sup>
- While not mandated, pre-trial detention in adult jails is permitted for youths of any age who are being tried as adults. No special protections are required.<sup>9</sup>
- There is currently no minimum age for prosecution as an adult in Rhode Island;<sup>10</sup>
- Rhode Island operates under the "Once an Adult, Always and Adult," premise – if a youth is tried as an adult and is found guilty, all subsequent offenses no matter how minor will be addressed in adult court.<sup>11</sup> and
- There is not currently a minimum age at which a youth may be sentenced to life without parole.<sup>12</sup>

### Key Research:

Rhode Island Kids Count. (2007). *2007 Rhode Island Kids Count Factbook*. Available online at [http://www.rikidscount.org/matriarch/MultiPiecePage.asp\\_Q\\_PageID\\_E\\_105\\_A\\_PageName\\_E\\_DataIntro](http://www.rikidscount.org/matriarch/MultiPiecePage.asp_Q_PageID_E_105_A_PageName_E_DataIntro)

### What Rhode Island Law Says:

- In 2007, a provision was added to the Rhode Island law that will automatically try all 17 year olds as adults and hold them in the Adult

## State Resource:

### **Rhode Island Kids Count**

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### **Rhode Island Affiliate, American Civil Liberties Union**

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*Prepared by the Campaign for Youth Justice*

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<sup>1</sup> Rhode Island Kids Count. (2007). Indicator: Juveniles at the training school. *2007 Rhode Island Kids Count Factbook*. Available from

[http://www.rikidscount.org/matriarch/MultiPiecePage.asp\\_Q\\_PageID\\_E\\_411\\_A\\_PageName\\_E\\_dataind37](http://www.rikidscount.org/matriarch/MultiPiecePage.asp_Q_PageID_E_411_A_PageName_E_dataind37).

<sup>2</sup> Rhode Island Office of the Child Advocate. (n.d.). Chapter one: Issues related to juvenile delinquency, wayward, and truancy offenses. *Kid's rights handbook: A guide to legal issues affecting youth in Rhode Island*. Available from <http://www.child-advocate.ri.gov/HandbooksandBrochures/ChildAdvocateHandbookindex.php>

<sup>3</sup> See Rhode Island Kids Count, 1.

<sup>4</sup> National Center for Juvenile Justice. (2006, March 10). *NCJJ State Profiles: Rhode Island*. Retrieved June 12, 2007 from

<http://www.ncjj.org/stateprofiles/profiles/RI06.asp?state=%2Fstateprofiles%2Fprofiles%2FRI06.asp&topic=Profile>

<sup>5</sup> See Rhode Island Kids Count, 1.

<sup>6</sup> See Rhode Island Office of the Child Advocate, 2.

<sup>7</sup> See Rhode Island Kids Count, 1.

<sup>8</sup> National Center for Juvenile Justice. (2006, March 10). *Rhode Island Transfer Provisions*. Retrieved June 12, 2007 from

<http://www.ncjj.org/stateprofiles/asp/transfer.asp?topic=Transfer&state=%2Fstateprofiles%2Fprofiles%2FRI06.asp>

<sup>9</sup> Goemann, M. (2007). *Children Being Tried as Adults: Pre-trial Detention Laws in the U.S.*. Washington, DC: Campaign for Youth Justice.

<sup>10</sup> Amnesty International USA. (2005). *The Rest of Their Lives: Life Without Parole for Child Offenders in the United States*. Available from <http://www.amnestyusa.org/document.php?lang=e&id=ENUSA2005101205002>

<sup>11</sup> See National Center for Juvenile Justice, 9.

<sup>12</sup> See Amnesty International USA, 10.