

OFFICE OF THE PUBLIC DEFENDER

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March 25, 2025

TESTIMONY OF THE OFFICE OF THE PUBLIC DEFENDER REGARDING:

House Bill No: HB5670

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE – ARREST

Chairman Craven and Member of the House Judiciary Committee:

The Office of the Public Defender opposes this legislation, which would include juvenile program workers and shift coordinators at the Department of Children, Youth, and Families (DCYF) in the definition of peace officers, thereby granting them the power to make arrests. While our office respects the work that DCYF does to support vulnerable children and families, in our view the proposed legislation fails to recognize the inherently rehabilitative nature of the juvenile justice system.

Unlike the Adult Correctional Institutions, which is primarily a punitive facility, the Rhode Island Training School (RITS) is just that—a school. The RITS handbook states: “The Training School provides care in a secure facility to youth who are detained or adjudicated by order of the Family Court. . . . We provide services in the least restrictive setting possible with your needs and strengths in mind.”¹ Indeed, the unit that houses adjudicated children is called “the Youth Development Center.” *Id.*

DCYF Juvenile Program Workers and Shift Coordinators play an essential role in the rehabilitation of youth at the RITS. They are there to guide and teach, not to punish.² In situations where investigation or arrest is necessary, the Rhode Island State Police, who are specially trained in these matters, can be quickly called upon. Giving DCYF staff the power to arrest children in their care would undoubtedly undermine the rehabilitative process, eroding the children’s trust in

¹RITS Resident Handbook, accessible at:

https://dcyf.ri.gov/sites/g/files/xkgbur416/files/documents/juvenile-corrections/rits-resident-handbook_041918.pdf (last accessed 3/24/25).

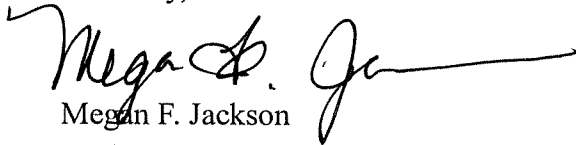
² The RITS Resident Handbook describes Juvenile Program Workers role to include “assist[ing] in the rehabilitation, education, assessment, treatment planning and care of residents and to maintain the safety and security.” *Id.* at p. 12.

the Juvenile Program Workers and Shift Coordinators. Rather than viewing staff as supportive figures, children would see them as adversaries.

In short, granting DCYF staff arrest powers risks blurring the lines between social work and law enforcement, potentially compromising the integrity of both. Instead of extending arrest powers to non-law enforcement staff, our office would encourage a focus on enhanced training and support for DCYF staff in conflict resolution, de-escalation, and trauma-informed care. This would better equip them to manage difficult situations without resorting to law enforcement measures.

The Office of the Public Defender urges the Committee to reconsider this bill and ensure that the definition of peace officers remains reserved for those individuals who are properly trained to carry out the important and difficult responsibilities of law enforcement. Protecting the safety and well-being of children and families should not come at the expense of their rights or safety.

Sincerely,

A handwritten signature in black ink, appearing to read "Megan F. Jackson", with a long horizontal flourish extending to the right.

Megan F. Jackson

Legislative Liaison

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