

STATE OF RHODE ISLAND



Department of Corrections

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The Honorable Robert E. Craven Sr.
House Committee on Judiciary
82 Smith Street
Providence, RI 02903

April 1, 2025

Re: H5439 – An Act Relating to Criminal Procedure - Identification and Apprehension of Criminals

Dear Chairperson Craven:

This evening the House Judiciary Committee will consider House Bill #5439. This bill will mandate that the clerk of the district court automatically also seal individual counts of criminal complaints upon dismissal pursuant to rule 48(a) of the rules of criminal procedure for district court. The Rhode Island Department of Corrections (RIDOC) continues to support this legislation.

Individuals who may have had individual counts of a criminal complaint dismissed pursuant to the district court rule of criminal procedure 48(a) should be afforded the same opportunity to have the matter automatically sealed just as those with cases that are dismissed. If the court decides to terminate a matter without imposing liability on the defendant, there is no reason to keep such matters unsealed. Keeping such matters unsealed creates unintended and unnecessary potential barriers to employment, housing, child custody and other circumstances necessary to contribute to one's family and community.

Thank you for the opportunity to comment on this legislation.

Sincerely,

Wayne T. Salisbury Jr.
Director

cc: Honorable Members of the House Judiciary Committee
The Honorable Representatives J. Lombardi and Sanchez
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House