



Testimony before the RI Senate Committee on the Judiciary  
As regards S-0161 21 JUN 11

Mr. Chairman, Honorable Members,

My name is Carolyn Medeiros. I am the founder of a Rhode Island non-profit known as The Alliance for Safe Communities. The mission of The Alliance is to use organizational expertise and a network of public advocacy partners to insure that every Community & Neighborhood in Rhode Island has full access to the benefits of Government, and an equal voice in the public discourse that precedes developmental changes.

I come before you today to speak against the passage of S-0161.

My objections are brief but specific:

One – That the change in legal status of individuals convicted of crimes, as noted in the bill's introduction as a reason for its need, is not referenced as a choice of the offender. There is no recognition in the bill that an offender had the opportunity to consider the value of an unblemished legal record but selected for themselves not to preserve it in that condition.

Two – Post conviction rehabilitation, as defined in the bill before you, contains no metrics or measurement standards for the identification of success. That makes the decision to grant such a certification more Art than Science. Thus the decision will be subject to wider and wider interpretation over time due to consideration only of the prison population involved in the application. In other words, there is no provision specified for public comment on such issuance. Or is it your intent that victims have no means or process at their disposal to be heard in these matters?

Three – Background checks should reasonably include the individual's history of both Convictions and those Heroic Efforts – as cited in the Bill - undertaken by them to be rehabilitated. Thus, is the Certificate proposed by this Bill required at all?

Four – In the Definitions section of this Bill it is codified that felons will qualify for consideration Two Years after their last sentencing. In many cases that term may be met while the offender is still serving that sentence. Would a better measure be Two Years after the successful completion of the last proscribed sentence?

Five – Section 12 – 1.6 – 6 of this Bill, entitled Effect of Certificate of Rehabilitation, makes it clear that no hiring or granting entity is required in any way to recognize the Certificate and to behave in any way because an individual possesses it. So it's a Merit Badge with no real force

Visit us at: [www.asc-ri.org](http://www.asc-ri.org)

of law. Is this the sort of toothless support the Senate of Rhode Island really means to spend its time and resources enacting?

Six – The Bill fails to proscribe any special or additional penalty for re-offending in the same criminal area for which rehabilitation was certified by the courts. In other words, the recipient of the proposed certificate is under no special obligation to pay the State back for its assistance with his or her re-entry into society. If the State, through its court system, is to take the risk of vouching for a convicted offender, should not that offender be at some additional risk to measure up to the confidence that has thereby been shown?

In conclusion, honorable members, I submit to you that the Bill as presently worded contains a series of flaws. These flaws are fatal to the desired effect of the proposed statute, at least cumulatively and perhaps individually as well. I strongly urge you to refer this Bill for further study and I pledge the resources of The Alliance for Safe Communities to assist as part of a working group that is convened by the sponsors for purposes of improving the language so that all of your constituents are better served.

Thank you for your attention and for your service in our state legislature.

Are there any question?