



Family Court of the State of Rhode Island
One Dorrance Plaza
Providence, RI 02903

MICHAEL B. FORTE
CHIEF JUDGE

April 16, 2026

Representative Carol Hagan McEntee
Chair, House Judiciary Committee
RI State House
Providence, RI 02903

Re: 2026 H-7818

Dear Chair McEntee and Members of the House Judiciary Committee:

I write to inform the committee that **the Court does not support 2026 H-7818**, which amends the Court's authority to detain a child under the age of twelve (12) years at the training school unless the youth is charged with murder, rape or the attempt to do either. Additionally, this bill provides that if a child under twelve is found delinquent due to the murder or rape of another individual, the Court cannot commit the juvenile to the training school unless there are no other reasonable placement locations and/or conditions that will ensure the safety of the juvenile or any other person or persons. While the Court respects the underlying intent of this bill, the presently existing system of care in child welfare and juvenile justice will not support these limitations on the Court's authority. This is not the system the Court would wish for, but it is the system available to us today – a system devastated by a willful lack of investment in appropriate placements for adolescents with serious mental health issues and/or in need of juvenile rehabilitation in the community.

First, it is a rare occasion when a child under the age of 12 years is detained at the training school. However, there are children under the age of 12 who must be detained, for the safety of others – for example, a ten year old who brings a gun to school and threatens others, or who participates in a home invasion with other gang members, or who is so out of control in his/her home that family members are attacked and injured. Dangerous events can happen in the middle of the night. The Family Court assigns a duty judge each night who handles calls from the police who request permission to hold serious youthful offenders at the training school until the next court day. The breadth of this proposed amendment would put handcuffs on

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the Family Court and is unnecessary to curb the discretion exercised so carefully by our judicial officers.

Secondly, the amendment limits the Court's authority to commit youth under the age of 12 years who are found delinquent due to the murder or rape of another individual from being detained at the training school, unless there are no other reasonable placement locations and/or conditions that will ensure the safety of the juvenile or any other person or persons. The current deficiencies in the juvenile justice and child welfare systems of care in Rhode Island make this option illusory. Over the past several years, the alternative placements available to Family Court to protect both the safety of the youthful offender and others have been drastically reduced. "Staff Secure" placements, which were defined by the ability to lock the facilities' doors and stop a resident from leaving by some physical action, no longer exist in Rhode Island. Pediatric and adolescent beds in psychiatric hospital facilities are full and subject to Federal Court litigation due to the lack of appropriate discharge.

In the rare instance when it is necessary to detain a juvenile offender, even a juvenile under 12 years old, held at the training school for his/her own safety, the incident he/she is charged with can usually be attributed to a serious mental health issue. These children need to be protected from themselves and others until appropriate treatment can be secured. Today, that doesn't happen overnight. If the judicial officer is not allowed to detain this child, he/she will be placed in a shelter with older youth. Shelters have few guardrails. At the training school, the child will be assessed and kept safe until an appropriate option can be identified and the court monitors this almost daily to quickly remove this child to a more appropriate setting.

Additionally, the Department of the Attorney General typically will file a motion to waive serious youthful offenders into the adult system which places them at risk of incarceration at the Adult Correctional Institute and puts them out of reach of the intensive treatment services available in the judicial system.

Moreover, removing the court's ability to place a juvenile under the age of twelve at the training school erodes the purpose of the certification system.

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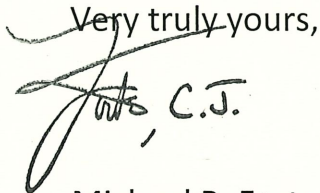
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Certification allows the court, under appropriate circumstances, to keep a juvenile within the juvenile system until age 19 rather than waive the juvenile directly into the adult system where the intensive treatment options available in the juvenile system would not be available.

Accordingly, the Court thanks the committee for considering its comments and asks that this bill be held for further study.

Very truly yours,

A handwritten signature in black ink, appearing to read "Forte, C.J.", with a large, stylized flourish extending from the bottom left of the signature.

Michael B. Forte
Chief Judge