



STATE OF RHODE ISLAND JUDICIARY

SUPREME COURT  
OFFICE OF GENERAL COUNSEL

Licht Judicial Complex  
250 Benefit Street  
Providence, RI 02903

March 10, 2026

***Via Electronic Mail ([SenateJudiciary@rilegislature.gov](mailto:SenateJudiciary@rilegislature.gov))***

Chairman Matthew LaMountain  
Senate Committee on Judiciary  
Rhode Island State House  
Room 313  
Providence, Rhode Island 02903

**Re: Senate Bill #2127: An Act Relating to Criminal Procedure – Identification and Apprehension of Criminals**

Dear Chairman LaMountain:

I write on behalf of the Rhode Island Judiciary to respectfully express our concerns regarding Senate Bill # 2127, scheduled to be heard this evening before the Senate Committee on Judiciary.

If enacted, this legislation would require the Superior Court to administratively seal all criminal cases and individual counts dismissed pursuant to Rule 48(a) of the Court Rules of Criminal Procedure in both the Superior Court and District Court. It also requires a copy of the sealing order to be sent within five (5) days to the Bureau of Criminal Identification and the arresting law enforcement agency, and two (2) certified copies of the order to be provided to counsel of record, which may be sent electronically. The legislation also requires the District Court to send a copy of all sealed criminal cases within five (5) days to the arresting law enforcement agency and further requires that counsel of record received two (2) certified copies of that order, which may be sent electronically.

Under current law, a sealing order requires the destruction of any fingerprints, photographs, physical measurements, or other record of identification by all offices or departments that have custody or possession. This piece of legislation calls for the sealing of dismissed counts which would require the destruction of all identifiable records. This cannot be achieved as those records must be retained for the purpose of adjudicating the remaining counts on a case.

Moreover, the Courts cannot provide certified copies electronically. Electronic copies do not exhibit the necessary raised seal embedded on the order. The Courts could provide non-certified copies electronically.

Additionally, the Judiciary has significant concerns regarding automatic sealing of dismissed counts. If enacted, this legislation places a heavy administrative burden upon the Courts. To meet the requirements outlined in this proposed statute, court staff will be required to electronically remove dismissed counts from the court record and recreate a new court record of the criminal case. Staff would be required to determine associated costs, including restitution owed on the remainder of the case, then close out and reopen a separate accounting for these costs. By way of example, there are between five thousand (5,000) and six thousand (6,000) criminal cases adjudicated in Superior Court alone each year. The Judiciary does not have the staffing or financial resources to meet the mandates of this legislation. If passed, this legislation would require at least one additional FTE and significant funding to accomplish the tasks required. According the attached fiscal impact statement an initial salary of \$67,060.21, plus applicable step increases, would be needed.

Lastly, this legislation allows an individual to request the sealing of counts on cases adjudicated in the past. This would require all paper records stored at the Judiciary's Record Center to be reviewed and each sealed count manually redacted in the file.

Thank you for the opportunity to express the Judiciary's concerns regarding this bill.

Sincerely,



Chrisanne Wyrzykowski  
General Counsel  
Rhode Island Supreme Court



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TO: Darlene Walsh, Director of Finance & Budget; Chrisanne Wyrzykowski, General Counsel  
FROM: Edward J. Cooney Jr., Executive Director  
RE: 2026-S-2127  
DATE: March 4, 2026

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The proposed legislation includes the automatic sealing of individual counts of a criminal complaint dismissed by pursuant to District Court rule 48 (a) on or after January 1, 2023. Any sealing shall be sent electronically by the clerk of the court to the bureau of criminal identification within five (5) days of the entry of the order and shall be carried out within ninety (90) days of the receipt of the order.

The proposed legislation would take effect upon passage.

Fiscal Impact

This passage of this legislation will require the creation and filling of one (1.0) additional full-time equivalent position. The figures below are reflective of position hired at a minimum of a grade 24 to be authorized to seal records. The projections for the next four fiscal year period are based off the current 4400 UA schedule and the FY 2027 planning values and the 3.0 percent cost of living adjustment set to take place July 1, 2026. Beyond what was previously mentioned, the figures over the next four fiscal years period do not take into consideration any additional contractual cost of living adjustments that may occur. This fiscal note also does not include any additional overtime expenditures required of current employees who will handle the additional tasks prior to this position being created and filled.

Pay Grade 24 4400 UA				
	Year 1	Year 2	Year 3	Year 4
<b>Salary</b>	\$ 67,060.21	\$ 69,396.77	\$ 71,677.70	\$ 74,722.38
<b>Benefits</b>	\$ 51,213.00	\$ 52,245.49	\$ 53,253.21	\$ 54,598.35
<b>Total Annual Cost</b>	<b>\$ 118,273.21</b>	<b>\$ 121,642.26</b>	<b>\$ 124,930.91</b>	<b>\$ 129,320.73</b>

This legislation may need to be revised to include an additional date for this to start so that the clerk can be found in compliance with this proposed statute. A revised version of the legislation last session had included an effective date of October 1, 2025.