

2017 -- H 5394

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO CRIMINAL PROCEDURE -- IDENTIFICATION AND APPREHENSION OF
CRIMINALS

Introduced By: Representatives Nardolillo, Quattrocchi, Chippendale, Mendonca, and
Roberts

Date Introduced: February 03, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 12-1 of the General Laws entitled "Identification and Apprehension
2 of Criminals" is hereby amended by adding thereto the following section:

3 **12-1-17. Verification of immigration status of incarcerated persons.**

4 The division of sheriffs within the department of administration shall verify the
5 immigration status of each incarcerated person being presented to the court for any hearing
6 related to a criminal matter before the court, unless otherwise ordered, and the name and
7 whereabouts of any such person found not to have legal immigration status shall be reported to
8 the Immigration and Customs Enforcement (ICE) division of the Department of Homeland
9 Security. The division of sheriffs shall undertake all actions necessary to determine and report the
10 lack of legal status of any individual which it is required to report hereunder prior to the time such
11 individual is presented to the court for any hearing related to the criminal matter before the court.
12 The division of sheriffs shall cooperate with ICE with any deportation proceedings which ICE
13 shall institute with respect to any such individual.

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO CRIMINAL PROCEDURE -- IDENTIFICATION AND APPREHENSION OF
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1 This act would require the division of sheriffs to verify the immigration status of each
2 incarcerated person presented to the court for any hearing, to notify ICE as to any such person
3 lacking legal immigration status, and to cooperate with ICE relative to any deportation
4 proceedings regarding any such individual.

5 This act would take effect upon passage.

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