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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT

Introduced By: Representatives Perez, Diaz, Batista, J. Lombardi, Fellela, Felix, O'Brien,  
Vella-Wilkinson, Sanchez, and Lima

Date Introduced: March 05, 2024

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 42-56 of the General Laws entitled "Corrections Department" is  
2 hereby amended by adding thereto the following section:

3           **42-56-43. Conjugal visits.**

4           (a) Conditions of conjugal visits.

5           (1) Conjugal visits for persons incarcerated at state correctional facilities shall not be  
6 recorded or monitored by video surveillance.

7           (2) The exchange of contraband during conjugal visits is strictly prohibited and shall result  
8 in disciplinary action against both the inmate and the visitor involved.

9           (3) Conjugal visits shall have a maximum duration of four (4) hours.

10          (4) An inmate may have up to six (6) conjugal visits per year.

11          (5) The warden or other building director of the state correctional facility:

12          (i) Shall have the discretion to suspend conjugal visits; provided that, the inmate is awarded  
13 at least one conjugal visit per calendar year, except as provided otherwise in this section; and

14          (ii) May deem an inmate a danger to themselves or others, and upon making that  
15 determination, may entirely suspend conjugal visits during a calendar year.

16          (b) Scheduling of conjugal visits.

17          (1) To schedule a conjugal visit, a person shall adhere to the visitation rules and procedures  
18 established by the department of corrections. This process shall include, at a minimum:

19          (i) Registering in the inmate visitation system and including a copy of a marriage certificate

1 showing the person requesting the visit is married to the incarcerated person for whom the visit is  
2 requested;

3 (i) Submitting a visitor registration form;

4 (iii) Confirming the visit with the specific state correctional facility; and

5 (iv) Following the rules and procedures for visitation in the specific correctional facility.

6 (c) Implementation:

7 (1) The department of corrections shall promulgate and enforce rules and regulations  
8 governing conjugal visits within the state's correctional facilities to administer and implement the  
9 provisions of this section.

10 (2) The department shall provide guidance and training to correctional facility staff  
11 regarding the implementation of conjugal visitation policies and procedures at state correctional  
12 facilities.

13 SECTION 2. This act shall take effect on January 1, 2025.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT

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1           This act would set standards and procedures to allow and implement conjugal visitation at  
2 state correctional facilities. This act also directs the department of corrections to establish and  
3 enforce rules and regulations governing conjugal visits.

4           This act would take effect on January 1, 2025.

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