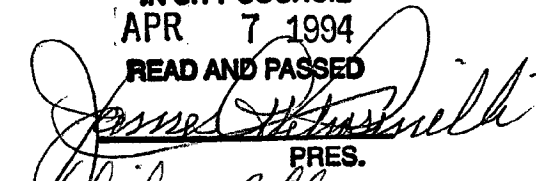



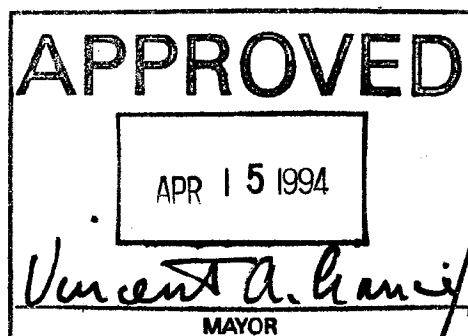
# RESOLUTION OF THE CITY COUNCIL

No. 180

Approved April 15, 1994

RESOLVED, that the City Council endorses and urges passage by the General Assembly of Senate Bill 94-S 2896 and House Bill 94-H 9219 Relating to Superior Court - Special Calendar, Firearms Crimes, in substantially the form attached.

IN CITY COUNCIL  
APR 7 1994  
READ AND PASSED  
  
PRES.  
  
CLERK



IN CITY COUNCIL

READ AND PASSED

IN CITY COUNCIL

Nov. 17, 1994

FIRST READING

REFERRED TO COMMITTEE ON

~~FINANCE~~

*Legislative Matters*

*Michael R. Charnick* CLERK

THE COMMITTEE ON

*Legislative Matters*

Approves Passage of

The Within Resolution, *As Amended*

*Barbara A. Poirier*

Chairman

3/31/94 *Clare*

*Councilman Blavin, Lombardi and Spizzig (By request)*

DT1218

## STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 1994

94-S 2896

## AN ACT

RELATING TO SUPERIOR COURT -- SPECIAL  
CALENDAR, FIREARMS CRIMES

94 - S - 2896

Introduced By: Senators Goodwin,  
Ruggerio, Kells,  
Perry, Walton, et.  
al.

Date Introduced: February 17, 1994

Referred To: Senate Committee on  
Judiciary

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Chapter 8-2 of the General Laws entitled "Superior  
2 Court" is hereby amended by adding thereto the following section:  
3 8-2-15.1. Gun court calendar. -- (A) Findings and declarations:  
4 The General Assembly finds that:  
5 (1) There has been significant growth in the use of firearms in  
6 the commission of violent crimes.  
7 (2) Many of the shootings are drug or gang related and endanger  
8 law abiding citizens.  
9 (3) Many of the gun offenses are committed while individuals are  
10 free on bail for other offenses.  
11 (4) The growing number of gun related offenses constitutes a bur-  
12 den upon the state of Rhode Island and threatens the domestic tran-  
13 quility of the state and its people, especially residents of the urban  
14 areas where these crimes are most prevalent.  
15 (5) In order to deter the use of firearms in the commission of  
16 violent crime, and to protect the law abiding public, there must be  
17 swift disposition of gun related offenses in our courts, and there

1 must be the certain prospect of prison terms for those who are con-  
2 victed of such crimes.

3 (B) Declaration of policy.

4 It is hereby declared to be the policy of the state of Rhode  
5 island to provide maximum safety and security to its people from  
6 unlawful gun related violence and intrusion upon their persons and  
7 property by expediting the processing and disposition of such cases  
8 and, unless other provided, imposing minimum prison terms that must be  
9 served.

10 (C) To accomplish this purpose in an effort to minimize delay in  
11 the processing of criminal cases in the superior court relating to the  
12 illegal possession and use of guns and other dangerous weapons there  
13 shall be established a separate calendar within the jurisdiction of  
14 the superior court for hearing trial and disposition of actions  
15 brought pursuant to the sections 11-47-3; 11-47-5; 11-47-5.1; 11-47-8;  
16 11-47-24; 12-13-1.2 and 12-19-21 of the general laws.

17 (D) The presiding justice of the superior court shall assign one  
18 (1) or more justices of the superior court to sit in Providence County  
19 to exclusively hear and decide all criminal actions involving offenses  
20 brought pursuant to violations of the provisions of sections 11-47-3;  
21 11-47-5; 11-47-5.1; 11-47-8 and 11-47-24 of the general laws herein-  
22 before set forth in section 1(C) and it shall be referred to as the  
23 "Gun Court Calendar" of the superior court.

24 The "Gun Court Calendar" of the superior court shall also have  
25 concurrent jurisdiction with any other calendar of the superior court  
26 to hear and decide all criminal actions involving offenses brought  
27 pursuant to violations of the provisions of sections 12-13-1.2 and  
28 12-19-21 of the general laws, so long as said criminal action involves  
29 the possession, threatened use or use of a firearm.

30 (E) All trials in the superior court involving offenses brought  
31 pursuant to the sections of the general laws as hereinbefore set forth  
32 in section 1(C) shall be scheduled for trial on the "Gun Court" Calen-  
33 dar within ninety (90) days of the arraignment date. No continuances

1 or postponements shall be granted except for good cause shown. such  
2 continuances as are necessary shall be granted for the shortest  
3 practicable time.

4 (F) Unless otherwise provided, a person tried and convicted of,  
5 and sentenced for, any of the offenses as hereinbefore set forth in  
6 section 1(C) shall not be afforded the benefits of suspension or  
7 deferment of sentence nor of probation. Parole will also not be  
8 afforded, except for an adjustment of not more than fifteen percent  
9 (15%) for good behavior.

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

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DT1218  
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94-S 2896

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO SUPERIOR COURT -- SPECIAL  
CALENDAR, FIREARMS CRIMES

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- 1       This act establishes a "Gun Court Calendar" of the Superior
- 2       Court in order to expedite the handling of gun related offenses
- 3       in the Superior Court from arrest to disposition.
- 4       The act would take effect upon passage.

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DT1218  
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DDT1218

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

94-H 9219

JANUARY SESSION, A.D. 1994

A N A C T

RELATING TO SUPERIOR COURT -- SPECIAL  
CALENDAR, FIREARMS CRIMES

94-H 9219

Introduced By: Reps. S. Smith, McCauley,  
Lima, Kushner, Ajello  
Date Introduced: February 17, 1994

Referred To: Committee on Judiciary

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Chapter 8-2 of the General Laws entitled "Superior
- 2 Court" is hereby amended by adding thereto the following section:
- 3 8-2-15.1. Gun court calendar. -- (A) Findings and declarations:
- 4 The General Assembly finds that:
- 5 (1) There has been significant growth in the use of firearms in
- 6 the commission of violent crimes.
- 7 (2) Many of the shootings are drug or gang related and endanger
- 8 law abiding citizens.
- 9 (3) Many of the gun offenses are committed while individuals are
- 10 free on bail for other offenses.
- 11 (4) The growing number of gun related offenses constitutes a bur-
- 12 den upon the state of Rhode Island and threatens the domestic tran-
- 13 quility of the state and its people, especially residents of the urban
- 14 areas where these crimes are most prevalent.
- 15 (5) In order to deter the use of firearms in the commission of
- 16 violent crime, and to protect the law abiding public, there must be
- 17 swift disposition of gun related offenses in our courts, and there

1 must be the certain prospect of prison terms for those who are con-  
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6 unlawful gun related violence and intrusion upon their persons and  
7 property by expediting the processing and disposition of such cases  
8 and, unless other provided, imposing minimum prison terms that must be  
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10 (C) To accomplish this purpose in an effort to minimize delay in  
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21 11-47-5; 11-47-5.1; 11-47-8 and 11-47-24 of the general laws herein-  
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94-H 9219

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