

# Tough Young-Offender Law Is Set Back in Rhode Island

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BOSTON, Oct. 31 — The [Rhode Island](#) legislature has voted to repeal a four-month-old law under which 17-year-old offenders were treated as adults in the criminal justice system.

The initial change in law was intended as a way to save millions of dollars a year by housing the teenagers at the state prison, generally less expensive than at the youth corrections center. But it set off a furor among children's advocacy groups and some law enforcement officials, who said it was bad public policy that in practice provided no savings anyway.

The new legislation, which would take effect immediately, is not retroactive. So it would not apply to the 50 or so 17-year-olds tried or arrested as adults since July 1, when the earlier change took effect, although it would seal their court records, as is the practice in juvenile cases.

A spokesman for Gov. Donald L. Carcieri, whose administration championed the earlier change, would not comment on whether the governor might veto the new bill, which was passed late Tuesday night as a one-day special session neared a close and which, the spokesman said, Mr. Carcieri has not yet seen.

Elizabeth Burke Bryant, executive director of the advocacy group Rhode Island Kids Count, praised the legislature's decision, calling it "a very important victory for young people."

But others expressed concern about the lack of retroactivity. John J. Hardiman, the state's public defender, said he was exploring legal arguments for transferring back to juvenile court the pending cases of 17-year-olds arrested since July 1.

"Why should they be penalized because we had bad legislation for four months?" Mr. Hardiman said.

Steven M. Costantino, who as chairman of the House Finance Committee has been a prominent figure on the issue, said the legislature might take up retroactivity in January.

"If there's litigation" against the state in the meantime, Mr. Costantino said, "so be it — the courts will decide. And if in January people want to revisit the issue, at least we can get all the stakeholders in Rhode Island around the table to figure it out, if we can figure it out."

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