Rhode Island Department of Corrections
CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, the following is a concise explanatory statement:

AGENCY: Department of Corrections

DIVISION: [agency division, if applicable]

RULE IDENTIFIER: 240-RICR-20-00-3

RULE TITLE: Access to Institutional Facilities by Attorneys and Their Agents

REASON FOR RULEMAKING:
The Department seeks to establish an amendment to 240-RICR-20-00-3 Access to Institutional Facilities by Attorneys and Their Agents to enhance safety, security, and operational efficiency within its facilities. RIDOC is experiencing an unprecedented need for more efficient and effective measures to detect and address potential threats related to contraband. Historically, this contraband has included liquids, powders, and other substances on or in incoming mail and documents. More recently, there has been a sizeable uptick in conveyance of contraband via mail and other documents by chemically treated paper. These materials pose significant risks to facility security and the health of both staff and incarcerated individuals.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE:
[List finding(s), if any]

TESTIMONY AND COMMENTS:
Please see attached.

CHANGE TO TEXT OF THE RULE:
N/A

REGULATORY ANALYSIS:

Introduction

The Rhode Island Department of Corrections (RIDOC) proposes to establish a regulatory framework for 240-RICR-10-00-01 Inmate Mail and 240-RICR-20-00-3 Access to Institutional Facilities by Attorneys and Their Agents. Thus, pursuant to the Administrative Procedures Act, R.I. General Law 42-35-2.9, the Department has conducted a regulatory analysis, which will estimate the costs and benefits that may result from the adoption of the proposed regulatory changes.

Regulatory Development

The Department seeks to establish an amendment to 240-RICR-10-00-01 Inmate Mail and 240-RICR-20-00-3 Access to Institutional Facilities by Attorneys and Their Agents to enhance safety, security, and operational efficiency within its facilities. RIDOC is experiencing an unprecedented need for more efficient and effective measures to detect and address potential threats related to contraband. Historically, this contraband has included liquids, powders, and other substances on or in incoming mail. More recently, there has been a sizeable uptick in conveyance of contraband via mail by chemically treated paper. These materials pose significant risks to facility security and the health of both staff and incarcerated individuals. Utilization of mail scanners will allow RIDOC to strengthen its ability to detect contraband, therefore preventing it from entering the facilities. The Department also aims to improve the efficiency of mail processing and enhance the overall security of the facilities.

Analysis

Goals

The Rhode Island Department of Corrections (RIDOC) seeks to make permanent its emergency rules, which added language to policy regarding utilizing mail scanner technology to detect and prevent contraband—particularly narcotics—from entering correctional facilities. The emergency rules addressed two potential pathways for entry: through mail procedures or via items brought into the facilities by program providers, attorneys and/or their agents, etc. This initiative is in direct response to increasing concerns regarding drug-related overdoses, exposure to harmful narcotics, and drug-related violence within the carceral setting. The following analysis will provide insight into the benefits of making these policy changes permanent, as well as weighing the considerations of alternative practices and explaining why the use of mail-scanning technology is the most optimal option.

Mail-Scanning Acquisition and Use

The Department acquired mail scanning technology in previous fiscal years using restricted Opioid Stewardship funds and therefore expects no additional costs in the current or future years in relation to this need. Maintenance and other related services are already included in the Department's budget for this technology and is thus treated as a sunk cost. As staff have been working since 2024 under the emergency rules promulgated in 2025, no significant changes in staff workloads are expected. It is

important to note that the Department purchased these machines through the General Services Administration (GSA) under category “Bomb and Hazardous Material Disposal (GSA 334519).” RIDOC, in accordance with state purchasing rules and requirements, determined this product to be the best fit for Departmental needs. There was no product offered by another vendor that would be comparable to the machines that were ultimately purchased in service or price. The RaySecur MailSecur scanner is geared toward correctional facilities. It is able to be used in close quarters by using multi-patented imaging technology (terahertz imaging or “T-rays”), which limits radiation concerns. The MailSecur scanner is a state-of-the-art, real-time scanner that uses 4D imaging technology to detect all types of postal threats identified by the Department of Homeland Security (DHS). The scanner can detect powders and liquids in sealed mail that may go undetected with conventional screening tools. Its primary purpose is to enhance physical mail security by identifying potential threats or contraband and ensuring the safe handling of incoming mail. It is crucial to note that these scanners are not designed, nor can they be used for, reading, analyzing, or interpreting the text contents of mail.

To give context on the use of these machines within RIDOC, data provided by RaySecur shows that between January 2024 and December 2024, on average, the Department scanned approximately thirteen (13) items per machine per day on each of its seven (7) machines. Applying that metric, ninety-one (91) scans are assumed to occur daily within RIDOC, which annualized, would mean 33,215 scans are expected yearly. According to information provided by the Department’s Special Investigations Unit, during this same time period, the scanners flagged at least thirty (30) instances of abnormalities, and three (3) pieces of mail tested positive for illicit substances. Even a single incident of narcotics entering a correctional facility can have catastrophic consequences, including:

- Negative clinical outcomes including overdoses (Kuai et al, 2024; NIJ, 2020), or fatalities (Carson, 2021) among inmates;
- Exposure risks for staff (CDC, 2024);
- Increased healthcare costs from treatment of overdoses or exposure-related illness;
- Facility lockdowns that disrupt programming and require additional staff resources.

According to the Bureau of Justice Statistics (Carson, 2021), drug-related deaths are the third-highest cause of death for those incarcerated, behind illness and suicide. Mail is noted as one of the most problematic entry points for contraband such as illicit drugs and cell phones (Peterson et al, 2024).

Privileged mail flagged as suspicious will undergo secondary review within twenty-four (24) to forty-eight (48) hours, excluding weekends and holidays. This ensures:

- Timely resolution of mail delivery issues,
- Minimized mail delays for incarcerated individuals to receive privileged mail,
- Resource alignment with RIDOC staffing capabilities.

This timeframe was selected as it represents the shortest feasible period given available staffing resources. A longer timeframe was not considered to ensure that incarcerated individuals receive timely access to their mail. This timeframe also balances operational capacity with legal expectations for mail delivery and inmate communication rights. Non-privileged mail flagged as suspicious will undergo a secondary review in a timely and efficient manner to ensure inmates receive their mail without significant delay.

While the forty-eight (48)-hour timeframe is feasible for the much smaller volume of privileged mail, extending this requirement to non-privileged mail is not operationally feasible. Non-privileged mail accounts for the vast majority of mail entering RIDOC facilities and ensuring a formalized secondary review within this narrow window would require significant increases in staff and resources, which are currently unavailable.

For enhanced transparency, RIDOC policy includes the presence of either the inmate or sender during testing of privileged mail. This:

- Minimizes disputes or accusations of tampering;
- Builds procedural integrity; and,
- Is consistent with case law.

Requiring the inmate's presence for non-privileged mail review introduces unnecessary security risks. Unlike privileged mail, non-privileged mail does not carry confidentiality protections, and the operational benefit of inmate presence does not outweigh the security and logistical challenges it would create.

Any non-privileged mail that fails the mail scanner or other approved technology, cannot be authenticated, or is otherwise deemed suspicious (possibly containing contraband) shall be held for further testing and the inmate will be notified.

Any privileged mail that fails the mail scanner or other approved technology, cannot be authenticated, or is otherwise deemed suspicious (possibly containing contraband) shall be held for further testing and the sender and inmate will be notified. RIDOC's decision to contact the sender of suspicious mail, rather than automatically returning it, reflects a carefully considered approach that prioritizes safety, legal compliance, and due process.

This policy allows senders to:

- Clarify the contents or purpose of the mail;

- Avoid unnecessary rejections of legitimate correspondence that may contain essential documents, photos, or materials permitted under policy;
- Preserve communication rights between incarcerated individuals and their families, legal representatives, and outside support systems.

However, and perhaps more critically, this approach also mitigates significant legal and public safety risks associated with returning mail that has been identified as potentially containing contraband or hazardous substances. For these reasons, the RIDOC has included the implementation of the notification procedures for any flagged items as opposed to returning them to sender.

Returning flagged mail to the sender, without further examination or intervention, could:

- Violate federal postal laws governing the handling and distribution of known or suspected contraband, particularly substances listed under the Controlled Substances Act (21 U.S.C. § 801 et seq.);
- Expose RIDOC to legal liability if the contents of returned mail harm a postal worker, member of the public, or the intended recipient;
- Conflict with federal regulations under the U.S. Postal Inspection Service and U.S. Department of Homeland Security related to handling biohazards, narcotics, or suspicious packages;
- Undermine evidentiary preservation and chain-of-custody protocols if the suspicious item later becomes part of an investigation or legal proceeding.

Not only does this process pose serious public safety concerns, but returning potentially contaminated or dangerous mail to the general mail stream could also create other serious concerns such as:

- The risk of accidental exposure or overdose by a member of the public;
- Reintroducing suspected contraband into the community, which could inadvertently escalate drug distribution or criminal activity;
- Unintended consequences such as the exposure of mail handlers, postal staff, or innocent individuals at the delivery address.

Once it is ultimately determined that the mail item does not contain any contraband, it may be delivered to the inmate or returned to sender.

By choosing to contact the sender and provide options for verification, clarification, or voluntary forfeiture, RIDOC exercises a balanced and responsible protocol that supports correctional security while aligning with legal standards and public health priorities.

Key Stakeholders

1. Incarcerated Individuals

This is the population housed at the Rhode Island Department of Corrections that includes both sentenced individuals and those awaiting trial.

2. Rhode Island Department of Corrections Staff
   This group is primarily responsible for implementing the changes set forth in this regulation. This primarily includes security staff, investigative staff, and legal staff, but may also include other relevant agency personnel depending on the situation.

3. External Third Party
   This includes people not included in the previous two groups, who may conduct work on behalf of the Department or incarcerated individuals. This includes, but is not limited to, a wide range of other state government agencies such as the Attorney General's Office, private attorneys, and family members of incarcerated individuals.

Cost-Benefit Analysis

The Department analyzed the costs relative to the key stakeholder groups. There are two types of costs considered in this analysis. Direct costs are expenses that are directly tied to the change being discussed, such as impacts on health and human safety, and supplies or direct labor, which tend to be easier to track and quantify. The second type are indirect costs which typically include areas like overhead or administrative costs. Common examples include the time of administrative and legal staff, who tend to split time and support across multiple projects, thus making these costs more difficult to quantify. Below, each of these types of costs are considered in the context of the relevant stakeholder.

These findings are then combined in the conclusion section of the analysis.

1. Incarcerated Individuals

The primary goal of these policy changes is to help create a safer environment for incarcerated individuals and staff. First, it is reasonable to expect a decrease in the number of drug related incidents that occur and thus a decrease in emergency room visits. Between November 2024 and January 2025, the average cost per emergency room trip was $466.30. Information on the cost of trips related specifically to illicit substance use or exposure is limited due to the structure of Department medical systems. An example of this limitation is as follows: if an inmate falls and hurts their leg while under the influence of an illicit substance, the categorization in the system may be "leg injury" or "contraband" which is not easily distinguishable between illicit substances and other types of contraband (i.e., a cell phone or materials that could start a fire). Similarly, even if the ER visit is determined to be related to an illicit substance, there are very limited means of confirming the substance entered the facility via the mail system. For this reason, the average cost of all emergency room

visits is utilized when projecting medical trip costs throughout the remainder of this analysis.

The Department's Special Investigations Unit indicates that this contraband can be distributed throughout the facility in pieces the size of a dime. According to the U.S. Mint, a dime's size is approximately 0.705 square inches, while a standard 8.5x11 piece of paper calculates to 93.5 square inches (*Coin Specifications*, 2024). Assuming the entire paper is doused, approximately 133 dime-sized pieces that could have been ingested by inmates are removed from circulation with each piece of coated mail removed.

The Department asserts that it is reasonable to assume that the illicit substance is uniformly distributed among the paper if the paper is soaked, as is common. If the substance presented a danger significant enough to result in a trip to the emergency room, it follows that up to 133 emergency room trips could occur from a single piece of paper. In discussions with Department mail staff, the average length of a piece of mail by an inmate was estimated to be between 1 and 10 pages; however, in an effort to develop conservative estimates, most of the following analysis assumes each to be one (1) page. Therefore, the estimates provided are conservative and assume different scenarios between ingestion and emergency room visits. In each row (PA 1 – 3), three (3) twenty-five (25) percent intervals show different rates of ingestion of the 133 pieces. That is, of the 133 pieces, the first interval of twenty-five (25) percent would assume 33.25 pieces are consumed. The columns in the second box show different ranges of assumed hospital trips in each interval of ingestion. For example, of the twenty-five (25) percent ingested (33.25 pieces), if twenty-five (25) percent resulted in emergency room trips, the assumption is 8.31 emergency room trips occur. The cost for those trips when applying the aforementioned $466.30 emergency room average cost would be $3,876. The cost is then multiplied by three (3) to depict the savings from emergency room trips that may have resulted from ingesting a portion of the pages removed from circulation using the mail scanners under the proposed changes. The table below depicts the range of potential costs:

Potential Impact on Emergency Room Expenses											
Assumed Number of Dosages Ingested			Potential Ingested Dosages which Result in Emergency Room Trips			Applied Emergency Room Trip Costs at $466.30 per trip			Emergency Room Savings from Three Pages Being Removed from Circulation		
	Percent Ingested	133 Pieces Per Paper	25%	50%	75%	25%	50%	75%	25%	50%	75%
PA 1	25%	33.25	8.31	16.63	24.94	$ 3,876	$ 7,752	$11,628	$ 11,628	$23,257	$ 34,885
PA 2	50%	66.50	16.63	33.25	49.88	$ 7,752	$15,504	$23,257	$ 23,257	$46,513	$ 69,770
PA 3	75%	99.75	24.94	49.88	74.81	$11,628	$23,257	$34,885	$ 34,885	$69,770	$104,655

Similarly, it is practical to assert the likelihood of loss of life occurring can be reasonably correlated with a greater number of illicit substances being ingested. According to Department of Justice data, between 2001 and 2019, there were five deaths in RIDOC that occurred as the result of alcohol or drug intoxication (Carson,

2021). This works out to approximately 0.25 deaths per year, or a death occurring approximately every four years, over that span. Applying the federal OMB Circular A4's willingness-to-pay methodology for the societal valuation of reductions in potential mortality, it can be assumed that up to $2.3 million in savings occurs annually as the result of this policy's implementation. Willingness-to-pay methodologies approximate society's valuation of decreases in risk (e.g., of unexpected injury/mortality) that are widely and randomly distributed across the population. This standard economic approach is utilized for quantitative considerations at the state and federal level of society's willingness to avoid the risk of one randomly distributed death and has been assumed solely for the purpose of better describing the likely benefits of these regulatory actions. In total, the Department estimates between $2.3 million and $2.4 million in this section from the implementation of the mail scanners via the proposed changes.

2. RIDOC Staff

The Department indicates a potential impact to staff in relation to emergency room visits. It is reasonable to assume that a decrease in illicit substance ingestions by inmates would result in a decrease in emergency room visits. Typically, two (2) officers must escort inmates off-site for any medical-related incidents. Assuming the overtime rate of $61.71 per hour per officer, that would equate to approximately $123.42 hourly. According to Axios, the average emergency room visit time is approximately 3.5 hours (Fitzpatrick, 2023). Applying the $61.71 overtime rate for two officers working the equivalent of 7 hours would equate to approximately $431.97 per incident in staff overtime expenses. This is a net-zero transfer, as while the state incurs the cost for additional overtime worked, correctional officers receive the benefit of additional compensation. Below is a table depicting the anticipated average staffing costs/benefits for emergency rooms visits that would be avoided through the implementation of the proposed changes.

Potential Impact on Staff Expenses											
Assumed Number of Dosages Ingested			Potential Ingested Dosages which Result in Emergency Room Trips			Applied Hourly OT Rate for Two Officers for 3.5 hours - $431.97			Emergency Room Savings from Three Pages Being Removed from Circulation		
	Percent Ingested	133 Pieces Per Paper	25%	50%	75%	25%	50%	75%	25%	50%	75%
PA 1	25%	33.25	8.31	16.63	24.94	$ 3,591	$ 7,182	$10,772	$ 10,772	$21,545	$ 32,317
PA 2	50%	66.50	16.63	33.25	49.88	$ 7,182	$14,363	$21,545	$ 21,545	$43,089	$ 64,634
PA 3	75%	99.75	24.94	49.88	74.81	$10,772	$21,545	$32,317	$ 32,317	$64,634	$ 96,950

3. External Third Party

Drug related incidents impact several third parties negatively. First, family members and friends of incarcerated individuals are adversely affected when an illicit substance-related incident occurs. The feelings of stress, fear, and concern that loved ones' experience are difficult to quantify accurately, but the Department recognizes the importance of preventing such circumstances when feasible and establishing the safest environment possible. By implementing policies oriented

toward a reduction of potential drug exposures, a safer environment is expected. Similarly, by reducing further drug exposures, there would be a reduction in negative consequences that may impact other inmates when emergency room trips or drug related incidents occur, as events like visitation can be cancelled.

4. Infrastructure Damages

It is also worth noting that infrastructure damage typically occurs in relation to illicit substances entering a facility. A common example is using outlets to ignite or light illicit substance-soaked paper. To highlight such issues, the RIDOC High Security Center reportedly had twenty-three (23) electrical outlets damaged by such ignitions between December 1, 2024, and March 31, 2025. To fix the outlets, the Department utilizes an external vendor to conduct repairs at a cost of $158 per outlet – meaning a total cost of at least $3,634 over the four (4) months noted. There are also control center panel fuses that have needed to be replaced or reset because of such instances at a cost of $79.29 per instance, bringing the estimated total cost to approximately $237.00 per incident.

Potential savings if such incidents did not occur are significant. The average number of inmates at the High Security Center between December 1 and March 31 was 93. Applying twenty-three (23) incidents to ninety-three (93) inmates yields approximately a twenty-five (25) percent incident per inmate ratio. Applying that same ratio to all facilities, which in total averaged an average population of 2,311, would mean there were 572 incidents that required repairs. Using the average cost of $237 per incident, that would imply a potential for up to $135,454 in triennial savings. Annualized, this equates to up to $406,363 in potential savings.

Facility	Avg Pop Dec 2024 - Mar 2025	# of Incidents	% Assumed
High	93	23.00	25%
Max	317	78.40	25%
Medium	822	203.29	25%
Minimum	131	32.40	25%
ISC	816	201.81	25%
WF	132	32.65	25%
Total	2311	571.54	

Assuming use of the average cost per incident, below is a table with different potential maintenance savings from the implementation of the mail scanners. Similar to earlier tables, in each row (PA 1 – 3), three (3) twenty-five (25) percent intervals show different rates of ignition of the 133 pieces. That is, of the 133 pieces, the first interval of twenty-five (25) percent would assume 33.25 pieces are ignited. The columns in the second box show different ranges of assumed infrastructure damage that occur from the ignition of the illicit substance. For example, of the twenty-five (25) percent ingested (33.25 pieces), and assuming twenty-five (25) resulted in infrastructure damage, that would

mean the assumption is 8.31 instances of damage occurred. The cost for those damages when applying the aforementioned $237.00 would be $1,970. The cost is then multiplied by three (3) to depict the savings from outlet/fuse repair and replacement from the pages removed by circulation using the mail scanners.

Potential Impact on Maintenance Expenses												
Assumed Number of Dosages Ingested			Instances of Damage in the Facility Related to Substance Ignition			Applied Maintenance/Damage Cost Avg - $237.00			Maintenance Savings from Three Pages Being Removed from Circulation		
	Percent Ingested	133 Pieces Per Paper	25%	50%	75%	25%	50%	75%	25%	50%	75%
PA 1	25%	33.25	8.31	16.63	24.94	$ 1,970	$ 3,940	$ 5,910	$ 5,910	$11,820	$ 17,731
PA 2	50%	66.50	16.63	33.25	49.88	$ 3,940	$ 7,880	$11,820	$ 11,820	$23,641	$ 35,461
PA 3	75%	99.75	24.94	49.88	74.81	$ 5,910	$11,820	$17,731	$ 17,731	$35,461	$ 53,192

Alternatives

1) Visual Inspection

Prior to the implementation of the emergency rules, the Department would conduct a manual inspection of mail. This visual inspection would include looking for deformities or distortions in the paper (wet spots, peculiar textures, odd coloring, etc.). Based on those findings, the mail would be sent on to the inmate or withheld for additional inspection or testing. While difficult to quantify, the Department believes it reasonable to assume that the deterrent of having a mail scanner in place has resulted in less mail with illicit substances being sent to the facilities when compared to the previous visual inspection practice.

This method was ruled out for several reasons and the danger surrounding it was part of the impetus for the purchase and implementation of the mail scanners. The practice of manually inspecting mail is reasonably assumed to be ineffective when compared to other methodologies, as it is quite vulnerable to missing the detection of certain substances, given that not every substance leaves behind a readily noticeable residue. Due to safety concerns and the ineffectiveness such a method presents, this was ruled out as a possible option.

2) Copier Method

Another potential avenue considered is the manual copying of every piece of non-legal mail that is eligible for such that enters the facility, as is done in some other states. On average, the price of a copier leased by the Department is approximately $3,122 annually for a standard black and white printer. To implement this policy, each facility and the mail room would each require an additional copier at a cost of $21,854 annually as a result. As previously discussed, RaySecur indicated that 33,215 scans occurred in CY 2024. As these documents range in pages, assuming the average length of a letter works out to between 1 – 10 pages per document, the number of pages copied could range from between 33,215 and 332,150 pages per year. As WB Mason is the state's standard vendor for white copier paper, they charge $5.42 per ream of 500 pages. Applying those costs broadly, the state would

incur costs ranging between $360 and $3,601 for mail being scanned in; however, it is worth noting that some documents are more than 500 pages, so this is likely a conservative estimate. Factoring in both copier expenses and paper, in total, the Department would expect to spend up to $37,000.

There are other factors to this method that ultimately led to it being ruled out. First, as stated previously, this method is limited to only non-legal mail. Legal mail would need to continue to be inspected using another method due to privacy laws, most likely via the existing mail scanning system. Based on the findings outlined previously, the Department determined the mail scanner method currently in place is superior.

3) Other Technology

The Department also explored other potential technologies available as alternatives; however, through the procurement process it was ultimately determined that the scanner currently utilized by the Department was the best choice of product available for the price. The Department acquired mail scanning technology in previous fiscal years using restricted Opioid Stewardship funds. It is important to note that the Department purchased these machines through the General Services Administration (GSA) under category “Bomb and Hazardous Material Disposal (GSA 334519).” RIDOC, in accordance with state purchasing rules and requirements, determined this product to be the best fit for Departmental needs. There was no product offered by another vendor that would be comparable to the machines that were ultimately purchased in service or price.

Additional Policy Choice Considerations

Several alternatives were evaluated and ultimately deemed insufficient or infeasible:

Alternative	Description	Reasons for Rejection
Manual Mail Screening	Mail inspection via visual checks	Labor-intensive, less reliable for detecting synthetic drugs, invasive, not sufficient to significantly reduce contraband, significant staff costs, prone to human error.
Chemical Swabbing or Field Testing Kits	Field tests for suspicious items	Cannot be used proactively for every item, increases operational delays, costly, labor-intensive, time-consuming, expensive over time due to consumables.
Ion Scanning Devices	Detects particles or residue	Prone to false positives, requires sample contact, not effective on sealed mail, expensive initial setup, high maintenance costs, requires calibration
X-Ray Machines	Conventional imaging	While the associated costs could be comparable for this option, it does not detect all postal threats, was not suitable for powders or liquids, and lacks

Alternative	Description	Reasons for Rejection
		precision in detection of narcotics. Additionally, X-ray machines also use harmful radiation.

The RaySecur MailSecur system offered the best combination of real-time threat detection, health and safety considerations, operational feasibility, and legal compliance. The RaySecur MailSecur scanner uses terahertz (T-ray) technology to scan mail in real time without having to open the mail. Its benefits include:

- Non-ionizing radiation (safer for staff),
- Compact size suitable for tight operational spaces,
- Real-time, 4D imaging of powders, liquids, and other concealed substances,
- Specifically designed for use in high-security environments, including government buildings and correctional facilities.

It is not designed for reading the content of mail, thus respecting privacy protections while focusing strictly on safety.

RIDOC, in accordance with state purchasing rules and requirements, determined that no comparable product offered similar imaging capabilities at a comparable price point. Alternatives failed to meet necessary operational requirements.

Conclusion

This matter is primarily an issue of safety and security. The safety of incarcerated individuals and staff is the single most important consideration made in this analysis. While the following cost savings are discussed in greater detail previously, the following is intended to summarize the findings at a high level and aggregate it where appropriate. In total, the Department estimates a potential range of costs avoided between $2.3 million and $2.4 million would occur annually from the proposed changes. Below is a concise summary of the previous analysis and references to its potential limitations.

1) Affected Persons

In relation to emergency room trips, there are two components that are considered when determining potential costs and benefits. Conservatively, this assumes that each of the three pieces of mail identified by the mail scanners that was removed was one page. First, utilizing the methodology explained previously, the Department's estimated emergency room medical costs that would be avoided range between $11,628 and $104,655. Assuming the same parameters, estimated staff overtime savings of between $10,772 and $96,950 would occur because of avoided emergency room trips.

Similarly, it is practical to assert the likelihood of loss of life occurring can be reasonably correlated with a greater number of illicit substances being ingested. According to Department of Justice data, between 2001 and 2019, there were five (5) deaths in RIDOC that occurred as the result of alcohol or drug intoxication (Carson, 2021). This works out to approximately 0.25 deaths per year, or a death occurring approximately every four years, over that span. Applying the federal OMB Circular A4's willingness-to-pay methodology for the societal valuation of reductions in potential mortality, it can be assumed that up to $2.3 million in savings occurs annually as the result of this policy's implementation. Willingness-to-pay methodologies approximate society's valuation of decreases in risk (e.g., of unexpected injury/mortality) that are widely and randomly distributed across the population. This standard economic approach is utilized for quantitative considerations at the state and federal level of society's willingness to avoid the risk of one randomly distributed death and has been assumed solely for the purpose of better describing the likely benefits of these regulatory actions. In total, expected savings between emergency room visits and willingness to pay methodology saved due to the removal of illicit substances are estimated to range from $2.3 million to $2.4 million annually.

2) Additional Considerations

The Department also recognizes that family members and friends of incarcerated individuals are also adversely affected when a drug-related incident occurs. This stress and concern are difficult to quantify, but the Department recognizes this distress and the need to prevent it.

Applying the rates of damages seen at the High Security facility to the other five (5) correctional facilities at RIDOC, the Department estimates between $5,910 and $53,192 in infrastructure damages were avoided annually because of the mail scanners implementation. There are significant limitations to this estimate that are recognized by the Department, including the differences of populations that exist between facilities and the unknown number of illicit substances that were lit causing such damages that entered via the mail.

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