

RHODE ISLAND  
DEPARTMENT OF CORRECTIONS

**PUBLIC COMMENT RESPONSES**

**Regulation(s)**: Declaratory Order Petitions

(240-RICR-00-00-2)

**Summary of Rulemaking Action**: The purpose of this Regulation is to state the requirements for submitting a request for Declaratory Order under R.I. Gen. Laws § 42-35-8(b), and the procedure for its consideration and prompt disposition.

**Public Comment Period**: 12/16/2025 through 1/18/2026

**Public Hearing**: A public hearing in accordance with R.I. Gen. Laws § 42-35-2.5, to consider the proposed adoption was held on Tuesday, December 30th at 10:30 a.m. in Conference Room "A" of the Powers Building located at 1 Capitol Hill, Providence, RI 02908.

**Summary of Received Public Comments**: RIDOC received written testimony from the American Civil Liberties Union (ACLU) of Rhode Island.

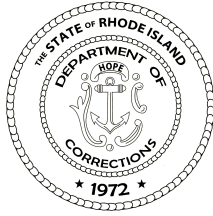
**Multiple Submission Methods**

**Comment Summary:**

The commenter raises a concern regarding submission methods and asserts that both traditional and electronic communication preferences are accommodated. Section 1.4(B) requires that mailed declaratory order petitions also be submitted via email to be considered. The commenter notes that electronic submissions are not inherently more reliable than mailed submissions and requests that mail be accepted as a stand-alone submission method without a corresponding email requirement.

**Agency Response:**

The Department appreciates this comment and recognizes the importance of ensuring that submission procedures for declaratory order petitions are accessible and not unnecessarily restrictive. The dual-submission requirement was originally included to promote reliable receipt and timely processing of petitions. However, after reviewing the comment and in consideration of public accessibility and consistency across related regulations, the Department agrees that mailed submissions should be accepted as a stand-alone method.



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The Department will revise the regulatory language to remove the requirement that mailed petitions must also be submitted electronically. The final regulation will allow submission by mail, hand delivery, or email as independent methods. The Department will also include advisory language encouraging petitioners who submit by mail to consider using delivery methods that provide confirmation of receipt, such as certified mail or return receipt service, to help ensure successful delivery and processing.

RIDOC appreciates the public's time and effort taken to review the proposed regulations and submit comments that help strengthen clarity, accessibility, and effectiveness of the Department's regulatory framework.