


SENATE TASK FORCE  
TO STUDY  
LAW ENFORCEMENT  
OFFICERS' BILL OF RIGHTS

Review of survey results

November 18, 2020

## PROCESS

Surveys were distributed to 38 local law enforcement agencies throughout Rhode Island



Received submissions from 37 local law enforcement agencies. Each completed grid.



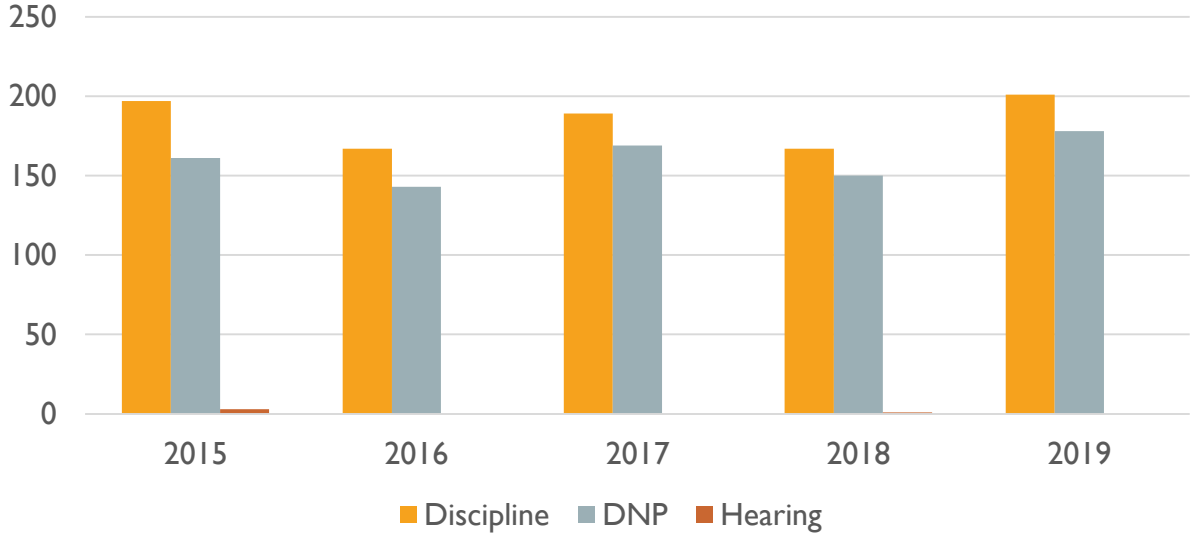
Responses reflect each LEA's unique circumstances, such as: CBAs, internal data collection, and interpretation

# TOPLINE OVERVIEW

	2015	2016	2017	2018	2019
<b>A</b>	197	167	189	167	201
<b>B</b>	161	143	169	150	178
<b>C</b>	3	0	0	1	0
<b>D</b>	3	0	0	1	0
<b>E</b>	0	0	0	0	0
<b>F</b>	0	0	0	0	0
<b>G</b>	0	0	0	0	0
<b>H</b>	2	0	0	0	0
<b>I</b>	\$ 67,000.00	\$ -	\$ -	\$ 36,246.58	\$ -
* Only 2 reported cost					

ANNUAL DISCIPLINE  
LAST FIVE YEARS

Police Discipline 2015-2019





LEOBOR  
HEARING  
PANELS  
2015-2019

- Four Panels Adjudicated Discipline
  - Providence 2015
  - Woonsocket 2015
  - North Providence 2015
  - Pawtucket 2017/2018
- Each panel reported a finding of guilty
- 2 panels reduced the punishment recommended by the chief



## HEARING PANEL COSTS

- Cost Data from 3 hearing panels
  - North Providence (2015) \$25,000
  - Pawtucket (2018) \$36,246.58
  - Providence (2015)
    - Prosecution \$30,000
    - Appeal \$12,000

RESPONSES FROM  
CHIEFS CONCERNING  
TIMELINESS OF  
LEOBOR PROCESS

“Coventry has not had any discipline cases that have progressed to a LEOBOR hearing in the last 5 years.”

- Chief Heise, Coventry PD

RESPONSES FROM  
CHIEFS CONCERNING  
TIMELINESS OF  
LEOBOR PROCESS

“Once the hearing is convened, it progresses in a reasonable amount of time. However, we have had an occurrence when criminal charges led to a delay in the hearing, which was unreasonable.”

- Cranston PD Survey Response



RESPONSES FROM  
CHIEFS CONCERNING  
TIMELINESS OF  
LEOBOR PROCESS

“I believe that most of the delays of LEOBOR are due to criminal cases. However, because of the intricacies of these types of cases and their outcomes there does not seem to be a clear solution to speeding up the LEOBOR cases prior to the adjudication of the criminal case.”

- Colonel Brown, East Greenwich

RESPONSES FROM  
CHIEFS CONCERNING  
TIMELINESS OF  
LEOBOR PROCESS

“In my experience in law enforcement, the bill of rights often takes an inordinate amount of time. It is understandable when criminal charges are involved, but when only departmental charges are involved, the process in my opinion needs to be streamlined.”

- Chief David Breit, Foster

RESPONSES FROM  
CHIEFS CONCERNING  
TIMELINESS OF  
LEOBOR PROCESS

“I believe the disciplinary proceedings that progress to a LEOBOR hearing are handled in a reasonable amount of time after criminal charges are adjudicated. While a case progressing through the criminal justice system can be time consuming and delay disciplinary actions, it is paramount for criminal charges to be adjudicated prior to any disciplinary actions.”

- Chief Goncalves, Pawtucket

RESPONSES FROM  
CHIEFS CONCERNING  
TIMELINESS OF  
LEOBOR PROCESS

“No. The Police Officers Law Enforcement Bill of Rights has worked well in Rhode Island, whether criminal charges have been filed or not. However, hearings should be streamlined and time sensitive for efficiency and cost.”

- Chief DelPrete, Glocester

RESPONSES FROM  
CHIEFS CONCERNING  
TIMELINESS OF  
LEOBOR PROCESS

“I was appointed Chief of Police of the North Providence Police Department in January 2020. I have little experience with the LEOBOR from my current position with this agency.

Prior to joining the North Providence Police Department in 2018, I was employed with the Pawtucket Police Department for 28 years. I have knowledge and experience in some cases involving my tenure with the Pawtucket Police Department. Some of those LEOBOR cases were not handled in a reasonable amount of time. Several cases involved criminal charges that caused the delay in resolving the case, in some matters several years transpired prior to a decision being declared. In other matters that did not include criminal charges, delays were caused by scheduling conflicts between the principal parties involved.”

SUMMARY OF  
CHARGES  
PROVIDED TO TASK  
FORCE

- Responses differed in four overarching ways:
  - Categorizing the infraction
  - Who initiated
  - Was there one charge or many
  - How discipline was administered

## 3 DISTINCT AREAS

- **Administrative Violations**
  - Neglect of Duty, Violation of Department Rules and Regs
  - Standards of Conduct
  - Motor Vehicle Operation
- **Criminal Charges**
  - Often charges brought by outside agency for criminality outside the line of duty
- **Civilian Initiated**
  - Harassment, use of racial slur, discourtesy

WHO  
INITIATED?

Agency

Another officer

Civilian

Another agency



## DIFFERENCES ACROSS AGENCIES IN REPORTING CHARGES

Nature of Allegation(s)	Substantiated	Unsubstantiated
Dissemination of Information	X	
Discourtesy		X
Discourtesy		X
Use of Property/Property Identification		X X X
Reporting for Duty	X	
Use of Property	X	

### 2016:

- 1.) Violation of Special Detail Protocol; Conduct Unbecoming an Officer & Neglect of Duty.
- 2.) Neglect of Duty & Incompetence.
- 3.) Violation of the Public Information/ Media Relations Policy; Conduct Unbecoming an Officer & Dissemination of Information.
- 4.) Conduct Unbecoming an Officer; Neglect of Duty & Incompetence.

# EXAMPLE OF DISCIPLINE AND ORIGINATION MATRIX

## Annual Number of Discipline Cases

### 2015

Demeanor:	0	Conduct Unbecoming:	5
Crime Involved:	0	Poor Performance:	3
Civil Rights:	2	Policy Violation:	6
Excessive Force:	1	Rules & Regulation:	6
Integrity/Ethics:	3	Other:	0

Calls for Service: 81,071

Arrests: 3,051

Citizen Complaints: 7

Internal Complaints: 19

## CRIMINAL CHARGES OFTEN LEAD TO RESIGNATION/ RETIREMENT

- East Greenwich – Criminal charges preceded resignation
- Providence - Since 2010, the Providence Police Department had 27 terminations/forced resignations due to disciplinary action, which includes two LEOBOR cases.
- Tiverton – Criminal charges preceded two retirements