



International Brotherhood of Police Officers

A DIVISION OF THE NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES

H-6602

Against

Written Testimony of:

Tony Capezza

Legislative Director

International Brotherhood of Police Officers (IBPO)

Good afternoon Mr. Chairman and honorable members of the Judiciary Committee.

My name is Tony Capezza and I am the legislative director of the International Brotherhood of Police Officers. (IBPO). I submit this testimony on behalf of the members of the IBPO in opposition to H-6602. As you know this Bill would require that all internal investigations be a matter of public record.

As you may recall this Bill was also submitted last session on behalf of the ACLU. At that time the testimony from the ACLU was that this change was needed in the statute due to the fact that the Attorney General had issued an opinion letter that they believed to be in conflict with a RI Supreme Court decision pertains to the public records law. The opinion letter had to do with police internal investigations. We disagree with the ACLU's interpretation and believe that the Attorney General, has a great deal of Legal knowledge in both Federal and State Law came to the correct conclusion. Further if the ACLU truly believed that the attorney general's interpretation was not correct why wasn't it a civil action filed in court challenging the Attorney General. We also oppose this legislation because it does not specify at what point the investigation would become public. Is it covering an ongoing investigation, or at the conclusion of the investigation? If the complaint was unfounded and the officer did no wrong his information would still become a matter of public record under this legislation. Remember when this legislation talks about redacting information it says **may be** redacted which as you know means it may or may not be redacted. I see this is a public right to know issue vs. an officer right to privacy issues and I believe the officers right to privacy is overwhelming.

Please remember police officers have contact with hundreds of people on any given month. Many of these contacts are a result of arrest or summons and as a result of these arrests some of these people will file complaints that are not true in order to get even with the officer. Under this legislation the investigation would become public even though it was proven that the complainant had lied. An officer should not have to report work each day worrying a fraudulent complaint will be filed, and his reputation be tarnished.

For these reasons I would ask the committee not to support this proposed legislation.
Thank you for your time.

