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| TYPE OF ORDER | NUMBER/SERIES | EFFECTIVE DATE | ISSUE DATE |
| General Order | #13, Series of 2006 | 09/01/06 | 09/01/06 |
| SUBJECT TITLE | | PREVIOUSLY ISSUED DATES | |
| Special Arraignments | | | |
| REFERENCE | | RE-EVALUATION DATE | |
| | | | |
| SUBJECT AREA | | DISTRIBUTION | |
| Law Enforcement Operations | | All Personnel | |

I. PURPOSE:

The Purpose of this policy is to provide procedures for conducting special arraignments for detainees of the Providence Police Department.

II. POLICY:

It is the policy of the Providence Police Department to ensure that detainees are provided an opportunity to arrange for special arraignments where applicable.

II. PROCEDURE:

- A. All detainees arrested and charged during the hours when the courts are closed, shall be informed of their rights under Rhode Island General Laws 12-7-20 to "be afforded, as soon after being detained as practical, not to exceed one hour from the time of detention, the opportunity to make use of a telephone for the purpose of securing an attorney or arranging for bail".
- B. In the event a detainee attempts to arrange bail, the following procedures will be adhered to:
 - 1. When necessary, the Commanding Officer of the charging bureau shall notify the OIC of Detectives, Youth Service Bureau, and the Narcotics and Organized Crime Bureau of the identity of the detainee requesting a bail commissioner.

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- a. Accommodations shall be made for those respective bureaus to conduct interviews of the detainee, if the detainee is a person of interest in an investigation.
2. The Commanding Officer of the charging bureau is to determine whether or not the detainee is a violator of probation and/or bail.
 - a. A check of the detainee's record will be made with the Rhode Island Bureau of Criminal Investigation.
 - b. The detainee will not be afforded the use of a Bail Commissioner if it is determined that he/she is under bail and/or probation on any previous case.
3. If, in the opinion of the Commanding Officer, the detainee is considered to be a threat to himself/herself or others, the Commanding Officer shall deny the use of a Bail Commissioner.
4. The Commanding Officer of the charging bureau shall advise the detainee of any fees, which may be associated in securing a bail commissioner.
 - a. Per Rhode Island General Laws 12-10-2 (2d), "The fee for any justice of the peace shall be fifty dollars (50) paid by EACH individual who appears before him or her; provided that when a special session is requested between the hours of 2300 hours and 0800 hours, the fee shall be arranged between the defendant and the justice of the peace but shall not exceed two hundred dollars (200).
5. The Commanding Officer of the charging bureau shall ensure that the detainee is properly processed by BCI prior to release.
6. Where a Bail Commissioner is to be provided, the Commanding Officer of the charging bureau shall be responsible for completing a State of Rhode Island Criminal Complaint.
 - a. The complaint must be signed in the presence of the Bail Commissioner by a sworn officer, with the rank of sergeant or above.

APPROVED:

DEAN M. ESSERMAN
COLONEL
CHIEF OF POLICE