



RULES AND REGULATIONS

PART II

(REVISED 10/19/2014)

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SECTION 200

**GENERAL CONDUCT
AND
RESPONSIBILITIES**

200.1 KNOWLEDGE OF LAWS AND RULES

Sworn members, reserve officers, and civilian employees of the Department must acquire and maintain a working knowledge of the federal constitutional rights of individuals; the laws of the State of Rhode Island; the ordinances of the City of Providence; and the orders, rules, procedures and policies of the Police Department and City of Providence, including whistle blower, dress code, sexual harassment, etc.

200.2 OBEDIENCE TO LAWS AND RULES

1. Department members shall comply with all Federal and State laws, City Ordinances, and all orders, rules, oaths, procedures and policies (i.e., all directives) of the Department and the City of Providence.
2. Verbal orders and written orders shall carry equivalent weight and authority.
3. All lawful orders of a superior, including any order relayed from a superior by a member of the same or lesser rank, shall be followed.
4. No superior officer shall knowingly or willingly issue any order that is in violation of any law, ordinance, or directive.
5. No member is required to obey an order that is in violation of any law, ordinance, or directive. However, any member who refuses to obey any order shall be required to justify their refusal via a typewritten report, signed and dated by the member in question. The report shall be submitted, as soon after the refusal as practicable, through the chain of command to the Chief of Police.

200.3 KNOWLEDGE OF THE CITY

Members shall familiarize themselves with the geography of the City, including routes of public transportation, the location of streets, highways, bridges, public buildings and places, hospitals, courts, transportation offices and stations, prominent or important office buildings, large industrial plants or commercial establishments.

200.4 IDENTITY OF SUPERVISORS

Members shall know the identity of all supervisors; and when on-duty, supervisors shall be addressed or referred to by rank or title.

200.5 STANDARD OF CONDUCT

Personnel shall conduct their private and professional lives in such a manner as to avoid bringing discredit upon themselves or the Department.

200.6 RULES GOVERNING CONDUCT

Any act or omission, contrary to good order, discipline, or accepted standards of conduct, when committed either on or off-duty, shall subject a member or employee to disciplinary action.

200.7 VIOLATIONS OF STANDARDS OF CONDUCT

Standard of conduct violations shall be investigated by the appropriate authority, designated by the Chief of Police, in order to determine the validity of complaints and to report findings.

200.8 DUTY RESPONSIBILITIES

Personnel shall perform duties as required or directed by law; Department order, rule, procedure, policy, or by lawful order of a supervisor. A member, regardless of his rank or assignment, shall act instantly to protect life, liberty or property; to enforce all laws and to detect the commission of crimes; and to apprehend law violators. Nothing in this section is to be construed to authorize the arrest or apprehension of an individual where an officer lacks the jurisdictional authority to do so under the General Laws of the State of Rhode Island.

200.9 PERFORMANCE OF DUTY

1. Personnel shall devote their time and attention to the service of the City and the Department, and shall direct and coordinate their efforts in a manner which will establish and maintain the highest standard of efficiency.
2. A member shall be fit for duty at all times except when incapacitated by documented sickness or injury.
3. Personnel shall not park behind any structure or in any secluded area so as to conceal themselves from public view, unless performing authorized police duties.

200.10 COOPERATION

Personnel shall cooperate in inter- or intra-agency activities in order to achieve effective law enforcement.

200.11 ASSISTANCE

Members shall take appropriate action to aid a fellow officer who is exposed to impending danger. A member who shrinks from danger or responsibility when duty requires shall be subject to disciplinary action.

200.12 COURTESY

Members shall be civil, orderly, diligent, discreet, courteous, and patient, as a reasonable person is expected to be in any situation, and shall not engage in any verbal or physical altercation, whether on-duty or off-duty, with any member of the Department, employee of the city, or citizen.

200.13 DEMEANOR

Personnel shall neither commit nor omit any act which detracts from a professional image. Whether on-duty or off-duty, members are under continuous scrutiny by the public. Personnel shall maintain the confidence of the public and must take care to conduct themselves in a manner so as to bring credit to themselves, the Department, and the City of Providence.

200.14 CONDUCT TOWARD PERSONNEL AND DEPARTMENT

Personnel shall treat supervisors, members, and employees with respect at all times. Personnel shall not criticize any member or employee; nor shall they gossip maliciously about any person, order, policy, procedure, case, or police event; nor shall a member or employee cause to discredit, lower or injure the morale of the personnel of the Department. Nothing in this section shall preclude a supervisor from evaluating or correcting the actions of an officer.

200.15 CONDUCT TOWARDS THE PUBLIC

Personnel shall be courteous in their relationships with the public. They shall answer questions from citizens in a courteous manner, and if unable to supply an answer, shall make every effort to obtain the answer for the citizen. Personnel shall avoid harsh, violent, profane, or insolent language or manner, and shall maintain objective attitudes regardless of provocation.

200.16 IDENTIFICATION

A member shall identify himself by giving his Federal Identification Number in a courteous manner to any person who may so request.

200.17 DISCRIMINATORY REMARKS

Personnel shall not speak slightingly of any individual's national or ethnic origin, race, religion, color, sex, age, disability, or sexual orientation.

200.18 TRUTHFULNESS

Personnel shall speak the truth at all times and under all circumstances. In cases whereby he/she is not allowed to divulge facts as regulated by the rules of the Department, he/she shall decline to speak on the subject.

200.19 DIVULGING INFORMATION

Personnel shall not divulge to any unauthorized person within or outside of the Department, i.e., to anyone who does not have an official "need to know", any information concerning the business of the Department. The officer shall not talk for publication, be interviewed, make public speeches on police business or impart information relating to the official business of the Department unless authorized by proper authority.

No member or employee of the Department shall act as an official representative of this Department, nor shall any member or employee engage in any function or social activity where such participation may be construed by those in attendance as official in nature and representative of the Department. Participation or attendance shall not occur without the express written permission of the Commissioner of Public Safety or the Chief of Police, acting in his absence. In either case, approval must be obtained from the Chief of Police for any action which is consistent with the chain of command.

200.20 RENDERING ASSISTANCE

Personnel shall render police assistance to all persons who request it so far as such assistance is consistent with police duties. Personnel shall cooperate with all other agencies engaged in the administration of justice or public welfare, affording them all the aid and authorized information such organizations are entitled to receive.

200.21 CONFLICT OF ORDERS

In the event of a conflict of orders, the member or employee shall make it known to the supervisor who issued the last order that a conflict of the orders exists.

1. Should the supervisor not change his order, the order of the senior or ranking officer on-duty shall be obeyed by the member or employee. Said individual who complies

with this section shall not be held responsible for disobedience to the conflicting order which was issued by the junior supervisor.

2. Unless otherwise directed, in the event of a conflict of orders between Divisions, the members or employees shall make it known to the supervisor who issued the last order that a conflict of the orders exists. Should the supervisor not change his order and in the absence of an on-duty officer of equal or higher rank, the orders of the officer in charge of the Patrol Bureau shall be obeyed.

200.22 ABUSE OF POSITION

Personnel shall not use their Department position, identification card, rank, or badge, neither for personal or financial gain or to avoid consequences of illegal acts or violations, nor to influence the actions of another police officer in the course of said officer's official duties.

200.23 SOLICITING INFLUENCES

Personnel shall not solicit the aid of any individual or group for assistance in the procurement of a transfer, duty assignment, promotion, or appointment to the Department, for himself or for any other individual.

200.24 UNAUTHORIZED TRANSACTIONS

Personnel shall not engage in business transactions of a personal nature with suspects, defendant, or prisoners.

200.25 SEEKING GIFTS OR REWARDS

Personnel shall not seek, directly or indirectly, any gift, gratuity, meal, reward, money, or compensation from any person, firm, group of persons, or relatives, friends or employees of the same, for any services rendered or expenses incurred in the line of duty.

200.26 ACCEPTING GIFTS

Personnel shall not accept, directly or indirectly, any gift, meals, gratuity, reward, money, or compensation from any person, firm, group of persons, or relatives, friends or employees of the same, for any services rendered or expense incurred in the line of duty.

200.27 FUNDRAISING

No personnel, while on-duty or at any time while in the station, shall collect or receive any money or other thing of value from any source whatsoever for the purpose of fundraising without the written authorization of the Chief of Police.

200.28 DISTRIBUTION OF CARDS, BUTTONS, ETC.

Members individually representing a police organization are prohibited from issuing to persons other than its members any card, button, or other device which assumes or implies to grant to the person holding such credentials any special privileges or consideration so far as the business of the Department is concerned. Any card, button or other device which might be misconstrued as granting preferential treatment to any individual in possession thereof shall not be distributed without the written authorization from the Chief of Police.

200.29 FREE ADMISSIONS AND PASSES

Personnel shall neither solicit nor accept free admission to theaters or places of amusement, entertainment or recreation, or to any place that requires a fee to attend.

200.30 DISSIDENT GROUPS

Personnel shall not, except in the line of duty, knowingly associate with any person or organization which advocates or fosters hatred, oppression, or persecution of any person or group.

200.31 ASSOCIATING WITH CRIMINAL ELEMENT

Personnel shall not associate with persons engaged in unlawful activities unless such association is specifically required as a matter of police duty.

200.32 FREQUENTING PROHIBITED PLACES

No personnel shall visit or loiter near any establishment or location suspected by police as being a place of actual or probable law violations, or a place which is frequented by known criminals, unless their presence is specifically required as a matter of police duty.

200.33 INTERFERING WITH THE COURSE OF JUSTICE

Personnel are forbidden to take part in, or be concerned with, either directly or indirectly, any compromise or arrangement with any person for the purpose of permitting an accused person to receive a lesser penalty, escape the penalty of his wrongdoing, or seek to obtain a continuance of any trial, or to otherwise interfere with the course of justice. Nothing in this section shall be construed to preclude members properly authorized from participating in the plea bargaining process.

200.34 RECOMMENDATION FOR DISPOSITION OF CASES

A member shall not make recommendations for the disposition of any case pending in the courts without proper authority.

200.35 STATEMENTS CONCERNING CITY LIABILITY

A member shall not make any oral or written statements to anyone (i.e., insurance companies, private lawyers, etc.) concerning liability in connection with the operation of police vehicles or performance of other police duty, unless specifically authorized to do so by the Chief of Police or his designee.

200.36 COURT-RELATED ACTIVITIES

Personnel shall not give statements, formal or informal, written or oral; or respond to or appear at the request of any attorney, insurance adjuster, or their representatives; unless a subpoena has been served on the member or employee or has been received by the Department. Any fee or other consideration shall not be accepted by any member or employee; said fee or consideration shall be turned over to the proper authority in the Human Resources Bureau of the Police Department. Members shall not testify as experts in police-related cases, on or off the job, unless permission is given by the Chief of Police or his/her designee.

200.37 RECOMMENDING PROFESSIONAL SERVICES

Personnel shall not suggest, recommend, or otherwise promote the services of any attorney, bail bondsman, towing agency, or other service, to any person with whom they have contact as a result of Department business.

200.38 DEMEANOR WHEN TESTIFYING

1. Whenever a member or an employee is notified to appear in any court proceeding or administrative hearing, he shall be in attendance at said proceeding unless properly excused by the court.
2. Whenever a member or an employee shall have the occasion to testify under oath, he shall be punctual in attendance, he shall wear the uniform of the day, and shall make a clean and neat appearance. Detectives and other authorized personnel shall appear in business attire (suit or sport jacket, and tie). Members shall have the cases in which they are complainants or witnesses properly prepared and shall ensure that witnesses are present and properly prepared. Property that is to be used as evidence shall be suitably arranged for presentation to the court, grand jury, or hearing board, while following the proper chain of custody procedure.
3. Members making any appearance in court or at an administrative hearing shall comply with the rules, regulations, and orders issued by the judge of the court. Such orders shall include, but not be limited to, orders by the judge that officers relinquish and properly secure their firearms before entering the courtroom.
4. Members shall afford the utmost respect toward officers of the court, the grand jury, the hearing board, and/or members of the jury. They shall be attentive and respectful during the proceedings. They shall present testimony by speaking clearly, calmly, and in a manner so as to be easily heard and understood by those in attendance. Personnel shall testify with accuracy and confine testimony to the question. When cross examined, personnel shall remain objective and respond with the same civility as when testifying on direct examination.
5. If at any time a member presents to the court any improper or unsatisfactory testimony; or whenever any remarks detrimental to the presentation of testimony by a member are made by the justice of a court, members of a grand jury or members of a hearing board; a full report shall be made by the member, setting forth all the facts, and the report shall be forwarded to the Chief of Police.

200.39 DUTY TO REPORT INFORMATION

It shall be the duty of all personnel to advise their supervisor of any unusual activity, situation, or problem in which the Department would logically be concerned. It shall be the duty of all personnel to report to their supervisor any information provided in good faith by any citizen regarding matters that indicate the need for police action. All personnel shall also have a duty to report to their supervisor any information regarding the arrest or detention of any member or employee of this Department which occurred in another jurisdiction, and shall complete a written document whenever deemed appropriate or so ordered.

200.40 USE OF OFFICIAL POSITION FOR COMMERCIAL PURPOSES

No member, reserve member or employee of the Providence Police Department, representing themselves as such, shall publicly endorse or subscribe to any testimonial or advertisement in support of any political candidate or organization, commodity, or commercial enterprise, or for any other purpose; nor authorize or permit the use of their title, rank, or Department affiliation; without the approval of the Chief of Police.

200.41 WARRANTS FOR ASSAULT UPON A POLICE OFFICER

A member shall not make application for a warrant charging another person or persons with an assault upon said member without first reporting the facts of the case to his commanding officer.

200.42 INCURRING DEPARTMENT LIABILITY

A member or employee of the Department shall not incur a liability chargeable to the City of Providence without the knowledge and consent of the Chief of Police or his designee.

200.43 INTERVIEWS

No member of this Department shall be interviewed as a representative of this Department without express authorization from the Chief of Police or the Director of Public Affairs or his designee. Any interview in which it may be construed that the member is speaking as a representative of this Department falls within the constraints of this rule.

200.44 PUBLIC STATEMENTS: PRIVATE MATTERS

No member of this Department shall make any public statement regarding a private matter of this Department.

200.45 PUBLIC STATEMENTS: WORKPLACE DISRUPTION

No member of this Department shall make a public statement on a matter of public concern relating to this Department where the statement may lead to disruption within the Department workplace.

SECTION 201

**GENERAL CONDUCT
AND
RESPONSIBILITIES
WHILE ON-DUTY**

201.1 REPORTING FOR DUTY

Duty is defined as an officer who represents the Providence Police Department during a tour of duty, a private detail, court or any other assignment he/she is so designated including involvement in an off-duty arrest. Every member of the Department shall report for duty at the time and place designated by his/her commanding officer. A member shall not go to his/her post or to be relieved of duty without proper permission from his/her supervisor. No member shall leave after a tour of duty without first checking with a supervisor.

201.2 ROLL CALL

Members shall report to roll call at the time and place specified, and each member shall be properly attired and equipped at the time roll call begins.

201.3 APPEARANCE

Members shall present a neat and clean appearance at all times unless their particular assignment requires the officer to maintain another appearance. The officer shall carry him/herself as befits an officer of the law and the representative of the sovereignty of the State of Rhode Island. The officer shall walk erect and present a military posture. Any slouching in the view of the public shall be regarded as a breach of discipline. An officer standing with his/her hands or hand in his/her pocket(s) is a breach of discipline, an officer reading a newspaper/magazine in public view is a breach of discipline. Whenever an officer wears the uniform of the Providence Police Department whether on or off-duty he/she is to abide by this section. Members shall comply with the following grooming standards.

1. Uniformed Members - Male

- A. Hair styles shall be conservative and not excessive in length. The maximum permissible bulk of hair shall be one and one-half inches (1½) in thickness on top and one inch (1) in thickness at the back and sides of the head; however, in no event shall any hair style or thickness of hair interfere with the proper wearing of the uniform hat. The hairstyle will be cut so as not to extend over the ears. Length will not be beyond one inch above the top of the shirt collar at any point. If dyes, tints or bleaches are used, colors used must be natural to the human hair and not present an extreme appearance. In no event shall ponytails be permitted or other styles or lengths of hair, which may be readily grabbed by a suspect or defendant.
- B. Sideburns will not go below a point equivalent with the open orifice of the ear. Sideburns shall be neatly trimmed and shall not be more than one and one-half (1 ½) inches wide at the base.
- C. A mustache shall not extend to the side more than one-half (1/2) inch beyond corners of the mouth. Handlebar mustaches, goatees and beards are not authorized, except for those officers assigned in an undercover capacity.
- D. Mustaches will be worn short and neatly trimmed. No portion of the mustache will cover the upper lip or corners of the mouth.

- E. At the beginning of their tour of duty, Officers that elect to wear mustaches shall maintain a clean shave in the rest of their facial area. At the beginning of their tour of duty, Officers who do not wear mustaches shall be clean-shaven.
- F. Any officer who wears a mustache or removes a mustache must have an updated photograph on file. This photograph can be taken at the Office of the Department Inspector, upon appointment.
- G. Wearing jewelry other than a wristwatch of minimum value and a wedding band is prohibited. This includes earrings, posts or studs.

2. Uniformed Members - Female

- A. Hair shall be clean, neatly cut and trimmed at all times while on-duty. If the hair is worn long, it must be pulled back away from the face and secured so that it does not extend below the bottom edge of the collar.
- B. In no event shall ponytails or other styles or lengths of hair which may be readily grabbed by a suspect or defendant be permitted. Pony tails are not permitted even if hidden under the officer's hat.
- C. If dyes, tints, or bleaches are used, colors used must be natural to human hair and not present an extreme appearance.
- D. Fingernails - Personnel shall keep fingernails clean and neatly trimmed so as not to interfere with the performance of duty, detract from the Department image or present a safety hazard.
- E. Wearing jewelry other than a wristwatch of minimum value and a wedding band is prohibited. This includes earrings, posts or studs.

201.4 LOAFING OR SLEEPING

Members shall not loaf or sleep while on-duty.

201.5 LOITERING

Personnel shall not loiter while on-duty in; bars, taverns, restaurants, service stations, or other public places, or residences, except for the purpose of police business. Personnel shall not loiter in the police station or sub-stations, including the matrons, cellblock and business offices nor in the offices and buildings of support services to the police Department such as; highway Department, communications, etc.

201.6 DUTY TIME LIMITED TO POLICE WORK

Personnel shall not shop, nor devote any of their "on-duty" time to any activity other than that which relates to police work. Members shall not perform any police duty in uniform for the purpose of private gain unless permission is granted by the Chief of Police or his/her designee.

201.7 KNOWLEDGE OF WRITTEN DIRECTIVES

A member shall be held accountable for all information distributed in written directives regardless of the medium of distribution, and shall implement all the procedures and shall utilize all the information set forth within those directives.

201.8 MARKING OR ALTERING DEPARTMENT NOTICES

Personnel shall not mark, alter, mar, or deface any printed or written notice, memorandum, general order, personnel order, special order or directive relating to the operation of the Department. Furthermore, graffiti of any sort is strictly prohibited, to include writing on the Department walls, bulletin boards, elevators, etc.

201.9 SMOKING

Personnel shall not smoke, nor use any other type of tobacco product, while in the view of the public, marching in uniform, standing in ranks, or under any condition, which might bring discredit upon the Department. Furthermore, no member shall smoke in any area, where smoking is prohibited by law. There shall be no smoking or use of any type of tobacco product in any police vehicle. There shall be no smoking or use of any type of tobacco product within the headquarters of the Providence Police Department nor in any sub-station.

201.10 USE OF INTOXICANTS

Personnel shall not drink intoxicating beverages nor use intoxicants in any manner while on-duty. Nothing in this section shall preclude a member who is working in an undercover assignment from drinking intoxicating beverages where the nature of the assignment so demands, but only under the direct and specified authority of his/her commanding officer.

201.11 USE OF DRUGS

Personnel shall not use or render themselves unfit for duty through the use of any narcotics or drugs unlawfully administered or by any drug or medication legally prescribed by a physician or by any over the counter drug or medication. If an officer is prescribed medication that has the possibility to impair his/her judgment or impair his/her capability to function he/she is to immediately inform his/her supervisor.

201.12 POSSESSING INTOXICANTS, DRUGS, ETC.

Personnel shall not bring, place or permit to be brought or placed, or used or allow to be kept in any municipal building, location or vehicle any drug, narcotic or intoxicant, except in the strict performance of police duty as required by regulations or orders.

201.13 GAMBLING

No game of chance, card playing or gambling, legal or illegal, of any kind shall be permitted while on-duty.

201.14 USE OF PRIVATE VEHICLES

Personnel shall not drive a private vehicle to his/her assignment or cover his/her assignment/post with a private vehicle unless he/she is authorized to do so by his/her commanding officer. This excludes court appearances and private details when a police vehicle is not assigned to that detail.

201.15 LEAVING POST OR CITY LIMITS

Except in emergencies, personnel shall not leave their post or the City limits without authorization from a supervisor; or unless an officer is in the immediate pursuit of an individual to be arrested, or on official police business and after he/she has notified the dispatcher prior to leaving his/her or her post or the city.

201.16 MISAPPROPRIATION OF PROPERTY OR EVIDENCE

Personnel shall not claim, withhold, destroy, appropriate for his/her own use, nor convert to his/her own use, any property of the City of Providence, property held by the Department for evidence, or any lost, found or stolen property.

201.17 POLITICAL ACTIVITY

Personnel shall not engage in any political activity on behalf of, or against, any candidate or political question while in uniform. Nothing contained in this regulation shall be construed to mean that personnel of the Department are prohibited from exercising their legal voting rights.

201.18 DONATIONS

Personnel shall not seek, or be obliged to make donations in money, service or otherwise, unless authorized to do so by the Chief of Police.

201.19 UNIFORM AND ACCESSORIES

The official uniform of the Department shall be of such styles, materials, colors, and manufacture as shall be prescribed by the Chief of Police. Insignia, badges, hat wreathes, seniority recognition, commendation decorations, and equipment shall be worn as prescribed, and no item shall be worn unless it is specifically authorized. The prescribed uniform shall be worn by all members while on-duty, except in those cases where civilian clothing is authorized. The uniform shall be worn at uniformed detail assignments, while testifying in court with exception in those courts where a uniform appearance is not allowed, and at such other times as officer may be directed by competent authority.

1. The uniform, or parts of the uniform, shall not be worn by members engaged in outside employment to which they have not been officially detailed. The uniform shall not be worn at social functions unless he/she is present officially as a police officer.
2. A member, when in uniform, shall, at all times, wear the uniform hat which is to be set squarely on the head in a military fashion. The uniform hat may be temporarily removed while inside a vehicle or on emergency assignments that make it impractical to wear the hat, however once the emergency has subsided and is under control, the officer shall make every effort to obtain his/her hat and place it on his/her head.
3. Jackets, coats, coveralls, etc., meant to be buttoned or zipped shall be worn as such. When a jacket is worn, then a tie shall be worn. When the uniform of the day is a short sleeve shirt and the weather becomes cool a lightweight Providence Police jacket may be worn without a tie.

PROVIDENCE POLICE DEPARTMENT RULES & REGULATIONS PART II

4. Personnel who are assigned in a uniform status, shall wear the full uniform. No unauthorized article of clothing shall be worn in conjunction with the uniform except when traveling to and from work in a private vehicle in an off-duty status.
5. Long sleeve uniform shirts shall be worn with the authorized tie. The top button shall be buttoned at all times and the tie shall be worn in the traditional manner. Department issued turtleneck shirts may be worn only with a long sleeve uniform shirt over the turtleneck.
6. Short sleeve uniform shirts shall be buttoned to the next to the top button. No tie is required when short sleeve shirts are worn.
7. If a uniform part is issued, it shall be worn in the manner described, with all accessories. Only issued uniform parts are authorized to be worn.
8. Prescribed raincoats shall be worn during inclement weather.
9. White shirts (T-shirts) only shall be worn under the duty shirt or the authorized blue turtleneck. Shirts with logo's that can be seen through the uniform shirt are prohibited.
10. Personnel assigned to the Executive Liaison Bureau, regardless of rank, shall wear the white uniform shirt while in performance of the executive liaison duties.
11. The commanding officer of the Mounted Command shall generally wear the navy blue shirt; however, depending on the appropriateness of the occasion and/or as directed by the Chief of Police, has the option to wear the white uniform shirt.
12. Sergeants and above shall wear a white uniform shirt to ceremonies and other special occasions. Police officers assigned to the honor guard shall continue to wear the navy blue uniform shirt with the dress blouse.
13. Sunglasses, if worn, shall be conservative and worn over the eyes, and not on the officer's head or hat.
14. The wearing of leather (driving type) gloves shall not be worn with the summer short sleeve shirt. Unless the officer is assigned to motorcycle duty for his/her or her shift of duty.
15. The traffic safety vest shall be worn on all traffic details and any time an on-duty officer has prolonged traffic duty.
16. Pagers and cell telephones shall not be worn on the epaulets of the uniform, nor shall they be worn on the uniform belt unless the officer waives the damage and or loss of said items.
17. Supervisors shall wear a white uniform shirt with the dress blouse. Police officers assigned to the color guard shall continue to wear the navy blue uniform shirt with the dress blouse.

201.20 EQUIPMENT

Members, while on-duty shall be equipped with the following authorized equipment in serviceable condition:

1. A fully-loaded Department-issued pistol with two (2) extra fully loaded magazines.
2. Magazine holder.
3. Duty ammunition shall be distributed by the Armorer. The Weapons Bureau Commanding Officer shall provide routine maintenance on the weapons. No modifications shall be allowed to any weapon without the authorization of the Weapons Bureau Commanding Officer. Each weapon shall be checked annually.
4. Holster and belt (Sam Browne for Uniform Division).
5. Police baton.
6. Handcuffs with case.
7. Traffic violation pads.
8. Flashlight.
9. Whistle and lanyard.
10. Traffic vest.
11. Bullet-proof vest.
12. Portable radio.

201.21 EMBLEMS OF RANK

Members shall wear, on the prescribed uniform, the prescribed insignia designating their rank.

1. Chief of Police - The Colonel shall wear gold spread eagles on the shoulder epaulets.
2. Majors shall wear gold oak leaves on the shoulder epaulets. Majors and above, while in uniform, shall wear the prescribed uniform hat with the visor adorned with embroidered raised gold leaf clusters.
3. Captains shall wear two (2) raised prescribed gold bars, to be displayed on the shoulder epaulets.
4. Lieutenants shall wear one (1) raised prescribed gold bar, to be displayed on the shoulder epaulets.

5. When a uniform blouse is worn the officers rank insignias shall be displayed on the tabs of the officer's shirt collar, as well as his/her epaulets.
6. Sergeants shall wear one (1) raised prescribed chevron, on the tabs of the shirt collar. Sergeants shall also wear on each sleeve, six (6) inches below the shoulder seam, a three (3) strip chevron in the center of each sleeve.
7. Officers shall wear their awarded Department ribbons in the prescribed manner.
8. Members of the SWAT Unit or any other unit, where a pin recognizing their specialty has been duly authorized by the Chief of Police. The pin shall be displayed horizontally, one-half (1/2) inch over the number board of the uniform shirt.

201.22 INSIGNIAS, AWARDS AND DECORATIONS OF THE PROVIDENCE POLICE DEPARTMENT

Members who have been awarded a commendation bar, a special unit bar, or another authorized decoration bar or pin, shall be worn on the uniform in a prescribed manner. More than one award in a single category shall be shown by placing the appropriate numeral in the center portion of the bar. (The only exception is the Archambault Award).

Unit citations and other pins or authorized bars will be worn on the right, above the FID Number. The prescribed manner for wearing the insignias is as follows:

1. Awards and Decorations shall be worn vertically, one-quarter inch above the badge on the left breast of the uniform.
2. There shall be no separation between each bar.
3. The decoration of greatest distinction shall be worn directly above the badge with the remainder of awards aligned in descending order.

The Awards and Decorations awarded to officers of the Providence Police Department are identified below:

Medal of Valor



The Medal of Valor is awarded to an officer who performs in a most exemplary fashion with extraordinary valor beyond the call of duty in a life-threatening situation. (Awarded by the Police Department).

Purple Heart



Any officer of the Department who sustains a serious injury while in the performance of his or her duty will be awarded the Purple Heart. (Awarded by the Police Department).

Combat Ribbon



The Combat Ribbon will be awarded to an officer who has been involved in a life threatening situation in which the officer involved successfully and legally employed the use of deadly force to neutralize the threat. (Awarded by the Police Department).

Rhea Archambault Award



This award is given annually to the most outstanding police officer(s) of the Providence Police Department, selected by their peers as being most worthy of this distinction. 1st Place Award will be signified by a gold star, 2nd Place Award will be signified by a silver star and 3rd Place Award will be signified by a bronze star. (Awarded by the Police Department).

Mayor's Award



The Mayor of the City of Providence, at his discretion issues this award, when he deems that an officer has gone above and beyond the call of duty. (Awarded by the Mayor of the City of Providence).

Commissioner's Award



This award is for the best overall performance by an individual police officer for a particular calendar year. All letters of commendation, meeting the criteria for any other award, shall be reviewed at the end of the year to determine the recipient of this award. (Awarded by the Police Department).

Chief's Award



The Chief of Police will present any officer who exhibits an outstanding act in the performance of his or her duty with this award. (Awarded by the Police Department).

F.O.P. Award



This award is given to selected police officers of the Providence Police Department by the F.O.P. (Awarded by the F.O.P. via recommendations from Commendation Board).

Police Reserve Award



This award is presented to the Police Reserve Officers of the Providence Police Department. The criteria to be presented with this award is an approximate of the criteria for the Chief's Award. (Awarded by the Police Department).

American Legion Award



This award is issued to police officers for performance in a life-threatening situation and is also awarded for valor. (Awarded by the American Legion).

Outside Agency Award



This ribbon is worn to represent an award received by a member of this Department from an outside law enforcement agency.

Citizen's Award



This award is presented to those civilian employees and citizens deserving for their dedication to duty and for meritorious acts. (Awarded by the Police Department).

City Council Award



This award is presented to police officers for excellent police work. (Awarded by the City Council).

The below ribbons are to be worn on the right breast of the uniform directly above the F.I.D. Numbers. The ribbons are as follows:

Seniority Ribbons

The following ribbons are worn to represent the years of service with the Providence Police Department:

5 Year Service Ribbon



10 Year Service Ribbon



15 Year Service Ribbon



20 Year Service Ribbon



25 year Service Ribbon



30 Year Service Ribbon



35 Year Service Ribbon

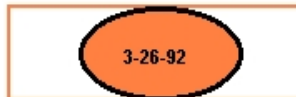


Police Department Unit Citation



This award is presented to the members of a Department unit that has performed in an exemplary manner. (Awarded by the Police Department).

Babcock Street Ribbon



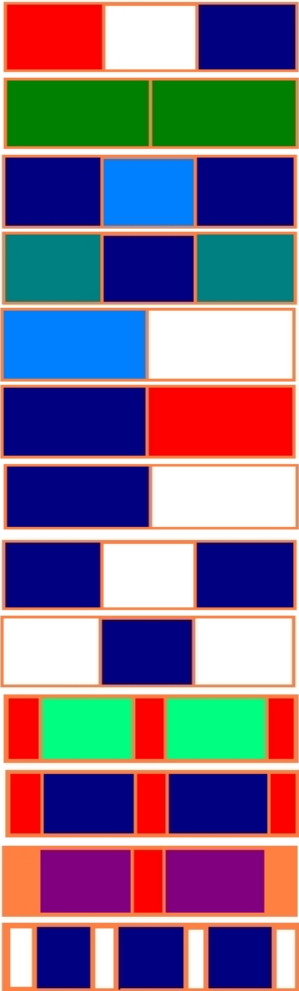
This award was presented to the members of the Department who were involved in the incident that occurred 3/26/1992 on Babcock Street.

PROVIDENCE POLICE DEPARTMENT RULES & REGULATIONS PART II

Example (right side):



Example (left side):



SECTION 202

**GENERAL CONDUCT
AND
RESPONSIBILITIES
WHILE OFF-DUTY**

202.1 CARRYING FIREARM & POLICE IDENTIFICATION WHILE OFF-DUTY

A sworn officer may carry a firearm while off-duty in accordance with Chapter 11-47 of the Rhode Island General Laws (RIGLs). It shall not be necessary that a member, who chooses to carry a firearm off-duty, carry his/her service weapon; however, any weapon that an officer chooses to carry must be inspected, authorized, and registered with the Weapons Bureau Commanding Officer (WBCO) subsequent to the member successfully demonstrating proficiency with and completing and passing a Department-administered qualification course with the weapon, as determined by the WBCO and in accordance with all applicable RIGLs. Furthermore, any sworn officer who chooses to carry a firearm while off-duty must at all times have his/her proper police identification with him/her.

202.2 POLICE ACTION

1. A member of the Department who becomes aware of an incident which poses a threat of serious bodily harm or death to some individual shall take "action" to minimize the risk of serious bodily harm or death. "Action" under this provision may be fulfilled by reporting the incident to the appropriate police agency for action, and shall not require the officers to place themselves in a position of peril.
2. Should an off-duty member become aware of an incident which requires police action, and life or property is not endangered, he shall report the incident to the appropriate police agency for action.
3. Regardless of duty status, officers shall not utilize vehicles which are not equipped with appropriate emergency signaling devices to make vehicles stops or to pursue traffic law violators.

Any member while off-duty who becomes involved in a police action shall immediately notify his commanding officer or the commanding officer of the Patrol Bureau.

202.3 USE OF INTOXICANTS OR DRUGS

A member who is off-duty shall not drink intoxicating beverages which shall render him unfit for immediate police action or to a point which may reflect adversely upon themselves or the Department. Furthermore, no member shall use intoxicants or drugs unlawfully administered.

202.4 USE OF POSITION

Members shall not resolve their personal disputes, i.e. neighborhood, domestic, landlord/tenant, etc., by use of official police authority. If police action is deemed necessary, notification shall be made to the Public Safety Communications Complex or the appropriate agency so that on-duty personnel can handle the incident.

202.5 WEARING OF THE UNIFORM

The uniform is to be worn only when there is a legitimate business necessity to do so. In no case is the uniform, in whole or in part, to be worn while off-duty, except for such time as is reasonably necessary for an officer to commute to and from his home for work assignments. While off-duty, officers shall neither drink intoxicating beverages, nor use intoxicants, while wearing the uniform; regardless of whether said uniform or part thereof is covered by a "civilian jacket" or other means of concealment.

SECTION 203

PERSONNEL

203.1 CHANGE OF NAME OR LIVING ADDRESS

Personnel shall be responsible for immediately notifying the commanding officer of the Human Resources Bureau of any change in name or living address. Submitting a false name or living address shall result in disciplinary action.

203.2 RESIDENTIAL TELEPHONE REQUIREMENT

Personnel shall maintain a working residential telephone and shall provide that telephone number to the Department. Any changes to the residential telephone number shall result in the immediate notification of the commanding officer of the Human Resources Bureau. Residential telephone numbers shall be considered confidential and will not be disclosed to the public. Pager numbers and cellular telephone numbers are acceptable as a secondary means of contact but are insufficient to fulfill the requirements of this section.

203.3 ABSENCE

Personnel shall not be absent from duty without permission. For a proper reason, and only for a limited period of time, a commanding officer may excuse a member or employee of his/her command from reporting or being absent from duty. All unauthorized absences shall be investigated by the commanding officer concerned and a report shall be forwarded to the Chief of Police. Any member who finds the need to be absent from work must immediately notify their supervisor with the reason. If the officers immediate supervisor is not working the Officer in Charge of the Patrol Bureau shall be notified. Under no circumstances shall a clerk or a patrol officer take a call from another calling out sick. Said call shall be transferred to a supervising officer for proper documentation.

203.4 LEAVE OF ABSENCE

Personnel shall forward to their commanding officer a request for a leave of absence, in writing, setting forth the purpose for which leave is requested. The request shall then be forwarded to the Chief of Police for his/her approval. Requests for prolonged leave are a hardship on the Department, and shall be considered on a case-by-case basis and within the procedures set forth in the collective bargaining agreement.

203.5 MILITARY LEAVE

Members who are active members of Active Reserve Forces of the United States or the Rhode Island National Guard are entitled to leave of absence with pay, not to exceed fifteen (15) days in any one calendar year. Military leave shall not be deemed vacation leave. Requests for military leave, along with the military orders, shall be forwarded to the Chief of Police for his approval.

203.6 PARENTAL AND FAMILY MEDICAL LEAVE

This policy, in accordance with the Rhode Island Parental and Family Medical Leave Act and current Rules and Regulations of the Department, allows eligible officers to receive an unpaid leave of absence, upon written request, for thirteen (13) consecutive weeks in any two calendar years, under certain conditions.

In addition, officers may use any available accrued furlough, compensatory and/or accrued sick leave time upon proper notification to the Department, subject according to any changes in RIGL and amendments.

Officers are eligible to apply for leave if they are full-time officers who work an average of thirty (30) hours or more per week and have been employed continuously for at least twelve (12) months.

The leave to be provided must be for one or more of the following reasons:

1. Birth of a child of an officer.
2. Placement of a child sixteen (16) years of age or less with an officer in connection with the adoption of such child by the officer.
3. "Serious illness" of the officer or the officer's parent, spouse, child, mother-in-law or father-in-law. "Serious illness" is defined as a disabling physical or mental illness, injury, impairment; conditions that involve in-patient care in a hospital, nursing home, or hospice; or out-patient care requiring continuing treatment or supervision by a health care provider.

In order to be entitled to the leave, the officer must give at least a 30-day notice of the intended date upon which the requested leave is to commence and terminate, unless prevented by medical emergency from doing so. The officer will be required to provide the Department with written certification from a physician which shall specify the probable duration of the requested leave, and a statement as to the officer's ability to perform all the duties and responsibilities of the position of police officer when applicable.

No member of the Department shall be forced to take maternity leave or transfer to another post as long as they are physically qualified to perform all regularly assigned duties.

Alternatively, an officer who is unable to perform all regularly assigned duties but is able to perform limited duty assignments, i.e., clerical/administrative functions of the Central Station business office, Control Center duty, or other duties performed in non-combative environments, may request assignment to such duties. The Chief of Police, or his designee, shall review all such requests. The guiding principle to be used in making such decisions shall continue to be the responsible allocation of personnel where and when needed from a managerial perspective. Under no circumstances shall the Chief of Police be obligated to re-assign officers to so-called "9%" jobs; honor requests for a particular duty assignment; or change an officer's hours of work (absent certification from a physician that such change is medically necessary).

During the period of leave, the officer's health benefits shall remain in force and continue to be maintained by the City in accordance with the terms of the then-prevailing Collective Bargaining Agreement. If, however, the officer leaves the Department rather than return to duty at the conclusion of the leave, the officer shall be required to reimburse the city a sum equal to the premium required to maintain such health benefits during the period of leave.

Officers who are granted leave are entitled to be restored to the position held when the leave commenced, or to a position with equivalent seniority, status, employment

benefits, pay and other terms and conditions of employment, including all fringe benefits and service credits that the officer had been entitled to at the commencement of leave.

In addition to the above, officers with accrued furlough, compensatory time and/or sick leave pursuant to Articles VII and IX of the Collective Bargaining Agreement may use any such accrued leave as Maternity Leave.

203.7 TARDINESS

Personnel shall not be tardy in reporting for duty or, when on-duty, delinquent in returning to his/her assigned work station, post or area. Further, officers shall not remain out of service for unreasonable periods of time.

203.8 REPORTING SICK LEAVE, ETC.

Personnel unfit for duty, because of illness or injury, shall immediately report this fact. In no case shall a report of sickness be reported to anyone below the rank of sergeant. Members who need to be absent from work must immediately notify their supervisor with the reason. If the officer's immediate supervisor is not working, the Officer-in-Charge of the Patrol Bureau shall be notified.

203.9 ABUSE OF SICK LEAVE

The Chief of Police may require a physician's certificate or other satisfactory evidence in support of any request for sick leave; provided the member involved has been told on the occasion of his/her last prior absence for sickness that such evidence might be required for any future sick leave request. The requirement from the Chief of Police may be relayed through any supervising officer he/she so commands. Such evidence shall be required for each sick leave with pay covering the absence of more than two (2) consecutive working days.

Any officer who uses a sick day without being physically ill or incapacitated (i.e., drinking alcoholic beverages at a bar; attending a family gathering; attending sports events; etc.) shall be subject to disciplinary action.

203.10 SICK LEAVE EXTENSION

Any member who has expended his/her accrued sick leave and annual furlough, and who requests an extension of sick leave, shall make application to the Chief of Police for a sick leave extension. The application shall include the member's date of appointment; the nature and gravity of the illness; and the estimated duration of his/her illness. Application for an extension shall be made in thirty (30) day increments.

Upon receipt of the application, the Chief of Police shall forward the application, along with his recommendations, to the Commissioner of Public Safety for his approval or denial.

203.11 INJURIES

The procedures to be followed whenever an employee is injured in the line of duty is located in the Providence Police Department Rules and Regulations Part III.

203.12 FALSE CLAIMS

Willful violation of the provisions of this section, or the willful making of any false claims for sick pay or injury on-duty pay, shall subject the member or employee to disciplinary action and shall be sufficient cause for dismissal.

203.13 REQUESTS FOR FURLOUGH PAY

Personnel who request their furlough pay in advance must submit a request in writing to their commanding officer three (3) weeks prior to the start of their furlough.

203.14 OUTSIDE EMPLOYMENT

1. Members desiring to engage in outside employment must submit to their commanding officer a fully completed formal application which states the employer's name, address, telephone number, the hours to be worked, and the type of employment. The application shall then be forwarded to the Chief of Police for approval/denial. Formal applications may be obtained from commanding officers. No employment will be permitted unless final approval is granted by the Chief of Police. The Chief of Police will issue work permits for periods of not more than six (6) months, with a renewable clause therein.
2. A maximum of thirty-two (32) hours per week (inclusive of detail hours) is the limit of such outside employment. Personnel who request this permission are reminded that their first obligation is their sworn duty as members of the Providence Police Department.
3. In the event of an emergency, such personnel shall be ready and available for duty at all times.

203.15 DETAIL HOURS

Members shall not be scheduled for or work more detail hours than are set forth in the collective bargaining agreement.

203.16 RETIREMENT

Any member or employee who wishes to retire for ordinary or accidental disability shall file said request with the Human Resources Bureau and shall follow all procedures in conformity with the pertinent sections of the "Act to Provide for the Retirement of Employees of the City of Providence".

203.17 RESIGNATION

Any member or employee who wishes to resign voluntarily shall submit notice of such intention to the Human Resources Bureau at least one (1) week prior to the effective date of resignation. This regulation may be waived by the Chief of Police whenever such waiver is determined to be in the best interest of the Department.

203.18 DISMISSAL

A member may only be dismissed under the terms and provisions of the Law Enforcement Officers' Bill of Rights, unless such officer waives his/her rights, in which case he/her may be dismissed by order of the Commissioner of Public Safety and the Chief of Police.

203.19 REINSTATEMENT

Personnel who have held a permanent position with the Department, and who have previously terminated such a position by resignation or any other method, shall not be permitted to apply for reappointment or reinstatement, except at the discretion of the Commissioner of Public Safety.

203.20 SUSPENSION

While under suspension, a member shall not wear the uniform, and shall surrender all Department property to his supervisor on demand. The member will have no police powers and will not represent themselves as a member of this Department.

203.21 PERSONNEL FILES

Department personnel files are not considered confidential. However, the following safeguards apply:

1. Unless required by a court order, a member or employee's address, home telephone number, or information pertaining to relatives are not released.
2. Access by authorized Department personnel is limited to the performance of official duties or in response to a subpoena. Other requests shall be submitted to the Chief of Police for approval/denial.
3. Safeguarding file contents and information is the responsibility of the commanding officer of the Human Resources Bureau.
4. Personnel may review their personnel file within the confines of the Human Resources Bureau. Requests to review should be made at least three (3) days in advance. Requests are to be directed to the commanding officer of the Human Resources Bureau.
5. All requests for copies of personnel files or to purge documents shall be directed to the Chief of Police.

SECTION 204

DEPARTMENT PROPERTY

204.1 RESPONSIBILITY

A member shall be responsible for the custody, safekeeping, proper care and serviceability of all Department property assigned to him. The officer shall not permit any other individual to borrow or use Department property issued to him. Culpable negligence, loss, or destruction is not only cause for Department punitive measures, but also requires restitution. In more serious cases, such malfeasance shall incur the liability for prosecution in the criminal courts.

204.2 LOST, DAMAGED, OR INOPERABLE PROPERTY

A member shall promptly report in writing to his commanding officer the loss, damage, or inoperable condition of any property assigned to him or under his control.

204.3 REPAIR OR ALTERATION

A member shall not alter, modify, or repair Department property unless granted the authority to do so by the Chief of Police.

204.4 MANUAL MAINTENANCE

Members shall be responsible for the maintenance and updating of their copies of the Department rules and regulations.

204.5 SURRENDER OF DEPARTMENT PROPERTY

Upon a member's termination, retirement or resignation, all Department property assigned to him/her shall be surrendered to the Human Resources Bureau. Failure to return non-expendable items shall result in an assessment against his/her wages due him. Upon transfer a member shall return any item he/she was issued as a specialized member of the unit he is leaving, i.e. Traffic boots, helmet etc. He/she shall promptly return the items to the commanding officer of the unit he/she is being transferred from.

204.6 PRESUMPTION OF RESPONSIBILITY

When Department property is lost or reflects evidence of damage not previously reported, the member or employee last having use or custody shall be deemed responsible.

204.7 CUSTODY OF PRISONERS

Any member of the Department, who has at any time the custody of any person or persons under arrest or detention, shall be responsible for the proper safeguard of such person or persons and their property for the period of time they remain in his/her custody.

SECTION 205

**CORRESPONDENCE,
COMMUNICATIONS, AND
RECORDS**

205.1 CORRESPONDENCE

Personnel shall not use Department stationary for private correspondence or for unauthorized correspondence.

205.2 POLICE CORRESPONDENCE

All official correspondence to the Commissioner of Public Safety shall be forwarded through the Chief of Police.

205.3 WRITTEN CORRESPONDENCE

Personnel shall not forward any written correspondence or reports about police business to any firm, other law enforcement agency or public agency without the consent of his/her commanding officer.

205.4 COMPLYING WITH INSTRUCTIONS FROM THE RADIO DISPATCHER

All messages transmitted over the police radio system by any member or employee shall be direct and concise and shall conform to all Department radio procedures. Personnel shall not disobey or refuse to take cognizance of any communication transmitted by the Radio Dispatcher, unless directed to do so by a supervisor. Neglect to comply with the instructions of the Radio Dispatcher shall be regarded as a violation of these regulations.

205.5 UNNECESSARY RADIO TRANSMISSIONS PROHIBITED

Personnel shall not transmit unnecessary information over the police radio. Conversations unrelated to the operation of the Department or police business are prohibited. For purposes of this section, police details shall not be considered police business unless otherwise approved by the commanding officer.

205.6 UNNECESSARY E-MAIL TRANSMISSIONS PROHIBITED

Personnel shall not send unnecessary or vulgar messages through the police Department or City of Providence e-mail systems. No member shall use a vulgar word in his or her message while e-mailing. E-mail is for police-related business only.

205.7 DESIGN OF DEPARTMENT BOOKS, RECORDS AND STATIONARY

All books, records and other printed forms used by the Department shall be of a style and type approved by the Chief of Police. All books, records and printed forms which are necessary for the proper operation of each division, bureau or unit shall be efficiently maintained by them. No member or employee shall revise, delete or add any form or piece of correspondence produced in the Department without the approval of the Chief of Police.

205.8 REMOVAL OF OFFICIAL REPORTS, RECORDS, CORRESPONDENCE

Official Department documents, including but not limited to personnel files, BCI files, arrest books, or time books, shall not be removed from any building or office except with the permission of the Chief of Police.

205.9 MISREPRESENTATION OR FALSIFICATION OF RECORDS

Personnel shall not willfully misrepresent or falsify any matter, verbally or in writing. Personnel shall not make entries into Department books, records or reports which are inaccurate, false, or contain improper police information or material matter. Erasures

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shall not be made within Department books, records, or reports. If corrections are necessary, an inked line shall be drawn through the incorrect matter and corrections entered immediately above and initialed by the person making the correction.

SECTION 206

DISCIPLINE

206.1 AUTHORITY

The Commissioner of Public Safety as defined in the Home Rule Charter, Section 1001 (1) and (2), shall be responsible for the administration and discipline of the Police Department and the enforcement of its Rules and Regulations; and shall be consistent with the terms and provisions of the Law Enforcement Officers' Bill of Rights, Title 42, Chapter 28, 6 of the Rhode Island General Laws as amended.

206.2 VIOLATIONS OF THE RULES AND REGULATIONS

When an individual takes the oath as a police officer, he/she has of his/her own free will placed himself under the jurisdiction of the police administration. He/she has assumed the consequences of his/her own violations of the rules and regulations established by that administration. A violation of the rules and regulations need not be a punishable offense under existing statutes or ordinances for it to be considered as punishable under the provisions of the rules and regulations. There may be no moral turpitude or intent to violate the rules and regulations; nevertheless, the rules and regulations are promulgated to be obeyed. Failure to obey them, regardless of motive, is sufficient cause for corrective action.

206.3 FIFTH AMENDMENT

The Fifth Amendment, or its State counterpart, may not be invoked in Department hearings. Ignorance of the Rules and Regulations may not be offered as a defense, since every officer is provided with a copy of the Department Manual and it is required to be familiar with said Rules and Regulations.

206.4 CHARGES AND SPECIFICATIONS

A "charge" is an accusation of a violation of any rule or regulation governing the Department. A "specification" is a detailed description of the act or omission which constitutes the violation. Every referral of charges shall be in writing and shall contain the charges and specifications set forth in the following form:

Charge I: Violation of Part _____, Section _____, of the Regulations governing the Providence Police Department which reads (in whole or in part); to wit: "A member of the force shall conduct his or her personal and official life so as to bring credit to the Police Department."

Specification I: In that John Doe did on or about _____ (date) _____, tarry in the _____ Bar, located at _____, and was served intoxicating liquor after the legal closing hour, he/she being known to persons present as a member of the Providence Police Department.

206.5 CIVILIAN COMPLAINTS

As mandated under the terms of a consent decree governing all facets of the civilian complaint process and entered in the United States District Court in 1973, any individual who wishes to lodge a complaint against any member of the Department shall be given the proper complaint form.

The complaint form shall be available to any citizen, or their representative, at the front entrance desk of the Department; the Office of Professional Responsibility; the Human Resources Bureau; and the Providence Human Relations Commission. Complaints

may be filed in person or completed and mailed to the Office of Professional Responsibility.

Upon receipt of a complaint, the Office of Professional Responsibility shall note thereon the date and time of receipt and shall notify the person designated therein as the complainant or his representative, at the address given, by certified mail of the receipt of the complaint, and the name of the officer assigned to investigate same. The complaint shall then be assigned by the Office of Professional Responsibility to an investigating officer from the Bureau. The investigating officer shall investigate the complaint, and shall interview all persons named in said complaint either as parties or witnesses and any other persons having information concerning the subject matter of the complaint.

The investigation shall be completed within thirty (30) days and a written report, including all statements, documents examined, and other evidence taken shall be filed with the Commanding Officer of the Human Resources Bureau. For cause shown, an investigating officer may request an additional thirty (30) days within which to complete the investigation. If granted, the complainant shall be notified of this fact by the investigating officer.

Upon the filing of the completed investigation with the commanding officer of the Human Resources Bureau, an officer above the rank of Sergeant shall be selected as the hearing officer on the complaint. A hearing on the complaint shall be mandatory and notice of the time, date and place of hearing shall be given to all parties and their representatives at least ten (10) days prior to the hearing date. Notices shall be sent by certified mail.

The hearing held by the hearing officer will be informal. The investigating officer and any officers complained against shall attend. All parties may be represented by counsel or other authorized representative and shall have the right to present evidence and examine witnesses. A stenographic record shall be kept and shall be available, at cost, to any party to the proceedings requesting same.

The hearing officer, after hearing, shall make written findings of fact and based thereon shall find the police officer or officers complained against either "guilty" or "not guilty". If a complainant fails to appear at the hearing, the hearing officer shall make a notation thereof on the complaint and enter a "not guilty" finding. A complainant failing to appear on a complaint upon which a "not guilty" finding was made may for good cause shown, request the Commanding Officer of the Human Resources Bureau to reschedule a new hearing at any time within one (1) year from the date of receipt of the complaint, and the commanding officer may, in his discretion, grant such request and reschedule a hearing on the original complaint.

Copies of the hearing officer's findings shall be transmitted to all parties and to the Chief of Police. The Chief of Police may approve or reject any or all of the findings made within thirty (30) days thereof. The Chief of Police may, in his discretion, submit charges against the officer or officers in accordance with existing Department disciplinary procedures, and a copy of the Chief's action on the decision shall be noted in the personnel file of the officer involved. The action of the Chief of Police on the

hearing decision shall be noted thereon, and he shall notify all parties of his decision by certified mail.

Records of hearings held shall be kept on file in the Human Resources Bureau for a period of two (2) years from the date of original hearing thereon. Same shall be available for inspection by any of the parties to the complaint, or their representatives.

206.6 FAILURE TO APPEAR FOR POLICE HEARING

If the accused or witnesses, being duly notified as provided in Section 206.5, shall fail to appear for a hearing, a plea of "Not Guilty" shall be entered on his/her behalf and the hearing shall proceed summarily with the presentation of evidence and the rendering of judgment.

206.7 INTERCESSION FORBIDDEN

A member under charges or suspension shall not cause or procure any person to intercede or to interfere, either personally or by communication, with the Commissioner of Public Safety, the Chief of Police, the hearing officer, or any person who may be a witness against him/her.

SECTION 207

REGULATIONS GOVERNING THE OPERATION OF POLICE/CITY VEHICLES

207.1 LICENSE REQUIREMENTS

No person shall operate a Department or City vehicle of any kind unless he has a valid driver's license to operate such vehicle. Possession of a valid operator's license is a condition of employment.

207.2 AUTHORITY TO OPERATE

No person shall operate a Department or City vehicle without receiving orders or permission from a supervisor authorized to give such orders or permission.

207.3 SAFETY BELTS

The operator of any Department or City vehicle shall wear a safety belt at all times while operating said vehicles. It is the responsibility of the operator of any Department or City vehicle to ensure that all passengers are properly seat belted/secured in the vehicle.

207.4 RIDERS

No person shall be permitted to ride as a passenger in a Department vehicle or any other city owned vehicle, except when necessary for the proper performance of police duty, or when proper authority has been granted and a waiver has been signed under the provisions entitled RIDE-ALONG PROGRAM. Riders shall have a copy of the waiver/permission before entering a police vehicle. The officer operating the vehicle shall check the waiver form to ensure that it is valid

207.5 INSPECTION OF POLICE VEHICLES

It shall be the responsibility of every member and employee operating a Department vehicle or any other City owned vehicle, to inspect the vehicle prior to operating it; and if new damage is found, shall file a report immediately with his supervisor. The member or employee shall also inspect the interior of the vehicle for operational seat belts, the presence of any damages, or unauthorized articles. Failure to inspect the condition of the vehicle upon receipt by the member or employee shall be regarded as neglect of duty.

207.6 SAFE DRIVING OF POLICE VEHICLES

The driver of any police vehicle shall operate said vehicle in a reasonable and safe manner, exercising due caution and judgment. He/she shall operate the police vehicle in compliance with all applicable Department written directives, motor vehicle laws, and traffic regulations.

207.7 POLICE VEHICLE ACCIDENT PROCEDURE

Refer to General Order 330.01, entitled "Vehicular Operations".

207.8 INJURIES INFLICTED TO PERSONS OR PROPERTY

Whenever a member or employee is involved in an accident or in any way injures a person or damages property while operating a police vehicle, the member or employee shall immediately notify his supervisor.

207.9 UNATTENDED POLICE VEHICLE

The operator of a Department motor vehicle shall lock the ignition and remove and retain the key from the vehicle upon exiting; and shall ensure that the doors, trunk/rear hatch, and hood of said vehicle are locked and secured when not attending the vehicle.

207.10 USE OF CELL PHONES

Officers are not permitted to hold a cell phone or to wear attached head set when the police vehicle is in motion, unless an emergency situation exists where it becomes necessary. Officers on a police detail or assignment outside of a vehicle are not allowed to continuously talk on a cell phone in view of the public, unless it is official police business or emergency.

207.11 USE OF COMPUTERS IN POLICE VEHICLE

Computers are not to be utilized by the driver of a police vehicle while the police vehicle is in motion.