

## **What rights does a police officer have when a complaint is made against them?**

Officers are protected under the Law Enforcement officers' Bill of Rights and their collective bargaining agreement.

The Law Enforcement Officers' Bill of Rights was originally enacted in 1976. The purpose of this act was to protect police officers from any impairment of their rights when their conduct was questioned and to establish a procedure for conducting investigations, hearings, and related matters.

## **Are there any risks to me if I file a complaint against a Police Officer?**

The overwhelming majority of Police Officers are decent, respectful professionals who have committed their lives to public service. Police Officers are also human and at times make errors in judgment.

The only risk to you is if you deliberately and maliciously make a false complaint against a police officer. In that case you may be prosecuted criminally for filing a false report.

You can now access complaint forms at [www.providencepolice.com](http://www.providencepolice.com)

*The Providence Police Department is committed to providing the best possible system for the objective and thorough examination of all complaints.*

The Providence Police Department is committed to receiving and accepting complaints about the actions and performance of our personnel. As an organization, we are committed to providing the highest level of quality police service to all our citizens.

As members of the Providence Police Department we are aware of the important responsibilities and duties we have as public servants. We must maintain trust and integrity in the community.

The Providence Police operates under the constitutional guarantees afforded to everyone and under the laws that govern us. Therefore, the courteous receipt of complaints, thorough and impartial investigation, and just disposition are important in maintaining the confidence of citizens.

**Providence Police Department  
Office of Professional  
Responsibility  
325 Washington St.  
Providence, Rhode Island  
02903**

**Colonel Hugh T. Clements, Jr  
Chief of Police**

## **Providence Police Department**



**Office of Professional Responsibility  
(401 243-6412)**

### *Civilian Complaint Procedures*

This pamphlet has been prepared to acquaint citizens with the operation of the Office of Professional Responsibility and the civilian complaint process. It is presented as an informational source that describes how civilian complaints are filed, investigated and resolved.

*"Building Public Trust"*

### ***Civilian Complaint Process***

The Civilian Complaint process was initiated by mandate of a Federal Consent Decree in 1973. The consent decree governs all facets of the civilian complaint process, the basic tenets of which are as follows:

- The Providence Police Department has adopted a uniform civilian complaint form, which is available to any citizen.
- The complaint forms are available to any citizen at the front entrance (Information Counter) of the Providence Police Department, The personnel Bureau and the Providence Human Relations Commission. You are also able to obtain a complaint form on the internet at [www.providencepolice.com](http://www.providencepolice.com).
- Complaints may be filed in person by any citizen or may be completed and mailed to the Office of Professional Responsibility, 325 Washington St Providence, RI 02903
- Upon receipt of the complaint, the Office of Professional Responsibility shall note thereon the date and time of receipt and shall notify the person designated therein by certified mail. The complainant will be provided with the name of the investigator assigned to investigate the complaint.
- The Investigating officer shall investigate the complaint and shall interview all persons named in the complaint and any other persons having information concerning the subject matter of the complaint.
- The investigation shall be completed within thirty days and a written report shall be forwarded to the director of the Human Resources Bureau.
- For cause shown, the investigating officer may request an additional thirty days within which to complete the investigation. If granted, the complainant shall be notified.
- Upon the filing of the complaint with the Director of the Human Resource Office, 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 location of the hearing shall be given to all parties at least ten days prior to the hearing date. Notice shall be by certified mail.
- The investigating officer and any officers complained against shall attend. All parties may be represented by counsel or other authorized representatives.
- All parties 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 proceeding.
- The hearing officer shall make a written finding of fact and based thereon shall find the police officer “guilty” or “not guilty”. If a complainant fails to appear at the hearing, the hearing officer shall enter a finding of “not guilty”.
- The complainant may for good cause shown request from the Director of the Human Resource Bureau a new hearing, at anytime within one year from the date of receipt of the complaint.
- Copies of the hearing officers’ findings shall be forwarded to all parties and to the Chief of Police.
- The Chief of Police may approve or reject the decision and may submit charges against the officer in accordance with the Police Departments Disciplinary procedures.