



Providence External Review Authority

July 21, 2023

Colonel Oscar Perez
Chief of Police
Providence Police Department
325 Washington St.
Providence, RI 02901

Dear Chief Perez,

At a recent meeting on July 20, 2023, the Providence External Review Authority, in accordance with §18 ½-2(b)(2) of the Code of Ordinances for the City of Providence, did review the following policies and procedures of the Providence Police Department and voted to recommend changes to said policies. The specific recommendations are appended to this notification as Attachment A.

Policy 100.02 Ethics and Limits of Authority

Policy 310.03 Oleoresin Capsicum Sprays (OC)

Policy 310.04 Conducted Electrical Weapons

Policy 320.02 Body-Worn Camera (BWC) Program

In addition to the specific policy recommendations, the Authority also voted to recommend that the police department provide any new or substantively changed police policy and or procedure to the Authority sixty (60) days prior to issuance to allow a reasonable time for the Authority to review said policies and make any recommendations for changes, prior to the issuance of the policy to the department. This allows for greater collaboration and efficiency in the operation of the police department by preventing the confusion of issuance policies and procedures that may

400 Westminster Street Suites 201-202 Providence RI 02903

PERA@providenceri.gov

www.providenceri.gov/PERA



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then need to be changed shortly after their issuance. By allowing the Authority the opportunity to review pending policies and procedures, the department will ensure that the community's interests and concerns are being covered from multiple sources. PERA is a valuable partner in policy review specifically because of its ability to review these policies through a different lens than the police department. Please provide an update on the implementation of these recommendations at your earliest convenience.

Please contact me at fkaroly@providenceri.gov or (401) 680-5792 if you have any questions. Thank you for your continued support and collaboration.

Kind regards,

Ferenc Karoly

Ferenc Karoly, Esq.
Executive Director

Susan R. DeRita

Susan DeRita
Chairwoman

Cc: Mayor Brett P. Smiley
Council President Rachel Miller

ATTACHMENT A

Policy Change Recommendations to PPD 7/20/23

Policy 320.02 Body-Worn Camera (BWC) Program

I. (E) – BWC **should be kept on** while transporting prisoners within the building (Language should clearly indicate that body cams should be on while transporting individuals in custody in the building. Current language does not clearly mandate this).

II. (A) – BWC should be turned on 30 sec. BEFORE arriving at call (BWC have a 30 second sound delay once activated. The delay often fails to capture critical communications related to complaints. Officers should activate the BWC prior to engaging with anyone at calls so the entire interaction is audio recorded as well).

II. (C) – State consequences for not recording, interrupting, or terminating recording. (Policy should explicitly state the consequences of failing to record as required by policy).

III. (A) – Audit procedures and audit results shall be provided to PERA monthly.

V. (H) – PERA is to be added to the review of the BWC Program.

Policy 310.03 Oleoresin Capsicum Sprays (OC)

III. (C) (4) – Shall not use OC spray against the elderly or children unless exceptional circumstances are present that pose an immediate threat of harm to any party and no reasonable alternative is available.

Policy 100.02 Ethics and Limits of Authority

II. (A) (9) – Develop policy language regarding when to intervene when off duty. (Recent events have made it clear that this policy language needs to be more specific. i.e. officers off duty should not be able to create an exigency that they then use their status as officers to intervene in. Officer Lugo case outcome was significantly affected by current policy language).

Policy 310.04 Conducted Electrical Weapons

IV. – Add section that states “Shall not use CEW against the elderly or children unless exceptional circumstances are present that pose an immediate threat of harm to any party and no reasonable alternative is available.”

A 60-day review period of any policy with substantive changes be provided to PERA prior to PPD issuance.