

## POLICE

In September, 1997, two gay and lesbian activist groups filed a lawsuit against the Providence Police Department, accusing them of withholding information clearly public under the Rhode Island Open Records Law, namely the initial arrest reports of people arrested for alleged illegal sexual activity. This crackdown on sexual activity in certain parks in the Providence area was in response to complaints of residents that gay people were engaging in prostitution in the woods along River Drive on the East Side. Several gay-rights activists criticized the tactics of police in this crackdown, saying that the police had harassed and arrested people solely for being gay, and that the police had gone undercover as gay prostitutes, hoping to entrap people in some act of wrongdoing.

Gay & Lesbian Advocates and Defenders, a Boston-based legal advocacy group, and the Rhode Island Alliance for Lesbian and Gay Civil Rights repeatedly requested to inspect initial arrest reports to judge the situation for themselves, asking for all reports dating back to 1990 for people arrested for loitering, soliciting, and participating in sexual acts in the River Drive vicinity. They received a letter from the lieutenant in charge of the Records Bureau saying the request was too broad and needed clarification. In response to their narrowed, repeated request, they received neither the initial arrest reports nor the reason for a denial of information.

"The alliance wants this information because it's a matter of public record, and it's important for everyone to get a clear understanding of the actions of the Providence Police Department," said a spokeswoman for the Rhode Island Alliance for Lesbian and Gay Civil Rights (Jonathan Saltzman, "Police Sued by Two Gay Advocacy Groups," *Providence Journal*, September 7, 1997). The fact that these groups could not obtain copies of arrest reports made it impossible to evaluate the actions of the local police.

The findings of last year's study indicated that such problems were not isolated. The overall compliance rate for requests for information from the police was 35 percent. Police response to these findings ranged from fairly positive to indignant at the results of the study. Some, such as Smithfield Chief of Police William McGarry, saw the study as "a blessing in disguise that resulted in a new policy" (Laurence J. Sasso, Jr., "Blistering Report is 'Blessing in Disguise,'" *The Observer*, March 19, 1998). Chief Anthony Silva of Cumberland attributed his station's poor performance to "misfortune and bad timing," calling noncompliance "an isolated incident" (John Castellucci,

"Records Survey Scored by Some," *Providence Journal*, March 18, 1998).

The president of the Rhode Island Police Chiefs' Association, Lawrence Campion, criticized the report as "shoddy" and "unscientific," claiming that the results were "rigged" to "ambush and set up" the police (Bruce Landis, "Police Attack Access Study, but Admit Flaws," *Providence Journal*, April 9, 1998). Chief Vincent McAteer of Cranston objected that the requests for initial arrest reports were too general, saying, "If they had been more forthcoming and asked for specific reports, they would have been treated better" (Joe Kernan, "Chief Says Access Study Flawed but Useful," *The Cranston Herald*, March 26, 1998). Another point of contention was that the students had not always asked the correct person for access to the records. Middletown Chief of Police, William Burns, stated that "They should have been instructed to go to the officer in charge. We would have directed them to the records room" (Jerry O'Brien, "Middletown Gets Highest Rating for Records Access," *Providence Journal*, March 20, 1998). Had the students had a clearer understanding of police procedures, contended most chiefs, they would have experienced fuller compliance. Westerly's Chief Bruno Guilini promised that his department was "going to do some training in the [Open Records Law] so it doesn't happen again" (Ken Cola, "Access Survey Spurs Chief to Action," *The Sun*, March 17, 1998). We attempted to take every objection into account in designing this year's study.

### *Legal Background*

The Open Records Law has long stated that "records reflecting the initial arrest of an adult and the charge or charges brought against an adult shall be public" (R.I.G.L. 38-2-2 (4)(D)). But practices around the state varied, with some departments disclosing the full initial arrest report and others releasing much more limited information, such as only the cover sheet to an initial arrest report. The word "record" proved to be a vague term and was often interpreted to mean only such cover sheet information as the name, address, and age of the adult arrested; the charge; the place of the arrest; and the name of the arresting officer. To reiterate the intention of the Open Records Law as it pertains to police records and to clarify the varied interpretations of what information the Law makes public, an amendment was passed in the summer of 1998 which added the word "reports" to the above quoted section. Strongly advocated by Common Cause of Rhode Island and other public interest groups, this amendment intended "to make public the police incident

## Arrest Logs

**A**s preliminary research for this component, the Brown students made requests for a hard copy of the arrest log in each department. The reason we requested the log was to obtain specific names and dates of arrests so that we could request particular initial arrest reports. The request to obtain a copy of the police log was made by the students in person at local police departments in November and early December.

The request involved asking for the arrest log (the name of the document varies by department) for the last X number of weeks (the time-span requested reflected the size of the town and hence the number of domestic violence arrests made), preferably sorted to include only domestic violence cases (depending on a given department's computer capacity). If a certain department had difficulty producing this information in the log format, we accepted any documents that contained the name, date, and indication of domestic assault or disturbance arrest.

During our preliminary research, we introduced ourselves to the officer or clerk as students gathering information on domestic violence and then asked for a copy of the log, thus, anticipating potential inquiries into the nature of our request. Since our goal was to obtain a hard copy of the log, and not to accept what may be

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reports that often accompany arrests and describe the circumstances" (Bruce Landis, "Police Maintain Veil of Secrecy, Despite Open Records," Providence Journal, March 30, 1997: A-12).

The intention of the Open Records Law is not simply to give the public access to information they could find in the cover sheet of an initial arrest report, but to give the public access to the entire initial arrest report. One of the primary objectives of the amendment last summer was to codify that all of the information taken at the time of the arrest is public, including the officer narrative of the circumstances and events surrounding and pertaining to the arrest. Thus some narrative is a vital part of the initial arrest report, and was required of the documents received for compliance with the Open Records Law. Such information explains why the person was arrested, clearly an issue of public concern. Police should be accountable for why they arrest people. In addition, the initial arrest report is public from the time of the arrest, even if an investigation is ongoing. The initial arrest report, which deals only with the circumstances surrounding the arrest, does not change as the result of any findings of investigations.

### *WHAT WE REQUESTED*

**W**e designed this year's study to test compliance in a variety of different situations. We made one request by letter for a specific initial arrest report, and two in-person visits to request different initial arrest reports. These requests differed from those of the 1998 study in that last year the researchers simply asked to see the log of the previous day and to see the last three initial arrest reports filed in each town.

Two factors were taken into account when deciding which documents to request and how to request them. First, and most important, was to choose items that are unquestionably public under the law. Initial arrest reports are among the most explicitly public police records, as indicated by the 1998 amendment to the Open Records Law. Second, we wanted to request documents that would simulate the needs and interests of citizens interested in their local government and documents that affect them; we wanted to measure the accessibility of documents that were actually relevant to the people of Rhode Island. Knowing who is being arrested and why is perhaps the most fundamental information any watchdog organization or concerned citizen might need.

To keep requests as uniform as possible, we attempted to identify initial arrest reports made for the same crime in every town. Domestic disturbance or assault

is one crime that is unfortunately common enough to be found in every town we studied. It also is a crime for which the police procedures for making arrests are dictated and spelled out by law (R.I.G.L. 12-29-3). Because there are strict mandatory arrest clauses for police handling domestic violence calls, releasing records pertaining to these arrests would not "disclose techniques and procedures for law enforcement investigations or prosecutions," and hence would not fall under this exemption in the law (R.I.G.L. 38-2-2(4)(D)(e)).

The request for copies of initial arrest reports differed from those in last year's study in that we identified the initial arrest report we wanted by name and date. We changed the object of our request in response to police objections that arrests are generally filed by the name of arrestee, and that finding the "last three" of any type of case is often a complicated, atypical task. It is important to note that the only reports requested were initial arrest reports. Full investigative reports are not always public information, but initial arrest reports have traditionally been considered open under the original Open Records Law. This interpretation was codified in the 1998 amendment, which specifically states that "records or reports reflecting the initial arrest of an adult and the charge or charges brought against an adult shall be public" (R.I.G.L. 38-2-2(4)(D)).

### *HOW REQUESTS WERE MADE*

In order to test police response to various modes of requesting information, we requested these documents in a number of ways, most of which were not used in fieldwork for the 1998 study. The fundamental difference was our collaboration in data collection with several Rhode Island citizens interested in local government, most of whom were members of Common Cause. This cooperation with Rhode Island citizens allowed us to gather more relevant data on the spontaneous reactions of the police than Brown students could have obtained on their own.

Volunteers made two requests to their local police stations, one by mail and one in person. The main purpose of the mail request was to engage in an impersonal and documented transaction that would not be subject to the possible vagaries and misunderstandings of verbal inquiries. Similarly, the walk-in requests made by the volunteers, who were older than most college students, probably simulated more accurately the experiences of citizens when requesting documents from the police, because the police were less likely to assume that these requests were part of an open records study.

The first request for initial arrest reports was made in

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ordinarily considered a denial of access, we made it our policy to remind the official that the documents we requested were public, and even cite to the law when necessary. But because our goal was to obtain the information regardless of implicit denials, the results of this preliminary research only show the behavior of police when pressed by those fairly knowledgeable in the specifics of these laws.

The high rate of retrieval of logs does not necessarily represent the ability of the average citizen to obtain these materials. Even with such pressure on our part to obtain these records (requiring, in some instances, multiple visits and phone calls), we were still unable to obtain 100% compliance. In Lincoln, we were only allowed to view the log at the station, while in Jamestown we were only allowed to hear the log information over the phone. In Woonsocket and Narragansett we were denied the log entirely, despite our efforts.

mid-December of 1998 by letters from community volunteers, whom we supplied with names and dates of specific arrests. The volunteers also made the second request, for a second initial arrest report, in person at a nearby police station in January. Students made the final request, for a third initial arrest report, in person in early February. We decided on a total of three separate interactions because it allowed for variety in the method of request, and it was feasible in terms of time and resources.

Given the controversy over last year's study, we confronted certain ethical issues in thinking through the protocols for interacting with the police, who are often inquisitive and would likely be alert to the possibility of students conducting a study. We tried to choose indicators of compliance that would not suggest the existence of a study. As a result, we relied heavily on written solicitations and volunteer requests for gathering data. The main question we grappled with was how to avoid identifying ourselves as students studying access to public records, as many clerks and officers undoubtedly suspected, while maintaining the integrity of the study. We anticipated police familiarity with last year's study, as well as the flaw that they may have expected a follow-up study involving requests for certain, common documents. We also realized that we would be compromising the results of this study by allowing the departments to know they were being studied. Such knowledge would clearly skew the data and misrepresent the experience of an average citizen attempting to access public information.

Our protocol regarding these requests addressed the dual goal of protecting the accuracy of the results and maintaining honest, fair interaction with the police to allow them to react as spontaneously as possible. In our walk-in visits to various police stations, we made a point of immediately asking to speak to the person in charge of records. If the department had a separate records office, we visited during the hours of business for this particular office. These changes in protocol lessened the possibility of reporting the police as being unlawfully secretive when they in fact have specific (although sometimes idiosyncratic) policies regarding the release of records to the public.

During the walk-in visits for initial arrest reports, researchers were to be clear but not aggressive in their requests; once the name and date of arrest were given, the response to the request was left up to the clerk or officer. We instructed the researchers not to press officials by citing the law, but only to repeat the request if they were told that they could not obtain a copy of the information. Immediately after all visits, researchers were to fill out an intake sheet to record the details of their visits, such as

whether the police asked for identification or a reason for the request, or in some circumstances, the exact reason for denial. (See the Appendix for a sample of an intake sheet.) The letter portion of the research required much less strategy in addressing such ethical concerns. Volunteers sent standardized letters requesting a copy of a certain initial arrest report with no explanation of their reason for the request, as none is legally required.

### MEASURING COMPLIANCE

In last year's study, compliance was gauged by whether or not a police department provided any documents resembling the materials requested. This year's study also took into account the completeness of the information received. Our intention was to find out how often complete initial arrest reports (i.e. those including the narrative elements of the report) were provided. As described further in the Results section, all information we received from the police was analyzed and subjected to this criterion.

A second measure of compliance concerned charges for photocopying. The statute provides for a maximum charge of \$0.15 per page. Those departments charging more than the statutory limit were noted for lack of compliance with this provision. Thus, compliance was determined by meeting these criteria for the completeness of information and appropriate cost under the Open Records Law.

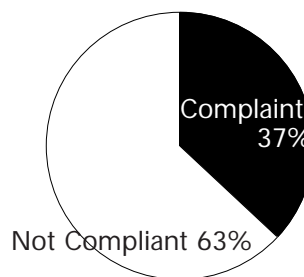
Because these factors of legal compliance were not considered when determining police performance last year, it is not appropriate to make a simple comparison between the results of the two studies. Using last year's criteria again this year, there is clear and significant improvement in police performance. Yet there is enormous room for improvement in complying with the specific requirements codified in the 1998 amendments.

### OVERALL RESULTS

Overall, the police met with openness requirements—that is, provided an initial arrest report without overcharging—37% of the time. In other words, out of 108 requests, the police gave out complete information (without overcharging) in only 40 cases. There were eight cities and towns that complied fully with openness requirements for every request: Burrillville, Charlestown, East Providence, Little Compton, Middletown, North Kingstown, South Kingstown, and Westerly.

An initial arrest report must include more than the information one could simply find in the police blotter of his

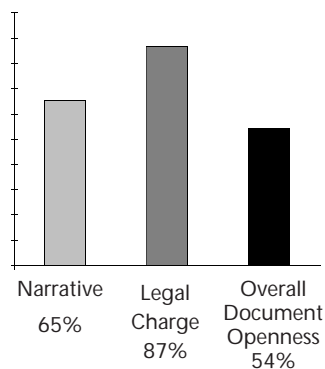
Chart 1.1  
Overall Compliance with Requests



**There were eight cities and towns that complied fully with openness requirements for every request:**

- Burrillville
- Charlestown
- East Providence
- Little Compton
- Middletown
- North Kingstown
- South Kingstown
- Westerly

Chart 1.2  
Compliance for Documents Received



**“Seventeen departments were never compliant, meaning that they never gave us complete arrest reports (or, in a few cases, they overcharged).”**

or her local newspaper; it includes all information taken and filed at the time of the arrest. Since it is common practice for a police officer to provide some written account of the event after making an arrest, initial arrest reports should include some police narrative describing the particular situation and reasons for arrest. Only 49 (65%) of the 75 documents that we received included this narrative, and thus complied with our request for initial arrest reports. Taking into consideration the other criterion for legal compliance, charging practices, we found that 65 (87%) of the 75 documents we received were priced within the legal price limit. Overall, only 40 (54%) of the 75 documents we received complied with both of these requirements of the law.

Considering the three requests separately, the lowest rate of compliance came in response to the letter requests from the volunteers. Statewide, those 35 requests resulted in receiving the initial arrest report only eight (23%) times. (The letter requests for Jamestown and Little Compton are not included in the data; see the city and town summaries for an explanation.) Most of these denials came about by default: no response was received. We did receive some sort of document indicating an arrest 51% of the time, but these records did not always meet the criteria of an initial arrest report because they lacked vital information, specifically any narrative information. That almost half of police departments simply ignored citizens' requests is disturbing, especially because last year the grounds for denial of initial arrest reports in many towns was that to access such information, the citizen must put her request in writing.

The results from the two walk-in visits were better, but still remarkably low. Of the 36 requests made by the Brown students, the police released an initial arrest report in 16 (44%) cases. (The Brown walk-in request for Bristol is not included in the data; see city and town summaries for an explanation.) Of the 37 requests made by the volunteers, the police released an initial arrest report in 16 (43%) cases. Brown students were able to retrieve some sort of document in 31 (86%) of their 36 requests, while the volunteers were only able to retrieve a document in 26 (70%) of their 37 requests. While the police were more willing to give out some kind of information to students doing research than to older citizens, the information they gave the students was less likely to be complete (i.e. to contain the complete initial arrest report).

Seventeen departments were never compliant, meaning that they never gave us complete arrest reports (or, in a few cases, they overcharged). Most departments gave us some sort of document at least once, but what we

received did not meet the criteria of an initial arrest report. Five jurisdictions released some information in response to every request, but were never in full compliance because either the information they released was inadequate or they overcharged for the materials: Coventry, East Greenwich, Richmond, Smithfield, and Tiverton. Four departments not only denied all of our requests for initial arrest reports, but never gave us any documents at all: Bristol, Lincoln, West Greenwich, and Woonsocket.

The extent of the information we received varied enormously, sometimes even within the same department. Central Falls redacted all information in the report obtained except the name, date, and charge of the arrest. Certain departments, such as Tiverton, gave us little more information than we gave the police to identify the arrest, including merely the name, date, and offense of the arrest, and some physical features of the arrestee. Many other departments only provided the first page of the initial arrest report, which indicates that an arrest has been made, but gives no details as to the circumstances of the arrest.

The reasons for denial during our walk-in visits were relatively standard among the noncompliant departments. The most common reason for denial was simply that initial arrest reports are "not public," that they are "confidential." The departments that used this response at least once were Barrington, Hopkinton, Lincoln, Narragansett, West Greenwich, and West Warwick. Another common excuse was that only the person arrested or that person's lawyer (or a relative) could have access to this information. Bristol, Warren, and Woonsocket all used this as an excuse to deny the information. The police in Warren and Providence also used more bureaucratic reasons for denying initial arrest reports. The Warren Police Department told us that a person making requests must have a notarized document. The Providence Police Department requires the arrest number of the case requested. Cumberland denied a request (for the initial arrest report) on the grounds that the case requested was still pending. The law does not support any of these reasons for denial.

As we had hoped and expected after the widespread publicity following last year's study, most police departments showed some indications of improvement. Scituate is one example of improvement. They had a copy of the Open Records Law posted by their records window, a symbolic welcome to citizens interested in public records. In addition, they seem to have a clear protocol for dealing with records requests that involves a citizen's filling out a standard form with the option of remaining anonymous.

Some departments that showed marked improvement in the provision of documents were

## Privacy Concerns

While some information generated by police departments is clearly public under the law, there are also legitimate privacy concerns that protect police investigative techniques, confidential sources, and records involving the arrests of juveniles. We designed this study to avoid asking for information that is protected under the law. In the course of obtaining initial arrest reports, however, we encountered something we had not anticipated: departments that released information that is protected. Two categories of information we came across repeatedly were Social Security numbers and information about juvenile witnesses and victims.

Many departments did not appear to have a uniform policy on what information is confidential. North Smithfield, for example, revealed Social Security numbers in only half of the documents it released. North Kingstown, in addition to Social Security numbers, included in its "offense reports" previous addresses of involved parties, driver's license numbers, employers and information about kin.

### Social Security Numbers

The Privacy Act of 1974 arguably protects Social Security numbers from public disclosure. The application of this law to state matter is unclear, but since Social Security numbers are themselves federal, there is a strong argument that the law

Burrillville, Coventry, Charlestown, Cranston, Little Compton, North Smithfield, Portsmouth, Richmond, Smithfield, Tiverton, Warwick, and Westerly. This year they always provided some sort of document indicating an arrest.

Other departments' compliance rates remained the same. Middletown provided all the documents asked for last year and this year. Bristol and Woonsocket denied access to all records requested two years consecutively. Finally, a few towns clearly did worse than last year. Lincoln and West Greenwich released arrest information last year that they denied consistently this year.

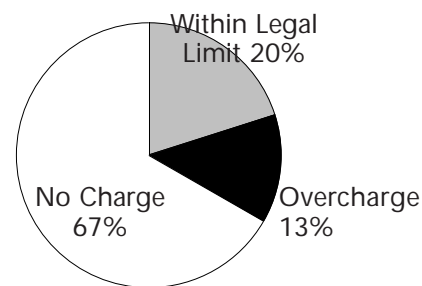
## CHARGING

The statutory limit in Rhode Island for photocopying public documents is \$0.15 per page. We found, however, that most departments do not charge at all for making copies. We were only charged for 25 of the 75

documents received (33%). Several towns charged the exact legal amount, many posting the legal price per page in the records window. Scituate, Pawtucket, and Newport all charge \$0.15 per page as a matter of policy. For ten of the documents (13%), we were charged above the statutory limit; thus, when we were charged, we were often overcharged. Some departments seemed to charge a flat rate for documents, regardless of their length, which generally meant that they were charging more than \$0.15 per page. Warren, which only released a report via mail, charged \$5.00 for a seven-page report in response to the letter request. Johnston, Portsmouth, North Providence, and Narragansett all consistently overcharged for initial arrest reports. Although North Providence received negative publicity last year in response to findings of gross overcharges (\$5.00 for slim initial arrest reports), it still has not changed its charging policy to meet state law. Warwick, while charging a legal price for the initial arrest reports that were requested in person, asked for \$5.00 in response to the letter request. Cranston, too, overcharged in response to the letter request, charging what appeared to be a flat rate of \$1.00. This is the opposite of most departments, which did not send bills for documents that should cost less than one dollar.

Chart 1.3

Charging Practices



*HOW WE WERE TREATED*

**A**lthough a person's assessment of how she is being treated is often based on several subjective impressions, we decided that these impressions, especially in the aggregate, can have an actual impact on a citizen's access to records, and were therefore important enough to keep track of during our experiences. For example, if a citizen is told in a hostile manner that the only way to receive a record is through an appointment with the chief, there is little likelihood that she will pursue this request. We received a wide range of courteousness, with most departments falling in the category of pleasant but inquisitive.

On our intake sheets we recorded whether we were asked for our name, reason for request, or our licenses. We found that we were asked our name 40 times out of 74 walk-in requests (54% of the time), the reason for the request 48 times (65% of the time), and for a driver's license nine times (12% of the time). (Last year, researchers were asked for their names in all but three towns.) It is not illegal for the police to ask these questions, but the police cannot deny a request based on a citizen's response: "No public records shall be withheld based on the purpose for which the records are sought" (R.I.G.L.38-2-3(h)). It is an impediment to the accessibility of records, then, if officials continue to press for details after an answer is given, behavior which can certainly dissuade a citizen from pursuing records requests.

protects this information from public disclosure. In 1994, the Ohio Supreme Court interpreted the Privacy Act to cover Social Security numbers: "We must next determine whether SSNs, while being 'records,' are also 'public records'...For the following reasons, we conclude that they are not public records." (Beacon Journal v. City of Akron, 640 N.E.2d 164 (1994)) The court reasoned that "the harm that can be inflicted from the disclosure of SSN to an unscrupulous individual is alarming and potentially financially ruinous." Out of the records we received, 44 (59%) contained the Social Security number of the arrested party, while another 14 (19%) also included the victim's Social Security number.

**Information about Juveniles**

**P**roceedings in Family Court are confidential under the Open Records Law (R.I.G.L. 38-2-2 (4)(c)). Rhode Island General Law explicitly protects arrest reports when juvenile are apprehended (R.I.G.L. 14-1-64). But the status of information about juvenile witnesses and victims is not clear. We could find nothing specific in Rhode Island law about the status of police reports that contain information about juveniles in an adult's arrest report. Moreover, an informal survey of lawyers whose practice involved juvenile matters revealed an almost even split in opinion as to whether this information is protected. As we discovered, police departments are also divided on whether information about juvenile witnesses should be available to the public. Eleven of the documents we received included specific information about juveniles.

There is an obvious need to address this gray area in the law, so that police departments will know whether or not information about juvenile witnesses or victims should be kept confidential. The spirit of the laws that protect other information about juveniles certainly argues for this protection.

Overall, there appears to be a general need to clarify the Open Records Law and to specifically stipulate in the law what information is public and what is private. Leaving judgements regarding privacy concerns to the individual police departments is poor and ambiguous public policy.

# P O L I C E

OVERALL OPENNESS COMPLIANCE	
CITY / TOWN	Percent Compliance
Charlestown	100%
South Kingstown	100%
Little Compton*	100%
Burrillville	100%
East Providence	100%
Middletown	100%
North Kingstown	100%
Westerly	100%
Cranston	67%
Scituate	67%
Warwick	67%
Foster	67%
Pawtucket	67%
Jamestown*	50%
Central Falls	33%
Glocester	33%
Providence	33%
North Smithfield	33%
Portsmouth	33%
Hopkinton	33%
Coventry	0%
East Greenwich	0%
Johnston	0%
W. Warwick	0%
Smithfield	0%
Tiverton	0%
Richmond	0%
N. Providence	0%
Newport	0%
Barrington	0%
Cumberland	0%
Narragansett	0%
Warren	0%
Bristol*	0%
Lincoln	0%
West Greenwich	0%
Woonsocket	0%

In response to last year's negative reporting on such tactics, the police insisted that they could and should ask for a reason for request in order to help people find the information they are looking for. We found that our answers did not always satisfy particularly suspicious or curious officials. We were frequently asked whether we were the person arrested, that person's lawyer, or a relative of that person. When we responded that we were simply interested for personal reasons or because we were doing research, we were sometimes pressed for the details of our research, followed by referral to a superior officer.

We found certain police departments to be consistently inquisitive, requiring information of the requesters that may make some uncomfortable about asking for records to which they have a legal right. Foster, Little Compton, North Smithfield, and Pawtucket always request to see the driver's licenses of people making requests, and Little Compton generally asks for one's address. North Smithfield makes citizens sign their names in a log of records requests. Another example of a particularly inquisitive department was Glocester, where researchers were not only asked repeatedly why they wanted the information, but a student was asked for her date of birth, social security number, and the details of her request. When she picked up the records, she was also handed an incident report which listed her own request as the incident, and included in it the information she had given the officer. Central Falls was also intensely inquisitive, especially to a student during his log request, repeatedly asking why he wanted the information and pressing him for details of his research.

Aside from the inquisitiveness of a station, we also noted examples of departments in which researchers had particularly pleasant or unpleasant experiences overall, regardless of the legal compliance of the station. Two departments in which our interactions with officers was particularly pleasant were in Johnston and North Kingstown. In these towns, officers spent a good deal of time with the researchers fulfilling the log requests, going through the information with them to make sure they understood the various codes used by the police. The officers in these departments seemed genuinely interested in the students' research and offered them pamphlets on domestic violence. Examples of departments that were particularly suspicious of us were Tiverton and Cranston. In Tiverton, a volunteer was asked sharply whether she was tape recording her conversation with the police. In Cranston, the researcher encountered officers who haggled with her about the nature of her request, gave her contradictory excuses as to why she could not obtain the

information, and made snide comments in the background that she could overhear.

We also encountered bureaucratic run-around: situations in which we were referred to a string of unhelpful personnel or were forced to visit repeatedly or to call the stations for the information we needed. Providence, during the request for the log, referred the student to a circular string of officers, none of whom thought the responsibility to grant access was his. The Narragansett Police Department told the student that the information would be mailed to him. After waiting several days without receiving the information, the student left several phone messages and even sent a written request to the officer in charge of records, but was completely ignored. Such responses as these were unusual, but clearly unacceptable from agencies that exist to serve the public.

We also encountered systems of information management that were particularly efficient and easy to use. Cumberland, Richmond, and Scituate have forms that cite the law, list possible reasons for denial, and state the departmental protocol for dealing with records requests. Scituate also asks for identification, but makes it clear that a person can file a request anonymously. These forms do not require a reason for making a request. This system allows for an efficient, business-like, potentially anonymous transaction between clerks and citizens and minimizes discomfort that may arise from asking for possibly sensitive documents.

Other departments that had commendable procedures were Pawtucket and North Kingstown. Pawtucket's records window is located not in the police station, but in the city hall. There they have posted the previous day's log as well as the statutory limit on the cost per page of public documents, as do several other stations. North Kingstown also has a laudable system, which includes a "Public Access Interface Computer" terminal in the lobby to print out various records.

### *DEPARTMENT SUMMARIES*

**A**lthough the aggregate data are significant in illustrating statewide trends in openness, it is equally important to recognize the wide variety of experiences and procedures across departments. What follows is a summary of the results of our interactions with the police on a departmental basis. (See Appendix for a comprehensive spreadsheet of city and town results.) A check in the box under the type of the request made means that the request was met with a complete initial arrest report at a price not exceeding the legal limit of \$0.15 per page.

# P O L I C E

## Barrington

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

### Overall Results

We did not receive any valid initial arrest reports. No reply was made to the letter request. One document was given to the student researcher free of charge, but it did not contain a police narrative and was therefore not a full initial arrest report. For the second request, our volunteer was told by an officer that she could not see the report because of privacy reasons and because a person requesting such documents must have a motion to compel. The log information requested was provided without charge. Last year's researchers were granted access to the log but received no other documents.

### Process

Barrington has a records office that is open from 8:30AM to 4:20PM on weekdays. Even though there is a records clerk, on all three walk-in visits, the student researcher or volunteer was told that only the chief could release the information requested. During the log request, the chief explained to the researcher that they were struggling with a new computer system that only a few people knew how to use, but that was able to sort the log by type of charge. The chief was very helpful in explaining the codes and abbreviations used in the log. During the walk-in visits, both

researcher and volunteer were asked for their names and reasons for requesting the information.

## Bristol

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
		na

### Overall Results

Bristol did not provide documents for any of the three requests, though the log was received for no charge. No reply was made to the letter request. Our volunteer was denied the arrest report because she was unrelated to the person arrested. When the student researcher went to request the third initial arrest report, he was told by an officer that although that person had been arrested before, there was no arrest near that date. Upon further investigation of the log, we found that the initial arrest report we had asked for was that of a juvenile. Bristol failed to withhold that information from public inspection, which it is required to do under R.I.G.L. 14-1-64. Initial arrest reports of juveniles are strictly private, and thus this request is not included in our compliance data. However, this does not explain the officer's response. Last year, Bristol released none of the documents requested, not even the log.

### Quote

Our volunteer commented, "the desk officer told me that

it was the policy of the department not to give out arrest reports unless you were the person arrested. He said they could not give them out to just 'anyone walking in off the street.'"

### Process

Bristol does not have a records office, and records requests go to different officers depending on the request. For the log request, we were told that only one officer could authorize such records, which he did. The officer even separated domestic assault arrests/incidents from domestic disturbances for us. Officers also gave the student researcher pamphlets and safety information about domestic violence. During an initial arrest report request, the student was referred to the lieutenant in charge of the prosecution. Student researchers were asked for names and reasons for the requests; our volunteer was not asked anything.

## Burrillville

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
✓	✓	✓

### Overall Results

Burrillville released all three initial arrest reports as well as the log information. We were not charged for any of the documents. This is a great improvement over last year, when the Burrillville Police Department did not release arrest reports or arrest logs.

*Process*

Burrillville does not have a records office. The student researcher and volunteer were both referred to the records officer, who printed out all documents once permission was granted by a lieutenant.

**Central Falls**

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
	✓	

*Overall Results*

Central Falls released only one full initial arrest report--to our volunteer. There was no response to the letter request. The student researcher received a document as well, but it did not include the arrest narrative and was therefore not a complete initial arrest report. No charges were levied for the documents. Last year, Central Falls released initial arrest reports and arrest logs.

*Process*

Central Falls does not have a records office. The researcher and volunteer were both referred to the records officer in charge of maintaining the computer records system. The records officer is authorized to release initial arrest reports.

**Charlestown**

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
✓	✓	✓

*Overall Results*

All three initial arrest reports

and the log were provided. The arrest reports received complied with Rhode Island's Open Records Law. Last year, researchers were granted access to the log, but denied the arrest reports.

*Process*

Charlestown does not have a records office, but there is a records clerk, who was very helpful and stayed late to help the student researcher. Charlestown has a computer system capable of separating incidents by incident type and by date, but an officer said that many of the officers are not as proficient with the computer as they should be. Neither the clerk nor two officers present could accurately and completely explain the meaning of the various symbols in the disposition column. The arrestee name was also not recorded in the system, so we called to request that additional information. We were later mailed a handwritten log with the arrestee names in response to the log request.

**Coventry**

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

*Overall Results*

Coventry did not release any valid initial arrest reports. We were also not able to obtain a copy of the log, but we were granted permission to copy by hand the information we

needed. Coventry provided documents in response to all three requests, but none of the documents contained the narratives and were therefore not complete initial arrest reports. Last year, Coventry let researchers inspect the log but refused requests to view arrest reports.

*Process*

Obtaining the arrest information from the Coventry Records Department was simple, but we had difficulty gaining access to the log information because Coventry does not keep a log; they have "day sheets" that are not public. We were, however, allowed to copy information from the cover sheets of arrest reports.

**Cranston**

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
	✓	✓

*Overall Results*

The Cranston Police Department provided all three initial arrest reports. We were very slightly overcharged for the arrest report requested by mail. However, we were substantially overcharged for the log, which was supplied for a charge of \$15.00, or \$0.41 cents per page. We also had great difficulty in obtaining the log. Last year, Cranston denied the arrest reports and the police log.

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## Quote

During the log request: "After haggling with an officer for fifteen minutes, he refused to give me what I had requested, claiming the log both non-existent and not public. He asked me if I was studying public records. Later, I was sitting reading through the department's 'general reading' when I overheard the officer making snide comments about our interaction."

## Process

Even though Cranston has a records window, obtaining documents often required going through many people. The helpfulness and friendliness of different officers varied greatly. And even though the law is posted on a sign, Cranston overcharged twice.

## Cumberland

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

## Overall Results

Cumberland did not provide any valid initial arrest reports. One document was given to the student researcher, but it did not include a narrative, so it failed to meet the requirements of an initial arrest report. Both our volunteer's requests were denied. There was no response to the letter request, and the walk-in request was denied because the case was still pending. This is not a legal denial. A copy of the arrest

log was easily obtained. We were not charged for either arrest record or arrest log. Last year, Cumberland released all documents requested.

## Quote

Our volunteer commented, "I was told, 'We don't give those out unless you are the person arrested or his attorney.'"

## Process

Requests were made through a records request form. The form requires a name, address, date of incident, and location of incident. Records can then be picked up at the police station the following week.

## East Greenwich

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

## Overall Results

East Greenwich did not provide any valid initial arrest reports. Documents were received in response to all three requests, but they all failed to meet the criteria for an initial arrest report because they contained no narratives. There was no charge for any of the documents. We were also able to obtain the log information requested. Last year, all of the items requested were provided.

## Process

There were numerous difficulties encountered in the various requests. The letter request was not responded to

until more than a month after the letter had been sent, a clear violation of the law. Our volunteer received a call regarding the letter request, even though our volunteer had not included her phone number in the request. During her walk-in request, our volunteer was told that the record could not be released if the police were still investigating and was initially denied the report by an officer in the communications department. During the student walk-in request, the student researcher was initially told that he could not have the report without a court subpoena and that the narrative also could not be released. A reason was repeatedly asked for each request in addition to such questions as how we were related to the case and whether we were seeking our own information.

## East Providence

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
✓	✓	✓

## Overall Results

East Providence provided initial arrest reports for all of the three requests and did not charge for any of the documents. The log information requested was provided. Last year, East Providence released all documents requested, but overcharged for the information.

*Process*

The mail request was fulfilled immediately; our volunteer received the initial arrest report an admirable three days after the request was sent. Both student researcher and volunteer were told on their walk-in requests that they might not be entitled to the reports if the cases had not been prosecuted or if the cases had not been disposed of. Our volunteer also had to prod the officer to allow him to speak to the chief about the matter. (The chief later released a document.) During the walk-in requests, both researcher and volunteer were asked for their names and the reasons for their requests.

**Exeter**

Exeter does not have its own police department and is under the jurisdiction of the state police.

**Foster**

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
	✓	✓

*Overall Results*

Foster released two initial arrest reports. The police department never responded to our volunteer's letter request. We were able to obtain the log information, and there was no charge for any of the documents received. Both initial arrest reports were very detailed and included hand-written witness

statements. Last year, the Foster Police Department did not provide arrest reports or arrest logs.

*Process*

Foster does not have a records office, and the requests were handled by the officer at the front desk. The chief's approval was needed for every request. During the request for the log, we were told by the dispatcher that the log was not public because "[it] contains confidential names." (The chief later granted permission to access the log.) Our volunteer received a phone call from the chief and was questioned for 45 minutes about the reason for his request. During walk-in requests, both the researcher and the volunteer were required to give identification.

**Glocester**

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
		✓

*Overall Results*

Glocester provided only one initial arrest report, which was released to the student researcher by the dispatcher. Our volunteer was denied the document during his walk-in visit; the dispatcher told him that "Glocester does not give out this information." The dispatcher asked him if he was involved and why he wanted the information three times. Our volunteer never received a response to the request sent by mail. We were able to

receive the log information, and were not charged for any documents received. Last year, researchers were denied access to the log but were allowed to inspect arrest reports.

*Process*

Glocester does not have a records office. The dispatcher at the front desk handles records requests. He told the student researcher that their policy involves taking down the name of the requester, the phone number, reason for request, and the request itself. The request is then either approved or denied by the chief. However, our volunteer was denied access to the report by the dispatcher without his request even being forwarded to the chief. During the walk-in request, the student researcher was asked for a name and phone number. She was later called and asked for her date of birth and social security number. When the researcher went to pick up the requested report, she was asked to sign an incident report, which documented her request. On the report she signed, she was listed as a suspect, and her name, social security number, date of birth, and physical description were included. A second page detailed the reason and nature of her request.

## Hopkinton

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
		✓

### Overall Results

Hopkinton provided one initial arrest report. The report was given to the student researcher during her walk-in request. The volunteer, though, was denied the initial arrest report by a secretary. No response was received to our volunteer's mailed request. Log information was provided, and there was no charge for either the log or the initial arrest report. Last year, no documents were provided.

### Quote

During the log request: "They seemed genuinely interested in helping me with my research and asked me many questions about the nature of my research and my opinion of the domestic violence mandatory arrest law. They offered me extra documents pertaining to domestic violence and directed me to the domestic violence unit as a helpful place."

### Process

Hopkinton does not have a records office. All requests went to the secretaries, who went to the chief before issuing information. During the walk-in request, our volunteer was told by a secretary that the report could not be given out because it was confidential. Upon further inquiry, our volunteer was told that he could look at court

proceedings, but the secretary could not access and print the computerized report.

## Jamestown

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
na	✓	

### Overall Results

Jamestown released one complete initial arrest report. The report requested via letter was not received because the courts had ordered it expunged. We were unaware of this when we selected the case for request, and this is a valid reason for denial. Thus, only two of the three requests are being considered for compliance. The document provided for the student researcher did not contain a narrative and was therefore not a complete initial arrest report. The initial arrest report provided for our volunteer complied with openness requirements. The researcher was denied a hard copy of the log information requested but was finally given the information over the telephone after much persistence. There was no charge for any of the documents provided. Last year, the police granted access to the arrest reports but not the daily police log.

### Process

Jamestown officers initially told both the student researcher and our volunteer that they normally only release initial arrest reports to attorneys. Our volunteer later

received the report from another officer. The student researcher was asked to put his request in writing for the chief, who later provided a document. During the log request, the researcher was initially told by the chief's secretary that a copy of the compiled incident list (the log information) could not be given out because it contained too much information and a redacted list was not available.

## Johnston

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

### Overall Results

Johnston released two initial arrest reports, but overcharged for both of them: \$1.00 for the two-page report received by our volunteer, and \$2.00 for the two-page report received by the student researcher. The letter request from our volunteer was denied because the case requested was still pending investigation by the Attorney General's office, and the Johnston Police Department claimed they could not disclose details until the Attorney General's office was finished with it. This is not a legal denial. We received the log information requested, free of charge. Last year, Johnston denied arrest reports and arrest logs.

### Process

Johnston has a records department that deals with records requests. However,

both researcher and volunteer had some difficulty obtaining the reports. Our volunteer was initially told that she could not have the report because it would be an invasion of privacy. When our volunteer asked for the clerk's name, the clerk called the lieutenant, who approved the request. Similarly, the student researcher was also initially denied. She was told by the clerk at the records desk that it could not be given to her. When the researcher replied, "Really, are you sure?" the clerk suggested the researcher go to the state Bureau of Criminal Investigations to obtain it. The clerk then asked the researcher if she was personally involved in the case. When she answered no, she was then asked why she was requesting it. The clerk took down information about the researcher and asked permission from a supervisor before finally releasing the report.

## Lincoln

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

### Overall Results

Lincoln did not release any of the requested documents. In response to our volunteer's mailed request, a police officer called him and said that the police could not release the arrest report but offered to tell him about the case instead. They allowed the inspection of initial arrest reports during the

walk-in visit of both the student researcher and our volunteer, but would not provide hard copies of the reports. This is a violation of the Open Records Law. Last year Lincoln released initial arrest reports but did not allow inspection of the arrest log.

### Process

Lincoln has a records window where all records requests are directed. However, access to all requested documents was denied. After consulting a superior, the clerk on duty told our volunteer, "There is a Rhode Island law that makes the police subject to certain civil rights protections. A violation of privacy occurs if the arrest reports are released." The student researcher was told by the clerk that Lincoln does not give out initial arrest reports.

## Little Compton

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
na	✓	✓

### Overall Results

Little Compton provided documents for all requests. Due to some confusion over the mailed request, we are not including it in our compliance rating for Little Compton. The two documents received during the walk-in visit by the student researcher and by our volunteer were both full initial arrest reports. The log information was also provided, and there was no

charge for any of the documents. Last year, Little Compton released neither arrest reports nor arrest logs.

### Process

Little Compton does not have a records office. Requests were made to the clerk at the front desk and referred to other officers. When both student researcher and volunteer performed their respective walk-in requests, they were asked if they wanted the information for "open records" reasons, if they were attorneys, and if they knew what was contained in the report. Both times, the police also took the requesters' names, telephone numbers, addresses, and driver's license numbers.

## Middletown

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
✓	✓	✓

### Overall Results

Middletown released all three initial arrest reports. The log information requested was provided. Our volunteer was charged within the legal limit for the report retrieved during the walk-in request, but the other documents were released free of charge. Last year, the Middletown Police Department released arrest reports and arrest logs.

### Quote

In her letter to the Brown student in response to the log information request, the records clerk wrote: "I had to

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black out victims' names for privacy reasons." Yet all three initial arrest reports that were received included victims' names and social security numbers.

## Process

Middletown has a records office which is open from 10AM to 3PM. No questions were asked during any requests.

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## Narragansett

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

## Overall Results

Narragansett provided only one document, but it did not contain a narrative and was therefore not a complete initial arrest report. The document was given to our volunteer during his walk-in request, but he was overcharged \$2.00 for the one-page document. Our volunteer never received a response to his mailed request. The student researcher left his request with the chief's secretary but received no response. The log information was requested multiple times by telephone and then once by letter, which was not responded to. Last year, Narragansett failed to produce a day-log.

## Quote

During the student researcher's walk-in request, the dispatcher informed him, "This isn't a public record, you know."

## Process

Narragansett does not have a records office. Our volunteer was given the report by one of the officers on duty, and the student researcher was referred to the chief. The attempt to obtain log information was one of the more frustrating experiences of the study. The researcher was told by the records officer that the information could be compiled and would be sent out. A week later, having not received the report, the researcher contacted the officer and was told that the information had been sent. Several days later, still having not received the report, the researcher left six messages over the next week, none of which were responded to. During the last call, the researcher asked the clerk if the officer was out of town and was told that the officer was not away. On December 18, the researcher sent his request in writing to the officer and was never responded to.

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## Newport

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

## Overall Results

Newport did not provide any complete initial arrest reports. Documents were given to our volunteer and to the student researcher, but neither contained a narrative. Both were charged \$0.15 per page. The mailed request sent

by our volunteer was never responded to. The log information was provided. Last year, Newport supplied arrest logs but not arrest reports.

## Process

Although the station does not have a designated records office, there is a sign in the lobby stating that the price of copies of reports is \$0.15 per page. Both our volunteer and student researcher requested the reports from the officer at the front desk. Our volunteer was not asked for a reason for the request. The clerk asked the student researcher his reason for wanting the initial arrest report but was satisfied with his response that he would rather not say. The researcher was also told that the narrative could not be released, though he was not given a reason why.

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## North Kingstown

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
✓	✓	✓

## Overall Results

North Kingstown provided all three initial arrest reports. We also obtained the log information, and there was no charge for any of the documents. All the reports received contained a great deal of information. Last year, arrest reports and arrest logs were released.

*Quote*

As he was leaving after having obtained the log information needed, the student was told by the police chief: "Thank you for your interest."

*Process*

North Kingstown has a designated records window. Most notably, though, there is a Public Access Interface Computer in the lobby that is able to print out many different kinds of public police records. This is a useful resource, especially for citizens who may not be very familiar with the Open Records Law and may browse through the records on the computer. Neither our volunteer nor the student researcher were referred to this computer, though. No questions were asked of either the student researcher or our volunteer, and all officers and clerks encountered were very courteous.

**North Providence**

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

*Overall Results*

North Providence released two initial arrest reports, but the student researcher and volunteer were both overcharged for the documents, as North Providence charges a flat rate of \$5.00 for arrest reports, which amounted to approximately \$1.00 per page for our volunteer, and \$1.66

per page for the student researcher. Our volunteer's mailed request was denied; the North Providence police wrote: "Under the Public Records Laws of the State of Rhode Island, all records maintained by law enforcement agencies that would deprive a person of a right to a fair trial or an impartial adjudication and could reasonably be expected to constitute an unwarranted invasion of personal privacy is prohibited. Therefore, I am prohibited to mail any information to you." We obtained the log information free of charge. Last year, North Providence denied researchers access to arrest reports and arrest logs.

*Process*

North Providence has a records office to handle records requests. Our volunteer was asked by the records clerk his reason for request, but the process of obtaining the initial arrest report turned out to be very efficient. The student researcher was heavily questioned for her reasons for requesting the report, but finally received the report after the permission was granted by one of the records clerk's superior officers.

**North Smithfield**

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
	✓	

*Overall Results*

North Smithfield provided one complete initial arrest report to the volunteer during the walk-in request. Documents were provided for the other two requests, but they did not contain narratives and were therefore not complete initial arrest reports. North Smithfield does not maintain arrest logs. They have dispatch logs, which are not public, and arrest reports, which are public. They even provided one complete initial arrest report during the arrest log request. There was no charge for any of the documents. Last year, North Smithfield did not release arrest reports or arrest logs.

*Process*

North Smithfield has a records department that is open from 8AM to 2PM. Requests can be made there and are usually processed in one day. North Smithfield asks to see an ID and requires the requester to sign for any arrest reports received. The student researcher was asked why she wanted the report, but the officer was not being hostile. The volunteer was not asked why he wanted the report.

## Pawtucket

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
	✓	✓

### Overall Results

Pawtucket released two initial arrest reports. Our volunteer's mailed request was never responded to. The reports were provided to our volunteer and the student researcher during their respective walk-in requests. There was a charge of \$0.15 per page, which is the maximum legal rate. The log information was provided at no charge. Last year, Pawtucket did not release arrest reports or arrest logs.

### Quote

During the student researcher's walk-in visit: "I was asked whether I was involved in the case. I said no. The officer said that he had to redact the names of the juveniles. The report was thoroughly blacked out when I received it."

### Process

Pawtucket has a records window that handles arrest requests. The previous day's arrest log is posted on the wall. The records window also has signs that specify the legal charges for copies and cost per hour of research. The student researcher was asked how she was involved in the case, but this did not interfere with obtaining the report.

## Portsmouth

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
✓		

### Overall Results

Portsmouth released three initial arrest reports. However, they overcharged for two of the reports, charging a flat rate of \$1.00. The log information was provided at no cost. Last year, Portsmouth did not release arrest reports or arrest logs.

### Quote

During the log request: "The officer asked me, 'Wouldn't you rather just get the arrest reports?' He then said to the records clerk, 'Give her the arrest reports!' The clerk looked at him, eyebrows raised, and mumbled something about how this would take forever. I told them that it would be fine to simply receive the records that showed an arrest had been made. Both seemed pleased at that, and the officer left, telling the clerk to include all public information, which she did."

### Process

Portsmouth has a separate records window and a full-time records clerk. Release of arrest reports seems quite standard, as both the student researcher and our volunteer had little difficulty obtaining them. There appeared to be some confusion with the law, though, as the researcher was warned that if the cases requested were still open, they

were not public. Portsmouth did not ask for identity or a reason for the request during the records requests.

## Providence

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
		✓

### Overall Results

Providence provided one initial arrest report to the student researcher. Our volunteer never received a response to his mailed request. Our volunteer was denied the initial arrest report during the walk-in request because he did not have the arrest number of the case. A hard copy of the log was unavailable. Last year, the log was easily obtained, though arrest reports were not provided.

### Quote

During the log request: "The clerk at the records office told me I needed to talk to her boss, the head of the records department. He, in turn, told me that the person I needed to speak to was the person in charge of their computer department, who told me that the person I really needed to speak to was the person in charge of domestic violence. I told him that I did not want to speak to an advocate about a records request, but called this person anyway, who never returned my call. I began again with the records department head, who continued to refer my request to the same person he had

before, saying he couldn't help me."

*Process*

Providence has a separate records department staffed with several full-time clerks. Due to the department's unusual methods of storing information, obtaining the log with the names of the arrestees and the charges proved extremely difficult. The student researcher was referred to many different people, eventually being pointed back to the officer from whom she originally requested the documents. During the walk-in requests, both researcher and volunteer were questioned if they knew the numbers of the cases and the volunteer was also asked whether he was the lawyer for the case.

**Richmond**

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

*Overall Results*

Richmond did not provide any initial arrest reports when requested. Records were released for each request, but none contained a narrative. However, in response to the log request, Richmond provided full arrest reports. Richmond charged appropriately for the log and did not charge for the arrest records. Last year, neither arrest reports nor arrest logs were provided.

*Process*

Richmond requires people to fill out a records request form that cites the law, explains the Richmond Police Department's protocol, and lists reasons for legal denials. The form does not ask for a reason for the request. This form greatly simplified the process of requesting initial arrest reports for the researcher and our volunteer. The officers were also polite, helpful and efficient

**Scituate**

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
	✓	✓

*Overall Results*

Scituate released two initial arrest reports. There was no response to our volunteer's mailed request. The log information was provided, and the charge for all documents was \$0.15, the maximum legal charge. Last year, Scituate did not release arrest reports or arrest logs.

*Process*

Scituate has a records office that is open from 7AM to 3PM. The Open Records Law as well as the Scituate protocol for handling records requests are clearly posted next to the counter. Requesters must fill out a Public Records Request form, which asks for name, address, phone number, and a space to describe the

information desired. The form states that the charge for all documents is \$0.15 per page. Also on the form is the option for remaining anonymous. The form does not ask for a reason for the request. Scituate's clearly stated procedure for records requests is exemplary. The officers at the front desk were well informed about the law. They were also very courteous and helpful to both our volunteer and the student researcher.

**Smithfield**

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

*Overall Results*

Smithfield did not provide any complete initial arrest reports. Documents were received in response to all the requests, but none of the provided documents contained narratives. The log information requested was received. There was no charge for any of the documents. Last year, Smithfield did not release arrest reports or arrest logs.

*Quote*

During the student researcher's walk-in request for the arrest report: "I was told that the only information that is public is the name, date, location, and charge."

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## Process

Smithfield has a records window that handles records requests. However, the records officer is not authorized to release initial arrest reports. The researcher and our volunteer were told to come back later to speak with a lieutenant, detective, or chief, as these three officers are authorized to release initial arrest reports. Both our volunteer and student researcher were asked why they wanted the reports, but this did not affect the release of the documents.

## South Kingstown

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
✓	✓	✓

## Overall Results

South Kingstown provided all three initial arrest reports. Police provided the log free of charge and charged within the legal limit for the reports. Last year, both the arrest reports and arrest logs were received.

## Quote

During the log request: "The first person I spoke with thought the log was probably not public but referred me to a higher officer. By phone this officer first explained that I could come in and see the log but not get a copy. Then he told me he would compile a written list with the specific information that I needed. He called back later and agreed to photocopy the entire log."

## Process

South Kingstown does not have a records office, but clerks on duty processed the requests for initial arrest reports swiftly for both our volunteer and the student researcher. While the clerk and officer present could not authorize the log request, they knew to direct the request to the captain. The officers were attentive to the researcher's requests, and phone calls were all returned promptly.

## Tiverton

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

## Overall Results

Tiverton did not release any complete initial arrest reports. Documents were provided for all three requests, but none of them contained narratives and therefore were not complete initial arrest reports. The information was provided at no cost. Last year, Tiverton refused access to arrest reports and arrest logs.

## Quote

During our volunteer's walk-in request: The officer asked to speak to our volunteer in his office, where he asked her reason for the request. He also asked her name and wrote it down. Shaking his head, he said, 'Our policy...' and then changed his mind and said, 'Well, let me check with the

chief and see if anything has changed.' As he said this, the volunteer reached into her purse to get a pen. The officer said sharply, 'Are you taping me?' to which she responded in the negative.

## Process

Tiverton has a records window which does not seem to always be staffed. Our volunteer was referred to two people before an officer finally contacted the chief about her records request. The chief then released the document without further difficulty. The researcher easily obtained the document from the records clerk. Requesters were often asked for a reason for the request, and our volunteer was treated with great suspicion over why she wanted the information.

## Warren

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

## Overall Results

Warren released one initial arrest report in response to our volunteer's mailed request, but charged our volunteer \$5.00 for seven pages, thus violating the statutory per page limit. Our volunteer was denied the request on his walk-in visit, as was the student researcher. Our volunteer was told that departmental policy is to release reports only with a written request that must include the name of the

person arrested, dates of arrest, and reason for request. Furthermore, the request must be notarized. When the letter is received, it is sent to the captain, who will release the report for \$0.15 per page. The student researcher was told that such information could only be released to attorneys or the person arrested. Last year, Warren provided arrest logs but not arrest reports.

*Process*

Warren has a separate records office, but both student researcher and volunteer were told not to speak with records clerks, but to ask other officers, usually superiors. We had some difficulty in obtaining the log and were initially told it would cost \$15 an hour for a clerk to compile the information for us.

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## Warwick

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
	✓	✓

*Overall Results*

Warwick provided all three initial arrest reports. However, the document sent to our volunteer in response to the mailed request was overcharged (\$5.00 for a 7 page report), thus failing to be compliant with openness requirements. The log information was provided free of charge, and the charge was \$0.15 per page for all other documents received. Last year, Warwick released arrest logs but not arrest reports.

*Quotes*

In a note from the sergeant included in the log information received, "the victims and witnesses are blacked out because some were juveniles" was written. Two initial arrest reports later obtained contained juvenile information.

*Process*

Warwick has a records office which is open Monday through Friday, 10AM to 2PM. The office handled all requests, and reports were easily obtained. After sending out the log information, the sergeant who handled the request called the student researcher to make sure it contained the information he was looking for. The reports received were extremely detailed, even including signed complaining witness statements.

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## West Greenwich

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

*Overall Results*

West Greenwich did not release any initial arrest reports. There was no response to our volunteer's mailed request. During our volunteer's walk-in request, she was permitted to view the report but was refused a copy of the report and was not given a reason for the refusal. The student researcher was denied access to the report.

The researcher was simply told that the report was confidential as a reason for denial. The log information was provided, but all the cases on the log except the requested domestic violence cases were redacted in black ink that we could still see through. Last year, both arrest logs and arrest reports were obtained.

*Quote*

During the researcher's walk-in request: "They don't give out arrest reports, only accident reports. When I asked why I could not get the arrest report, the woman at the desk said, 'because it's confidential.'"

*Process*

West Greenwich does not have a records office, and all requests were directed to the officer at the front desk.

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## West Warwick

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

*Overall Results*

West Warwick did not release any initial arrest reports. Our volunteer never received a response to the mailed request. During his walk-in request, our volunteer was denied the report because of "confidentiality of the victim involved." The student researcher obtained a document from the records clerk that did not contain a narrative. The log information was provided, and there was

no charge for any documents received. Last year, West Warwick did not release arrest logs or arrest reports.

*Process*

West Warwick has a records department that is open from 9AM to 12:30PM and from 1:30PM to 3:30PM. All requests were directed here, and student researchers received documents from the department, but our volunteer was flatly denied the initial arrest report by the records clerk.

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## Westerly

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in
✓	✓	✓

*Overall Results*

Westerly provided all three initial arrest reports. The log information was provided, and all documents were free of charge. Last year, the police did not release the arrest reports or the log.

*Quote*

During the researcher's walk-in request: "The woman at the records desk was inquisitive. She wanted to know my relation to the arrestee in the case. She almost declined to release the record because it contained juvenile information but agreed to release it in the end so long as juvenile information was redacted."

*Process*

Westerly has an exemplary records retrieval system. There

is a clearly marked records window with several documents and signs, including a description of the public records law issued by former Attorney General Jeffrey Pine. In addition, there are signs indicating the hours the office is open, the cost of photocopies, and the time it takes to receive requested information, such as an incident or accident report. Though the sign says there is a fifteen-cent per page charge, all documents were released without a fee. Westerly was able to sort their log by incident type. The officers were also helpful during the requests.

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## Woonsocket

Common Cause Letter	Common Cause Walk-in	Brown Student Walk-in

*Overall Results*

Woonsocket did not release any initial arrest reports. The log information was also not received. There was no response to our volunteer's letter request, and during the walk-in requests, officers told requesters that initial arrest reports are not released to anyone except the person arrested. Last year, Woonsocket also did not release arrest reports or arrest logs.

*Quote*

During the student researcher's walk-in request: "An officer said to me, 'You can't get the report unless you are the person arrested, and in

that case you need to have an I.D. to show who you are."

*Process*

Woonsocket does not have a records office. Requests were made to the dispatcher who often referred the requests to another officer. The officers consistently informed requesters that they could not have the reports unless they were the people arrested.