

VIA ELECTRONIC MAIL ONLY

December 17, 2014

Lisa Pinsonneault, Special Assistant Attorney General
Rhode Island Office of Attorney General
150 South Main Street
Providence, RI 02903

RE: Complaint Against Providence Police Department for Violations of APRA

Dear Attorney Pinsonneault:

ACCESS/RI is a broad-based, non-profit freedom of information coalition dedicated to improving citizen access to the records and processes of government in Rhode Island.

I write on behalf of ACCESS/RI to file a complaint against the Providence Police Department (herein "PPD") for violating the Access to Public Records Act (herein "APRA"), R.I.G.L. § 38-2-1 et seq.

ACCESS/RI through our contractor MuckRock sent a staffer to the PPD on May 15 2014 to request "The log of arrests made over the past seven (7) days, including: (1) full name of the arrested adult; (2) home address of the arrested adult, unless doing so would identify a crime victim; (3) year of birth of the arrested adult; (4) charge or charges; (5) date of the arrest; (6) time of the arrest; (7) gender of the arrested adult; (8) race of the arrested adult; and (9) name of the arresting officer" § 38-2-3.2.

When the staffer requested the logs the following events transpired:

"A records clerk indicated that all request logs are available online. The MuckRock staffer checked the department website on her phone, and found that it does not yet have logs posted for the four previous days. The logs posted online also did not include the name of the arresting officer, the home address of the arrested adult, the race of the arrested adult or the gender of the arrested adult for each entry.

"When the MuckRock staffer pointed out these deficiencies in the arrest logs posted online and again asked to submit a records request for the full arrest log for the past week, the receiving clerk referred her to a supervisor. After a lengthy wait, a detective

indicated that APRA requests must be submitted via the city's online request portal, and that the department was unable to accept any requests submitted in person. When the MuckRock staffer asked to submit a written request that could be passed on to the Providence Law Department for processing, the detective indicated that he did not have any of the appropriate forms on hand. After more than an hour, the detective made clear that he would not accept a request submitted in-person, and the MuckRock staffer left the department without having submitted the APRA request."

Additionally, MuckRock requested via email, "All arrest records, including narrative, for the past 24 hours." The PPD took 22 business days to respond (Appendix A), violating § 38-2-3(e).

We ask that the Attorney General file suit against the PPD pursuant to § 38-2-8(b) in the Superior Court and seek civil fines for these knowing and willful—or, at a minimum, clearly reckless—violations of APRA pursuant to § 38-2-9(d).

Sincerely,

Linda Lotridge Levin
LLLevin@uri.edu
ACCESS/RI

Attachment (1)