



Providence External Review Authority

January 15, 2025

Colonel Oscar Perez
Chief of the Providence Police
325 Washington Street
Providence, Rhode Island 02903

RE: PERA Board recommendations of Policy changes to Policy 360.10 Intelligence Assessment Database.

Dear Colonel Perez:

During the Providence External Review Authority (PERA) public meeting on January 9, 2025, PERA, in accordance with §18 ½-2(b)(2) of the Code of Ordinances for the City of Providence, concluded a review of the following policies and procedures of the Providence Police Department and voted to recommend changes to said policies.

The review included an analysis of similar policies and procedures from other similarly situated municipalities, a review of federal guidelines and practices, feedback from the community, and the results of the latest annual independent audit of the Providence Police “gang list” database and its maintenance. The specific recommendations are appended to this notification as ***Attachment A***.

- ***Policy 360.10 Intelligence Assessment Database.***

Please provide an update on the implementation of these recommendations at your earliest convenience.

Please contact me at fkaroly@providenceri.gov or (401) 680-5790 if you have any questions. Thank you for your continued support and collaboration.

Kind Regards,

Ferenc Karoly, Esq.
Executive Director

Susan DeRita
Chairwoman

Cc: Mayor Brett P. Smiley
City Council President Rachel Miller
City Clerk Tina Mastroianni



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Attachment A

Proposed language additions for Policy 360.10 Intelligence Assessment Database

Beginning in September of 2024, and over the next four months PERA reviewed the current Providence Police Department policy on Intelligence Assessment Database (360.10) commonly referred to as the gang list policy. To evaluate current practices, PERA reviewed the existing evidence and recommendations available for best practices related to maintenance and use of gang lists by law enforcement entities. Specifically, we reviewed the independent audit of the Providence Police department gang list conducted by an outside independent auditor. This report highlighted some current shortfalls in the maintenance of records by the police department that need to be addressed. We also reviewed gang list policies and practices utilized by other similarly sized municipal police departments as well as federal guidelines and policy recommendations made by the department of justice through its COPS office. We also relied on community feedback and guidance provided by members of the public at our public meetings. Based on the aggregation of those sources the PERA suggests the following recommendations to align the Providence Police Department practices with the best practices highlighted from those sources:

Purpose Section (Edits and Additions)

This policy reflects the Providence Police Department's commitment to procedural fairness, ensuring that all designations are based on clear and objective criteria while fostering trust through transparency and community collaboration. The purpose of this policy is to establish the creation of the Providence Police Department's Intelligence Assessment Database and to define parameters pertaining to its structure and use. Additionally, this policy aims to proactively reduce gun violence and prevent gang-related crime by promoting effective intervention, prevention, and enforcement strategies. This includes fostering collaboration with community partners to offer services and support to individuals identified as at-risk or involved in gang activity.

Policy Section (Additions to Gang Member Designation Criteria)

Gang Member Designation Criteria Amendment:

To be included in the Providence Police Department's Intelligence Assessment Database as a gang member, an individual must meet at least two (2) designation criteria. Self-identification at the Adult Correctional Institution (ACI) as a gang member alone shall not be sufficient for inclusion in the database unless accompanied by at least one additional designation criterion.

Emphasize that mere association with gang members is insufficient for designation unless combined with concrete evidence of criminal intent or activity.



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Notification and Appeals Process

New Subsection: Notification of Designation

- Upon an individual's designation as a gang member, the Providence Police Department shall provide written notification within ten (10) business days. This notification will include:
 - The basis for the designation.
 - Instructions on how to appeal the decision.
 - A summary of the individual's rights under this policy.

Juvenile Provisions

Section: Juvenile Designations

- For individuals under the age of 18:
 - Written notice of the designation and its basis shall be provided to the juvenile and their parent(s) or legal guardian(s).
 - The notification shall also include information about local resources and support services designed to help dissuade juveniles from gang involvement.
 - Referral to community-based programs, including counseling and educational opportunities, shall be made where appropriate.

Recommendation for Juvenile Assistance:

The department will collaborate with local organizations, such as schools and the Non-Violence Institute, to develop programs and provide resources aimed at assisting at-risk youth. Where appropriate, referrals shall be made to the Juvenile Hearing Board to facilitate diversion programs and provide assistance and monitoring of participation in diversion programs for at risk youth. Create structured Memorandums of Understanding (MOUs) with schools, non-profits, and faith-based organizations to formalize collaboration in addressing gang activity and youth violence.

These revisions and additions align the policy more closely with both procedural fairness and proactive community engagement in accordance with the comments and suggestions made by the board members and public at previous meetings.