

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, the following is a concise explanatory statement:

AGENCY: Department of Public Safety

RULE IDENTIFIER: 270-RICR-10-00-1

RULE TITLE: Rules and Regulations for Sworn Members

REASON FOR RULEMAKING:

The current rules and regulations are being amended as part of the agency's policy review to ensure the rules and regulations remain consistent with state law and societal developments. The proposed amendments are primarily clean up in nature. For example, the agency has updated the name of the current Superintendent, made the rules and regulations gender neutral and added gender identity as a protected class. The agency has also ensured due process protections for any sworn member the agency seeks to remove via a hearing for a non-work-related medical condition. Lastly, as a paramilitary organization, the rules and regulations also provide the expected conduct of sworn members when carrying out their duties and responsibilities. Over time, expectations of job performance evolve, and these amendments are reflective of these changes.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE: *n/a*

TESTIMONY AND COMMENTS:

The Rhode Island State Police received one written submission for comment that resulted in a change to the text of the Rule.

CHANGE TO TEXT OF THE RULE:

§ 1.5.O.3 Clarifying that audio or visual recording of other Division members be done in accordance with laws or regulations governing body work cameras.

SUMMARY OF REGULATORY ANALYSIS:

Chapter 28 of Title 42 of the Rhode Island General Laws establishes the authority for the Superintendent make rules and regulations not inconsistent with law for the examination and qualifications of applicants for appointment to the state police, for the discipline, control, and removal of the other members and relating to reimbursement for expenses properly incurred in the performance of their official duties. The overall purpose of the rules and regulations is to provide a transparent framework of law, policy, procedures, training, and organizational expectations for the behavior of sworn

members of the Rhode Island State Police.

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information. Amending these regulations will not add any financial cost to the agency or the public at large and the societal benefits of updating rules and regulations far outweighs any concern to the contrary.

For full regulatory analysis or supporting documentation contact the agency email address listed above