



128 Dorrance Street, Suite 400
Providence, RI 02903
Phone: (401) 831-7171
Fax: (401) 831-7175
www.riaclu.org
info@riaclu.org

January 28, 2019

Chief Hugh Clements, Jr.
Providence Police Department
325 Washington Street
Providence, RI. 02903

Dear Chief Clements:

I'm writing to express our organization's deep concern about comments attributed to you in Friday's *Providence Journal* regarding the R.I. Supreme Court's decision last month in the case of *State v. Beauregard*.

In that case, the court upheld the second-degree murder conviction of Sandra Beauregard against claims that certain evidence used against her should be suppressed because of the violation by Providence police officers of her constitutional *Miranda* rights to remain silent and have counsel. Those violations specifically concerned the continued interrogation of her by police detectives after she had unequivocally expressed her desire to consult with an attorney. In upholding the use of *some* of the evidence obtained against her, the court noted that the state conceded that police had violated Beauregard's *Miranda* rights in a series of three interviews, which *did* require the suppression at trial of the statements she made at those interviews.

In reviewing the facts surrounding the unconstitutional interrogations, the Supreme Court opinion noted that Providence police detective William Corrigan "candidly testified that he was aware that he was legally required to stop questioning defendant once she requested counsel; however, he had continued to question her after her first requests for counsel in an effort to elicit information..." The Court went on to "make clear our grave disapproval of the conduct of the police in this matter."

Despite these troubling findings that a Providence police officer deliberately, knowingly and willfully violated a suspect's constitutional rights, you were quoted as referring to these constitutional violations as "technical," and that you further "commend the tireless work of Providence Police Detectives who investigate these major crime cases." Respectfully, the actions of the police in this case deserve condemnation, not commendation. To praise the blatant and knowing violation of a defendant's constitutional rights – hardly a technicality – sends the message that bending the law is perfectly acceptable if done in the name of fighting crime. The treatment of violations of the Constitution by those under your command in this way can only encourage further police misconduct and engender disrespect for the law and the civil rights of the city's residents.

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The article further quotes you as saying that you take the Supreme Court's opinion "seriously and constantly monitor these types of critiques and review them to improve our operations." But the court's "critique" should not simply be a matter to be reviewed to improve operations; it should be a clarion call for the initiation of disciplinary proceedings against a police officer who egregiously violated the civil rights of a criminal defendant.

We understand that state law restricts your ability to comment on personnel matters, but we are very troubled to see no suggestion by you that the misconduct in this case will prompt any sort of discipline or specific corrective action. To the contrary: these public comments can only reinforce the notion of a two-tiered system of justice that allows those charged with enforcing the law to violate it with impunity.

Other news reports in the past week indicate that your department placed an officer on paid leave over allegations of overtime abuse, and suspended another officer with pay for allegedly making racist remarks. Surely the knowing violation of an individual's constitutional rights deserves just as much scrutiny and reprobation.

We know that your Department has taken steps over the years to improve police-community relations, and we don't wish to minimize those efforts. But we can only hope that the next "critique" by a court of a police officer's violation of the Constitution will prompt a demonstration of more concern than has been shown here.

Sincerely,



Steven Brown
Executive Director

cc: Commissioner Stephen Pare
The Hon. Jorge Elorza
Providence City Council