



Richmond Police Department

P.O. Box 203
1168 Main Street
Wyoming, Rhode Island 02898



Elwood M. Johnson Jr.
Chief of Police

Telephone 401-539-8289
Fax 401-539-8293

Professionals Standards Summary

FROM: Chief Elwood Johnson

DATE: July 3, 2015

RE: Allegation of unsafe cruiser operation (#PS 15-05)

The complainant, [REDACTED], e-mailed this writer sharing his dissatisfaction with a Richmond police officer driving a marked Richmond police cruiser eastbound on Shannock Hill Road on July 1, 2015 at approximately 4:30 PM as the complainant was traveling westbound. The complainant stated that the cruiser rounded the corner near Beaver River Road with its emergency lights activated but no audible siren, passing another eastbound vehicle. The complainant explained that the officer had executed that maneuver near a dangerous corner traveling "... at least 50-mph" towards him in the westbound lane, and the officer had to "quickly swerve back into the eastbound lane to avoid colliding with the complainant. The complainant intimated his concerns about the near-collision, and expressed his hope that the reason for driving so fast was justified.

This writer subsequently checked the Dispatch Log for the date and time in question, and noted that at approximately 4:26 PM, two officers, [REDACTED], had been dispatched to a "HIT & RUN" accident at 75 Shannock Hill Road. The officers did not independently recall a near collision with an oncoming vehicle, but acknowledged responding to that area on that date and time. This writer reviewed the past disciplinary history over the previous five years of each officer, and neither had been the subject of any complaints about driving performance, nor had either been involved in any collisions in which they were at-fault. One of the officers had been involved in a nighttime car-deer collision that was unavoidable.

Though there was insufficient independent evidence to substantiate unsafe driving performance by either member for the manner in which they responded to the above call, it created an opportunity to remind personnel of the importance of balancing the need to get to a call with the importance of not placing the public in unnecessary jeopardy.

This writer thanked [REDACTED] for sharing his observations and concerns, which facilitated appropriate internal action. The complainant subsequently thanked this writer for his thoughtful response to his concerns. Nothing further to be done at this time.



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Professionals Standards Summary

FROM: Chief Elwood Johnson

DATE: May 14, 2015

RE: Allegation of Perceived Harassment (#PS 15-04)

The complainant, [REDACTED], West Kingston, responded to the station and met with this writer to share his concern that an officer had targeted him. The complainant had been stopped and arrested (non-custodial) for **Driving on an Expired License** on April 5, 2015, at approximately 12:50 AM. The complainant stated that he found it odd the officer would stop to check on him when he was simply driving with his family (wife and kids) and looking at a local business. He also said he had noticed on at least one other occasion a police cruiser seemingly spun around to follow him until he turned onto another road. The complainant acknowledged that he didn't know the date of that event, or whether it involved the arresting officer. During the meeting, the complainant stated that the arresting officer was professional, and didn't say anything inappropriate. However, he stated that the officer contacted him after the arrest, which he found disconcerting.

This writer subsequently reviewed the arrest report and learned that Patrolman [REDACTED] had been conducting radar enforcement on Route 138 when he observed the complainant's vehicle slow abruptly after passing him and turn into the empty parking lot of the Dunkin' Donuts after midnight, which was also closed for Easter Sunday. He subsequently conducted an investigatory stop due to the suspicious circumstances. He subsequently learned that the operator had a license that had expired in November 2014, and released him at the scene with a summons to appear for arraignment in 4th District Court on May 5, 2015.

The officer subsequently spoke with this writer and was surprised by the perception of the motorist. The officer acknowledged that he had telephoned the complainant after the arrest to inform him that he (officer) had provided him the wrong court date, and he didn't want the gentleman to waste a day showing up on the wrong date, so he offered the correct date for appearance in court as May 7th, 2015.

The complainant was satisfied and thanked this writer for meeting with him about his concerns. This complaint was unfounded.



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Professionals Standards Summary

FROM: Chief Elwood Johnson

DATE: April 30, 2015

RE: Actions at Brush Fire (#PS 15-3)

The complainant, [REDACTED], wrote an e-mail to this writer sharing a "suggestion" regarding his observations at a brush fire that allegedly occurred on Route 3 in Richmond on April 18, 2015, in which he stated that he and his wife had dialed 911 as they pulled over to lend assistance. He said that other citizens had stopped to assist him in extinguishing the "wind fanned" flames, and did a valiant job stamping the fire out with their feet. He himself grabbed a pail and water from a swimming pool at a nearby residence, and tried to douse the fire, "...when a Wyoming Police Officer" arrived. The complainant stated that he approached the officer to ask if he had an extinguisher in his patrol car to "... use it on the pine tree before the flames engulfed it." According to the author, the officer told him that he had a fire extinguisher but he didn't think it would do much good, and then reportedly turned his attention to directing traffic. The author rhetorically thought that the officer might prepare a report on the fire later that day, but **presumably left a charged extinguisher in his car.** The complainant suggested, "No matter how ineffective, his attempt to render assistance to those of us endeavoring to put out a fire with what we had on hand, water pail, sticks to disperse the burning leaves, feet would have been appreciated."

This writer requested that the complainant describe the patrol officer so he could explore his aforementioned account. In the meantime, this writer spoke with an on duty supervisor about the incident, and he explained that the fire extinguishers equipped in our police cruisers were not designed for brush fires, "...as they are **chemical extinguishers used for applications such as car fires and have no dousing or soaking qualities since they do not emit a wet agent.**"

This writer reviewed the Dispatch Log for the date in question but there was no call for a brush fire at the described location. Officers did respond to a brush fire on Gardner Road that day, but it was several miles away from the location the author described. The complainant subsequently declined to describe the officer because his intent was not to "put anyone on report," but rather to enlighten the mindset of officers responding to similar calls that using an ineffective method to assist might still create an appearance of helpfulness that would have reflected more favorably on the department in the eyes of the public. The complainant specifically said he did not wish to "complain or criticize," but rather wanted to offer a suggestion. While the record did not reflect that Richmond Police responded to what he described, this writer thanked him for his balanced suggestion about appearances.



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Professionals Standards Summary

FROM: Chief Elwood Johnson

DATE: March 3, 2015

RE: Allegation of Perceived Harassment of Truck Drivers (#PS 15-02)

The complainant, [REDACTED], wrote an e-mail to this writer to share his perception that Patrolman [REDACTED] had been "busting his chops" about his vehicle. The complainant offered that he drives an old truck with a lift-kit and big tires. He claimed the officer had "harassed" him about his loud exhaust and tires sticking out. The complainant allegedly told the officer that his exhaust was broken and promised to fix it, but stated that there was little he could do about his tires. He claimed that he had welded his own exhaust to correct it, but complained that the officer stopped him two weeks later and issued him a summons for \$170. The complainant stated that he felt like he was "stuck between a rock and a hard place," because of his love for older trucks that may not conform to the letter of the law.

This writer subsequently reviewed the stop in question, and offered the complainant the following information, including thanking him for entrusting his concerns with this writer. This writer informed him that his vehicle qualified as an antique as it was over 25 years old. The challenge with older vehicles usually surrounds meeting emission standards, and consequences of post-factory alterations that owners make. This writer reminded complainant that he defended his truck having tires that stuck out beyond the body of the vehicle, but pointed out that it was a violation of the Rhode Island Motor Vehicle Code, and that the officer warned him on the first stop before actually citing him for the violation, regarding the need for sufficient fenders and wheel flaps. This writer informed him that larger tires with deeper treads on vehicles that sit higher off the road cause a problem to vehicles in their wake when debris on the roadway, like dirt, sand, gravel, etc... projects onto vehicles following behind them. It can result in damaged windshields and pitted damage to automotive paint, so the law requires that motorists have sufficient fenders and wheel flaps.

This writer also informed him that there was no actual bias against truck owners and that the majority of motor vehicle stops by members of the Richmond Police Department involve passenger vehicles, including SUVs, and not older model trucks. The traffic enforcement statistics in our computer database supported that officers were enforcing all laws, including impaired driving, speeding and other moving violations, and when observed, equipment violations.

This writer explained that the officers couldn't justify exempting older model trucks from being subject to the same equipment laws that apply to all other vehicles, but appreciated that the complainant's perspective was likely formed on his direct personal experience as a truck owner who has been stopped twice in the previous four weeks. This writer noted that based on his subjective knowledge, there was no pattern with any particular officer exclusively or disproportionately citing older model trucks.

Finally, this writer informed the complainant that he had spoken with the police officer who stopped him on both occasions. A month prior to the complaint, on February 6, 2015, the complainant was stopped for speeding on South County Trail. At the time of that stop, the officer reportedly informed the complainant about his loud muffler and not having flaps for his vehicle's large tires. Instead of citing the motorist, for any of the three violations, he exercised discretion and issued the motorist a verbal warning. When the officer stopped him a month later, he determined that the muffler was still excessively loud and the complainant hadn't corrected the issue with the fenders/wheel flaps, despite the passage of more than three weeks since he issued him a warning, so he issued a citation.

This writer commended him for his interest and hobby in building trucks, and encouraged him to continue. This writer also suggested that if he planned to register a truck he had worked on, and drive it on public roadways, perhaps it would be helpful for the complainant to meet with one of our officers so they can take a look at it for him before he puts it on the road to make sure it meets the requirements of the law. This was offered as a more proactive and constructive means of avoiding potential problems all together.

This complaint was determined to be unfounded. Nothing further to be done.



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Professionals Standards Summary

FROM: Chief Elwood Johnson

DATE: March 12, 2015

RE: Concern about Motor Vehicle Stop (#PS 15-01)

The complainant, [REDACTED], responded to the Richmond Police Department to share his concerns about the stop of his 17-year-old son that day. The complainant had questions about the actions of the officer, including the need to tow the vehicle from the scene. The complainant also acknowledged that his son had contacted him by cell phone during the stop and that he admittedly responded to the scene and approached the officer and his son's vehicle while the officer was addressing the youths in the vehicle. The complainant didn't understand why the officer ordered him to go back to his own vehicle. This writer explained the dynamics of officer safety at a motor vehicle stop, and how often chaos can ensue when they lose control of a scene, particularly when family members react emotionally without knowing the facts, and that he also had an obligation to keep pedestrians on the roadside safe from oncoming traffic. The complainant understood, and appreciated the perspective.

Upon reviewing the circumstances of the stop, Patrolman [REDACTED] had stopped the complainant's son for speeding in an unregistered vehicle at 56-MPH in a posted 45-MPH-zone that was just south of the nearby school zone. The officer towed the vehicle and cited the operator for speeding and operating an unregistered motor vehicle. It appeared the complainant's perception was that the officer had taken extreme steps in enforcement by towing the vehicle, when he was actually following RI General Law and standard operating procedure under the circumstances

This writer subsequently provided the complainant with copies of all of the applicable Motor Vehicle Code provisions applying to his son's situation, and offered guidance on how best to proceed to get the vehicle registered. The complainant thanked this writer for exploring his concerns, and was satisfied with the information that was provided to him.

This complaint concerns were addressed, and the nature of the conduct was determined to be appropriate. Nothing further to be done.



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Professionals Standards Summary

FROM: Chief Elwood Johnson

DATE: March 12, 2014

RE: Allegation of Harassment and Stalking (#PS 14-01)

In February 2014, this writer received a typewritten complaint from [REDACTED] [REDACTED], [Richmond, RI](#), which was dated January 31, 2014. The complainant accused [REDACTED] of "stalking" and "harassing" him since an incident that occurred at the complainant's home in April 2013. The complainant claimed that he had been, "... singled out and harassed by Officer [REDACTED] on numerous occasions..." but offered an account of essentially three (3) incidents as the basis for his claim, including one that occurred at his home on April 4, 2013, when the aggrieved officer accompanied a state constable to serve a civil notice, and a second being a motor vehicle stop on November 28 (29), 2013, when he was cited for speeding and no evidence of insurance, and an "animal at large" complaint about their dog that was reportedly prompted by the aggrieved officer.

Unbeknownst to the complainant, who offered his written account nearly nine (9) months after it occurred, both Patrolman [REDACTED] and the involved constable, [REDACTED], had prepared written accounts of their visit to the [REDACTED] household due to the actions of the occupants in the home. Furthermore, this writer had been working that day and recalled hearing radio transmissions by Dispatcher [REDACTED], assigning Patrolman [REDACTED] to accompany the constable to that address at her request because of concerns she had for her safety.

According to the constable, she was subjectively aware of problems that other constables had when they had served paperwork to the complainant's address which she stated involved **verbal abuse**, and the constables were concerned about having to return to that address. In [REDACTED]'s handwritten statement she prepared on April 4, 2013, she said the attorney who hired her to serve the notice recommended that she ask the local police department to stand by to "keep the peace." (This is a function the police department performs regularly, including for domestic disputes when one spouse needs to retrieve belongings from the home after an altercation.)

According to the both constable and the officer's independent accounts, the constable handled the initial interaction at the front door with [REDACTED], whose initial greeting was allegedly, "Who the fuck are you, and what the fuck do you want?"

According to the constable, both occupants were immediately confrontational, profane, and uncooperative. She stated that the complainant came "running down the stairs" towards her and called her vulgar names. She also said that the complainant demanded to know why the officer was there, and when he learned it was a civil matter, the constable reported that the complainant was verbally abusive to the officer as well. She stated that the complainant and [REDACTED] followed her and the officer towards their vehicles in the driveway and continued to berate them, and even uttered racial slurs about her Asian daughter sitting in the passenger's seat of the constable's vehicle. The [REDACTED]'s reportedly crushed the paperwork into a ball, and threw it into the constable's open vehicle window. When she attempted to leave the paperwork a second time, [REDACTED] placed it on the constable's windshield.

In April 2013, the complainant left a voicemail for this writer about the incident, but he did not file a complaint. Instead, he criticized the department's use of resources for sending an officer on a civil matter.

In review of the aggrieved officer's motor vehicle stop of the complainant on November 29th, 2013, the officer generated a summary of the stop contemporaneous with the event about two months prior to the complainant bringing his concerns forward. The officer reported that he had obtained a radar reading of 54-mph in a posted 25-mph-zone on Buttonwood Road, and that he stopped the complainant in the parking lot of Stilson Auto. He stated that the operator presented an insurance card with an expired date of 8/3/12, so he subsequently issued him a summons for speeding, and operating a motor vehicle without evidence of insurance. The matter was contested, and the complainant was found guilty of speeding and had to pay a fine of \$385.00. The complainant noted that the citation listed the wrong location for the stop, but the officer had already noted that in his citation notes as an inadvertent error by the dispatcher on the desk who incorrectly entered the location of the stop in the log.

This writer reviewed the traffic enforcement history of the aggrieved officer, to see if there was a particularly pattern with the complainant, the types of violations he issued to other motorists, locations, or the amount of fines. This writer noted that the aggrieved officer was historically assigned to "north zone" most often, which encompasses the residence of the complainant. The officer is also one of the more active officers in the area of traffic enforcement, and issued hundreds of tickets over a two year period between 2012 and 2014, which included approximately 89 speeding violations. Of those violations, there were numerous instances in which the motorist received citations with fines ranging from \$200.00 to as high as \$635.00, with no identifiable pattern as to the offending motorist, but rather that the officer routinely occupies his time enforcing the motor vehicle laws on almost every roadway in the town.

There was absolutely no credible evidence that the officer exhibited a pattern of conduct that targeted the complainant, or engaged in a "series" or "pattern" of contacts that would constitute harassment or a repeated series of contacts that would support an allegation of stalking.

To the contrary, the visit in April 2013 was beyond his control and attributed to the request of a professional constable he had no prior contact with. He was assigned to accompany the constable at the address to keep the peace, and was consequently subjected to profane and derogatory language and insults.

The motor vehicle stop nearly seven (7) months later, while perhaps unique to the complainant, was one of more than a hundred similar stops that the officer conducted during the normal course of his duty on traffic enforcement in a town of 40-square miles.

Based on the overwhelming amount of independently corroborated material and information, the complaint against the officer was determined to be unfounded.

Nothing further to be done.



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Professionals Standards Summary

FROM: Chief Elwood Johnson
DATE: August 14, 2013
RE: Conduct during Traffic Stop (#PS 13-02)

On the August 13th, 2013, this writer met with [REDACTED] RI 02832, regarding her dissatisfaction with the manner in which a police officer handled a motor vehicle stop involving her and her daughter (newly licensed driver), on Saturday August 10th, 2013, along Switch Road. She said the officer conducted himself in an "autocratic" manner, didn't introduce himself, and was somewhat abrupt with her daughter, who had just started driving.

The complainant also questioned the alleged speed of "48", because she believed her vehicle's odometer had the needle on "40". She stated that the officer didn't necessarily do anything wrong, she just felt he could have handled it more compassionately and professionally. She stated that the interaction upset her daughter. This writer acknowledged that new drivers can be easily overwhelmed. This writer volunteered to meet with the complainant's daughter, so she could develop a level of comfort with a police officer to address any anxiety she has with law enforcement and not to fear future encounters she may have.

This writer reviewed the stop, which occurred on a Saturday afternoon, August 10, 2013 at approximately 1:03 PM. [REDACTED] issued the 16-year-old operator a citation for doing **48-MPH in a posted 25-MPH school zone**, which was 23-MPH over the posted limit. This writer spoke with the officer, who recalled the stop, and explained the complainant's perception of his demeanor. This writer explained to the officer that while there was nothing he did that could be described as overtly unprofessional, a kind word or patient tone can go a long way with leaving a motorist satisfied that they were treated with respect despite receiving a citation. This officer described the goal of a balanced demeanor so it is neither subservient nor overbearing.

The complaint was unsubstantiated, but offered an opportunity for self-reflection on the part of the officer as to an impression he did not intend to leave with the involved motorist, which can benefit future performance. Nothing further to be done.



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Professionals Standards Summary

FROM: Chief Elwood Johnson

DATE: January 5, 2013

RE: Conduct Unbecoming / Criminal Complaint (#PS 13-01)

On the morning of December 3rd, 2012, this writer received information regarding alleged malicious behavior by a sworn member, [REDACTED], against another sworn employee, [REDACTED], of the Richmond Police Department, which involved possible violations of Department Rules & Regulations, including Conduct Unbecoming. Investigation revealed that the aggrieved officer had allegedly purchased two (2) domain names using the first and last name of another officer on September 14, 2012, to wit: [REDACTED], and then deliberately linked the officer's name (in those domain names) to a pornographic website which displayed dozens of pornographic images and videos.

In January 2013, this writer furnished all evidence he had gathered from his internal inquiry to the US Attorney's Office, in Providence, RI, for investigation into possible violations of federal law under 18 USC 2252B, entitled **Misleading Domain Names on the Internet**, which states in part; *"Whoever knowingly uses a misleading domain name on the Internet with the intent to deceive a person into viewing material constituting obscenity shall be fined under this title or imprisoned not more than 2 years, or both."*

On August 22nd, 2013, the aggrieved officer was arrested and charged with the aforementioned statute, and was arraigned in US District Court. Pursuant with the Law Enforcement Officer's Bill of Rights, the officer was immediately placed suspension without pay and benefits. The officer offered a formal apology to the officer he targeted, and the other members of the Richmond Policed Department. He later voluntarily resigned from employment with the Town of Richmond in November 2013.

Nothing further to be done.



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Professionals Standards Summary

FROM: Chief Elwood Johnson

DATE: April 30, 2012

RE: Failure to Assist with Lockout Request (#PS 12-02)

The complainant, [REDACTED], contacted this writer on April 27th, 2012, to share her concerns about the lack of response that she reportedly received when she telephoned the Richmond Police Department earlier that same day to report that her 15-month-old son had accidentally locked himself alone in her vehicle. The complainant told this writer that this occurred between 1:15 PM and 1:30 PM that Friday afternoon, and that she called our police department to request assistance. The complainant reportedly spoke with an unknown male employee, who purportedly told her that the police department was unable to help her and that she would need to call a tow truck for assistance. The complainant reported that her child was unharmed by the experience, but this writer acknowledged as a fellow parent that he could appreciate the level of alarm she must have experienced. This writer subsequently informed her that under normal circumstances, an officer most certainly should have been dispatched to your home to assist her, even more so because there was a child involved. If there were no officers available at the time of her call due to their engagement in another matter, then an explanation and/or alternative solution should have been offered to her.

This writer subsequently spoke with all sworn and civilian employees that were working that afternoon but none of them recalled speaking with anyone about a "lock-out" on April 27th. One employee mentioned handling a lock-out a few days earlier, but this writer reviewed that call in the Department's Dispatch Log and determined that it was unrelated to her call. Furthermore, the complainant's call did not appear among the activity that was reported in the Dispatch Log that afternoon, which was out of the ordinary. This writer contacted the Rhode Island State Police in an effort to ascertain if they had inadvertently received her call, but they had no such record.

This writer informed the complainant that since he began there as chief of police in September of 2010, he was aware of officers responding to many calls to assist motorists who were locked out of their vehicles. Between April of 2011 and April 2012, the **department handled a total of eighty-five (85) lock-out calls**, and he enclosed a couple of examples. Ironically, one of those examples involved a 15-month-old child.

This writer also informed her that the officers had never complained to him about the task of assisting a motorist with a lock-out and appear to enjoy helping people with a routine problem that people don't fully appreciate until it happens to them or a member of one's family. That is why the complainant's alleged experience with the department was such a disappointment to this writer.

At that time, the department's 9-1-1 emergency lines were recorded but the primary telephone line was not, which this writer explained was something that he had been working towards implementing (recording system). This writer informed the complainant that he wished he had the ability to locate her telephone call and get an accurate record of who answered it and what specifically transpired, but that was not possible.

This writer explained that he was unable to verify that she called the department to request assistance, but he accepted her account as true and apologized to her for the obvious inconvenience. This writer explained that based on his experiences and observations of the RPD thus far, what she reported was an isolated event and not the normal practice of the people that work there.

There was no independent record or evidence of the telephone call that the complainant reportedly made to the Richmond Police Department, so the complaint was unsubstantiated. It is unknown whether the complainant spoke with another department or not, but this example offers evidence as to the importance of having a recording system for both radio transmissions and primary telephone lines.



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Professionals Standards Summary

FROM: Chief Elwood Johnson

DATE: January 20, 2012

RE: Allegation of speeding cruiser in South Kingstown (#PS 12-01)

The complainant, [REDACTED], South Kingstown, telephoned this writer sharing his dissatisfaction about the alleged driving behavior of a Richmond police officer driving a marked Richmond police cruiser past his South Kingstown home during the daytime at a rate of speed that he perceived as excessive. The complainant questioned why a Richmond police officer would be driving through South Kingstown, and why it would be above the speed limit. [REDACTED] was unable to offer the cruiser number or registration number, but offered general information about the date and time of day that assisted this writer in identifying the officer involved.

This writer identified the officer as [REDACTED], who acknowledged that he had traveled that route at that approximate time frame. The officer was returning from a school located in South Kingstown in reference to a complaint made by a student about an incident that allegedly occurred at a bus stop in the Town of Richmond. The officer also acknowledged that while traveling along Route 138, he received a cellular telephone call from a Rhode Island state trooper who had also become involved in the same complaint investigation. The officer reported that he was traveling with the flow of traffic and did not recall speeding through that area.

In reviewing his personnel file, this was the first such instance that a member of the public had complained about his driving performance or speed. Despite the fact that this writer was unable to substantiate the exact speed of his cruiser, this writer informed the complainant that there was a benefit in sharing feedback from the public with members of the department because it can increase self-awareness and improve future performance.

In a separate concern, [REDACTED] stated that he telephoned the Richmond Police Department and asked the on-duty dispatcher for the identity of the officer that had just driven by his South Kingstown home. The dispatcher reportedly told the complainant that all of his cars were in Town. This writer confronted the dispatcher who was admittedly incorrect in his initial belief that all of his patrols were accounted for, because he reported to this writer that he subsequently remembered that the involved-officer had been assigned to follow-up on the aforementioned complaint.

This writer informed the complainant that though mistaken in his assumption, the dispatcher acknowledged that he terminated the call when the complainant reportedly shouted obscenities at him. Investigation revealed that the dispatcher, to his credit, immediately informed this writer of the complainant's call, and provided this writer with the complainant's telephone number so this writer could explore Mr. [REDACTED] concerns. The dispatcher also apologized for his incorrect assumption.

The allegation of an officer speeding by his home was unsubstantiated, but it revealed an erroneous assumption by a dispatcher which compounded the caller's frustrations, and facilitated a learning opportunity for all involved.

This writer thanked [REDACTED] for sharing his observations and concerns, which facilitated appropriate internal action. The complainant subsequently contacted this writer, and said it was refreshing to get such a timely and thorough response to a citizen's concern about a police officer. He thanked this writer for addressing his complaint.

Nothing further to be done.