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February 22, 2024

Chief Michael Winqvist
Cranston Police Department
5 Garfield Street
Cranston, RI 02920

VIA MAIL AND EMAIL

Dear Chief Winqvist:

I am writing you in your capacity as chair of the R.I. Police Officers Commission on Standards and Training. On behalf of the ACLU of Rhode Island, I am asking you and the Commission to take immediate action to investigate and respond to a very serious issue regarding outside training that may have been approved by some police departments, and received by some police officers, in Rhode Island law enforcement agencies in recent years.

In December 2023, the New Jersey State Comptroller conducted an investigation and issued a report after learning that hundreds of police officers in that state – and hundreds more from out of state – attended a conference in October 2021 in Atlantic City that, in the understated words of the report, “trained officers on questionable policing tactics and contained offensive and discriminatory content.”¹ The training was conducted by a privately-run police training company called Street Cop Training. Much to our alarm, in reviewing the report, we learned that one or more law enforcement agencies in Rhode Island have paid Street Cop Training in the last three years for this training.² We believe it is incumbent upon your Commission to determine which police departments paid for and sent officers to any of this company’s trainings, to make the results of your investigation public, and to take affirmative steps to retrain any officers who attended the seminars and were provided improper and unconstitutional training.

In investigating the 2021 conference, the Comptroller’s detailed report found that:

- Instructors at the Conference promoted the use of unconstitutional policing tactics for motor vehicle stops;
- Some instructors glorified violence and an excessively militaristic or “warrior” approach to policing. Other presenters spoke disparagingly of the internal affairs process; promoted an “us vs. them” approach; and espoused views and tactics that would undermine almost a decade of police reform efforts in New Jersey, including those aimed at de-escalating civilian-police encounters, building trust with vulnerable

¹ “The High Price of Unregulated Private Police Training in New Jersey,” by Acting State Comptroller Kevin D. Walsh, New Jersey Office of the State Comptroller, December 6, 2023, page 1. The report is available online at: <https://www.nj.gov/comptroller/reports/2023/approved/20231206.shtml>

² Although we do not know whether Rhode Island-based officers attended this particular training conference as opposed to other ones put on by the company, Street Cop described that conference as “standard fare.” Id., page 37.

populations, and increasing officers' ability to understand, appreciate, and interact with New Jersey's diverse population; and

- The Conference included over 100 discriminatory and harassing remarks by speakers and instructors, with repeated references to speakers' genitalia, lewd gestures, and demeaning quips about women and minorities.³

However, this summary does not begin to do justice to the appalling nature of the presentations at this conference. Among the dozens of examples provided in the report are an instance of an instructor flashing a photo of a monkey while telling participants about his interaction with a 75-year-old Black man, instructors' use of words like "retard" and "bitch" in describing people, and playing a song that glorified being a "pimp" during the introduction of a presentation titled "Signs of Human Trafficking."

As for the promotion by trainers of blatantly unconstitutional motor vehicle stops, the report delves extensively into the company's "Reasonable Suspicion Factors Checklist" given to attendees, and which offers a wide array of perfectly innocent conduct as grounds for pulling over drivers. Again, to quote directly from the report:

The list notes that officers should look for ... vehicle occupants starting to whisper to one another when they pass the police car, or drivers and passengers "clearly conversing" but looking forward instead of at each other. The checklist does not discuss how an officer would be able to detect whether whispering is occurring while the vehicle is in motion or why it would be troubling for a motorist to look forward at the road while driving rather than at a passenger sitting next to them. According to the checklist, officers should also keep an eye out both for motorists indicating turns "way too soon," and those "[w]aiting until the very end to turn signal on."

.....

The checklist advises that it is suspicious if the car's occupants are too nicely dressed if they are traveling a long distance, if they are driving a minivan without a child seat in it ... or if the car has a trash bag in it for garbage. It is suspicious if the car ... does not have an EZ Pass, contains more than one cell phone or a backpack, or there is a lawyer's business card visible inside the car. It is suspicious if a motorist leaves on their turn signal after getting pulled over (referred to as the "Felony Flasher"), and it is also suspicious if the motorist shuts off the car when being asked to step out. If a motorist calls anyone—for example, a family member or friend to tell them they have been pulled over—that too is suspicious. . . . And if the motorist questions the reasons for the stop, asks to speak with a supervisor, or says they are either heading to work or heading home, that should all be considered suspicious too."⁴

In response, the Comptroller's report makes a number of recommendations, some of which we believe would also be directly applicable to any Rhode Island-based officers who attended any of this company's conferences. They include:

- Requiring law enforcement officers to self-report if they attended the conference so they can be retrained in relevant areas of the law and policies;
- In light of the pervasive discriminatory comments made by presenters, consideration as to

³ Id., page 1. These bullet points are taken verbatim from the report.

⁴ Id., page 12. The report also highlights examples in the training provided by instructors "that encouraged police officers to illegally prolong stops in violation of the Fourth Amendment." Id., page 17.

whether the fact of any officer's attendance at or involvement in the conference might need to be disclosed to comply with any criminal discovery obligations; and

- Requiring officers who attended the conference to turn in the "Reasonable Suspicion Factors Checklist" they were provided.

We have no idea how many Rhode Island police officers and police departments participated in conferences run by Street Cop. The report simply notes that at least one public agency in the state paid for Street Cop Training between 2020 and 2023.⁵ But however large or small this participation may have been, we believe the Commission needs to act to counter the clearly inappropriate training that any officers received. We also believe the public has right to know who those officers and departments were, the amount of money spent by departments in sending officers to these trainings, and any steps that the Commission plans to take to address past attendance by officers and prevent future attendance at questionable training sessions run by third parties. While we hope to learn that local law enforcement agency participation with this company's programs was minimal, any involvement is cause for concern.

Finally, we must note how troubling this disclosure of Rhode Island participation is in the context of continued opposition by police chiefs to passage of state legislation, which expired in 2020, formally reinstating the collection of traffic stop data to examine for racial disparities.⁶ In addition to setting formal standards for the collection and analysis of that data, the legislation establishes an advisory committee that would include representatives from community organizations to offer guidance on the process and the study. The revelations regarding Street Cop Training only highlight the critical need for community involvement in data collection, and police resistance to the legislation demonstrates to us a lack of respect for the community-police relations that this law was designed to promote.⁷ The exposure of Street Cop Training's conduct should provide an opportunity for reconsideration by police agencies of their opposition to this legislation.

I look forward to hearing back from you about this at the earliest opportunity. Thank you in advance for your attention to our concerns.

Sincerely,



Steven Brown
Executive Director

cc: R.I. POST members
Attorney General Peter Neronha
Sid Wordell, RIPCA

⁵ Id., Appendix B.

⁶ See 24-H 7099 and 24-S 2137. <https://webserver.rilegislature.gov/billtext24/housetext24/h7099.pdf>

⁷ Nor is this police opposition to community involvement in the data collection process reassuring in light of revelations that Connecticut police falsified traffic stop data they were required to collect under a similar law. See, e.g., <https://www.ctpublic.org/news/2024-02-01/investigation-finds-significant-failures-by-ct-state-police-regarding-racial-profiling-data>