

CITY OF PROVIDENCE, RHODE ISLAND



Susann G. Mark
Chairwoman

PROVIDENCE ETHICS COMMISSION

Daniel E. Chaika
Vice-Chairman

Jose Batista
Vanessa Crum
Elsa Dure
Ethan Gyles
M. Zachary Mezera

Kathryn M. Sabatini
Municipal Integrity Officer

April 14, 2016

The Honorable Luis A. Aponte
Council President
Providence City Council
City Hall
25 Dorrance Street
Room 310
Providence, RI 02903

Dear Council President Aponte:

Enclosed, please find a regulation pertaining to the Providence Ethics Commission's Regulation 2016-3, "Commission Initiation of Investigation", approved by the Commission during its April 6, 2016 meeting.

Pursuant to Section 17-33(i)(2) of the Code of Ordinances, the Providence Ethics Commission has the authority to investigate potential violations of the Providence Code of Ethics and to render probable cause determinations. The Commission seeks to adopt the enclosed regulation to establish clear procedures for the complaint process period. In accordance with Section 17-33(i)(2)(e), the Commission sought the advice of the City Solicitor in drafting this regulation and now seeks the Council's consent to promulgate it.

Thank you again for your leadership on these important issues.

Very truly yours,

A handwritten signature in cursive script that reads "Susann G. Mark".

Susann G. Mark
Chair, Providence Ethics Commission

IN CITY COUNCIL

MAY 24 2017

READ
WHEREUPON IT IS ORDERED THAT
THE SAME BE RECEIVED AND APPROVED
A handwritten signature in cursive script, likely of the City Clerk.
CLERK

Regulation 2016-3. Commission Initiation of Investigation.

(a) Filing of Complaint. In furtherance of the obligation of the Providence Ethics Commission (the "Commission") under Section 17-33(i)(2) of the Providence Code of Ordinances to investigate any circumstance or situation of which the Commission becomes aware that appears to violate or may potentially violate the Providence Code of Ethics (the "Code"), any member of the Commission or of its staff having information that establishes a reasonable basis for believing that a municipal official or employee, or a former municipal official or employee, has violated the Code is hereby empowered to file a Complaint with the Commission, setting forth the basis for such belief. The Complaint shall be on the form referred to in Subsection (a) of Regulation 2016-2, except that such Complaint shall also include a description of the manner in which the person filing the Complaint was provided or became aware of the circumstances or situation that appears to constitute a violation of the Code.

(b) Handling of Complaint. The Complaint shall be filed with the Municipal Integrity Officer. Upon filing, the Complaint shall be handled in the same manner as a Complaint filed with the Municipal Integrity Official pursuant to Subsection (a) of Regulation 2016-2, except that notices to the "Complainant" shall be omitted. The Commission's legal counsel will report the filing to the Commission members in Executive Session at the next scheduled Commission meeting.