

# Narragansett Police Department

40 Caswell Street, Narragansett, RI 02882

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## Policy 320.10

## Municipal Court

### 01 Purpose

The Police Department utilizes the municipal court for citizens to contest motor vehicle violations and parking tickets. A Police Officer will be assigned to prosecute these violations and to maintain order in the Municipal Court when court is in session.

### 02 Purpose

To establish and define the role of the Department and its officers to assist the Municipal Court in maintaining order in court.

### 03 Municipal Court

#### A. General

1. The Police Department uses the municipal court primarily for citizens to contest motor vehicle violations and parking tickets. Municipal court also handles violations concerning zoning, animals, docks, boats, noise, nuisances and other municipal violations.
2. The Department's dayshift Lieutenant is responsible for parking tickets. The Department's Prosecution Lieutenant is responsible for all other municipal violations and to request the appropriate officers to appear as a witness/witnesses as needed.
3. Municipal court does not handle arraignments or arrestees. The police department brings arrestees charged with misdemeanors and felonies before the Rhode Island 4th Division District Court in Wakefield, RI. Arraignment procedures are governed by District Court.

#### B. Facilities

1. The Town of Narragansett Municipal Court holds sessions at the Narragansett Town Hall on each scheduled Thursday of each month. Sessions are held in the council chambers at 25 Fifth Ave. Narragansett, Rhode Island. The court room is on the second floor and there is an elevator. The handicap-accessible parking and entrance is located on north side of the building.
2. The building has emergency lighting and power, fire/smoke detection and suppression equipment, alarms, Americans with Disabilities Act accessibility and communications.

### C. Equipment

1. The building is equipped with fire extinguishers, a telephone and fire alarms. The town administration is responsible for the condition and certification of the equipment.

### D. Plans/Procedures

1. There are no high-risk trials, searches, use of restraining devices, detainees or holding facilities at municipal court.

### E. Communications

1. There is a telephone and personnel are equipped with cellular telephones.
2. Sworn officers including the Prosecuting Officer have portable radios equipped with duress alarms.
3. A detail officer is assigned to provide security when Municipal Court is in session.

## **04 State Courts**

### A. District Court

1. District Court jurisdiction includes small claims, violations of municipal ordinances and regulations, and misdemeanors when the right to a jury trial in the first instance has been waived. If a defendant invokes the right to a jury trial, the case is transferred to the Superior Court. Appeals from District Court decisions go to the Superior Court for trial denovo.

### B. Superior Court

2. The Superior Court is a trial court of general jurisdiction in the Rhode Island unified state court system, having original jurisdiction in all felony proceedings, in civil matters where the amount in controversy exceeds \$10,000, and in matters of equity. The Superior Court also hears appeals on civil and criminal cases from the District Court. Any appeal from a decision rendered in Superior Court is taken directly to the Rhode Island Supreme Court.

## **05 Rhode Island State Sheriff's Department**

- A. The Rhode Island State Sheriff's Department is a statewide law enforcement agency under the RI Department of Public Safety. They provide protection and provide security for all who enter the Rhode Island Courts.

### B. Primary duties include:

1. Courthouse Security
2. Prisoner Transport
3. Executive Protection for the Judiciary
4. Apprehension and Extradition of Wanted Persons
5. Service of Process

## **06 Capital Police**

- A. The Capital Police are a statewide law enforcement agency under the RI Department of Public Safety. They provide protection and provide security for all who enter Rhode Island State buildings.
- B. Capital Police maintain stations at all entrances to State court buildings. Capital Police operate magnetometers at these entrances.

## **07 Weapons**

- A. Officers may appear in Municipal Court with their weapons.
- B. Firearms are not allowed in State Courts. Officers appearing at any State court with a firearm will have to check their firearms and less-lethal weapons with the Capital Police or with the Sheriffs.
  - 1. Weapons will be secured in lockboxes.

By Order Of:

Chief of Police