

rhode island coalition for the homeless



Providence Street Rights

Your Rights on the Street

May 2010

www.rihomeless.org 401-721-5685

Vagrancy or loitering is not a crime. You cannot be stopped or arrested simply for being in a public space.

BUT

Loitering at Kennedy Plaza or any RIPTA bus stop is prohibited. You must leave the property if requested by a police officer or RIPTA agent.

Without a city or state permit, you cannot set up tents for temporary or permanent shelter on city or state-owned land, or on unoccupied private property.

You do not have to move from an area unless you are violating the law. You have the right to be in any public area.

BUT

You cannot block the sidewalk or otherwise impede the flow of pedestrian or vehicular traffic.

You have the right to keep or carry your belongings in any type of bags or containers.

BUT

You cannot block the sidewalk or right of way with your belongings, or leave them unattended.

Unattended belongings can be removed if an obstruction exists.

You have the right to lie down or sleep in public as long as you are not blocking the sidewalk or impeding pedestrians entering or exiting buildings.

BUT

You cannot lie or sleep on the grass or on seating (benches) located in public parks or squares.

You are not required by law to carry any form of identification, unless you are driving. The police can temporarily detain you for failing to disclose identification to them, only if they have a reasonable suspicion to believe you have committed a crime.

You cannot be detained for more than two hours and the detention cannot be recorded as an arrest in any official record.

Urinating, defecating or spitting is prohibited on or from any public street, alley, sidewalk or building.

Consumption of alcohol on public property is prohibited. You cannot possess, consume or transport an open container of alcohol on any public street, sidewalk or park; or on any licensed parking lot or land within the city except during an event or festival licensed by the city.

You have the right to sleep in your vehicle.

BUT

Vehicles on public ways must be registered, inspected and insured, and you can be required to provide an operator's license when in your vehicle. Vehicles cannot be parked on Providence streets from 2am to 5 am; they are subject to removal or impoundment during these hours. Impoundment can also occur by a judge's order, if you have 5 or more overdue tickets.

**These
are
your
rights**

You have the right to panhandle in a public place.

BUT

Aggressive panhandling is prohibited: you cannot follow, touch or block a person's path in the course of soliciting; or solicit a person waiting in line; or continue to solicit a person after a negative response; or solicit a person in a manner that is intended or is likely to cause that person to fear bodily harm or loss of property.

Panhandling is illegal / prohibited in the federal parkland at Roger Williams National Memorial Park. Panhandling, and public exercises of any kind, are also NOT allowed at the War Memorial Monument located behind the Licht Judicial Complex.

You must have a city issued permit to sell goods or services in public areas.

Dealing with the police:

If you are questioned by a police officer and are not told you are suspected of a crime, you do not have to answer any questions or give any information – you are free to leave. Stay cool and be kind! If you are not under arrest, the police may frisk you or search your belongings if they reasonably suspect that you are carrying a concealed weapon and are a threat to their safety. If you are stopped by the police, always ask for the officer's name and badge numbers and write down the information immediately - noting the date, time and location of the incident. Save all documents, such as tickets and warnings.

If you feel you have been a victim of police harassment or mistreatment attend a legal clinic or call:

RI Coalition for the Homeless
(401) 721 - 5685

Providence Police Internal Investigations
(401) 243 – 6151

If you feel you have been a victim of police discrimination based on race, national origin, gender, age, mental disability, sexual orientation, and wealth or lack thereof, call:

Providence Human Relations Commission
(401) 351 - 0475

RI Commission for Human Rights
(401) 222 - 2661

American Civil Liberties Union
(401) 831 - 7171

RI Disability Law Center
(401) 831-3150