



**Central Falls Police Department
Investigative Report**

Case #: 17-5-IA

Date/Time Reported: 04/25/2017 @ 2100
 Report Date/Time: 04/28/2017 @ 1022
 Occurred Between: 04/25/2017 @ 1911
 And: 04/25/2017 @ 1925
 Complaint Type: Civilian
 Disposition: Exonerated
 Additional Cases: 17-554-OF

Reporting Officer: Captain CRAIG HORTON

Signature: _____

#	OFFENSE(S)	A/C	TITLE/CHAP	SECTION
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LOCATION TYPE: Residence/Home/Apt./Condo Zone: ZONE 1
 RAND ST Apt. #1ST
 CENTRAL FALLS RI 02863

1	EXCESSIVE USE OF FORCE			
	OCURRED: 04/25/2017	1911		C

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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1	RAND ST Apt. #1ST CENTRAL FALLS RI 02863 DOB: 1984 CONTACT INFORMATION: Home Phone (Primary)	COMPLAINANT	M	W		NOT AVAIL	401- [REDACTED]
2	RAND ST Apt. #1ST CENTRAL FALLS RI 02863 DOB: 1999 CONTACT INFORMATION: Home Phone (Primary) Home Phone	PARTICIPANT	F	W		NOT AVAIL	401- [REDACTED]
3	RAND ST Apt. #1ST CENTRAL FALLS RI 02863 DOB: 1980 EMPLOYER: PROV COMMUNITY HEALTH CONTACT INFORMATION: Home Phone (Primary) Home Phone	PARENT	F	W			401- [REDACTED]
4	RAND ST Apt. #2 CENTRAL FALLS RI 02863 DOB: 1973 CONTACT INFORMATION: Home Phone (Primary)	WITNESS	F	B		NOT AVAIL	401- [REDACTED]

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#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
5	<p>██████████ RAND ST CENTRAL FALLS RI 02863 DOB: ██████████ 1971 CONTACT INFORMATION: Home Phone (Primary) 401-██████████</p>	WITNESS	F	B	██████████	██████████	401-██████████

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
1	<p>██████████ 160 ILLINOIS ST CENTRAL FALLS RI 02863 BODY: NOT AVAIL. DOB: ██████████ LICENSE NUMBER: ██████████</p>	M	W	██████████	NOT AVAIL	401-██████████
2	<p>██████████ 160 ILLINOIS ST CENTRAL FALLS RI 02863 CONTACT INFORMATION: Home Phone (Primary) 401-██████████ Home Phone 401-██████████ 401-727-7411</p>	M	W	██████████	NOT AVAIL	401-██████████

[APPEARANCE]

GLASSES WORN: NO

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: MARRIED

EMPLOYER/SCHOOL: CENTRAL FALLS POLICE · 401-727-7411
160 ILLINOIS ST
CENTRAL FALLS RI 02863

OCCUPATION: DETECTIVE

3	<p>██████████ 160 ILLINOIS ST CENTRAL FALLS RI 02863 CONTACT INFORMATION: Home Phone (Primary) 401-727-7414</p>	M	W	██████████	NOT AVAIL	401-727-7414
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COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

4	<p>██████████ 160 ILLINOIS ST CENTRAL FALLS RI 02863</p>	M	W	██████████	NOT AVAIL	401-727-7411
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EMPLOYER/SCHOOL: CENTRAL FALLS POLICE DEPT

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Case #: 17-5-IA

OFFICER(S) SEX RACE AGE SSN PHONE

CONTACT INFORMATION:

Home Phone (Primary) 401-727-7411
Work Phone (Primary) 401-727-7411

BODY: NOT AVAIL.
DOB: [REDACTED] 1983
LICENSE NUMBER: [REDACTED]

COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

EMPLOYER/SCHOOL: CITY OF CENTRAL FALLS PD · 401-727-7411

5 [REDACTED] M W [REDACTED] NOT AVAIL 401-727-7411

160 ILLINOIS ST
CENTRAL FALLS RI 02863

CONTACT INFORMATION:
Home Phone (Primary) 401-727-7411

BODY: NOT AVAIL.
DOB: [REDACTED]
LICENSE NUMBER: [REDACTED]

COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

[APPEARANCE]

GLASSES WORN: NO

EMPLOYER/SCHOOL: CENTRAL FALLS POLICE 401-727-7411

6 [REDACTED] M W [REDACTED] NOT AVAIL 401-727-7411

160 ILLINOIS ST
CENTRAL FALLS RI 02863

CONTACT INFORMATION:
Home Phone (Primary) 401-727-7411
Work Phone (Primary) 401-727-7411

BODY: NOT AVAIL.
DOB: [REDACTED] 1982
LICENSE NUMBER: [REDACTED]

COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

[APPEARANCE]

GLASSES WORN: NO

EMPLOYER/SCHOOL: CENTRAL FALLS POLICE · 401-727-7411
160 ILLINOIS ST
CENTRAL FALLS RI 02863

OCCUPATION: POLICE OFFICER

7 [REDACTED] M W [REDACTED] NOT AVAIL 401-727-7411

160 ILLINOIS ST
CENTRAL FALLS RI 02863

CONTACT INFORMATION:
Home Phone (Primary) 401-727-7411
Work Phone (Primary) 401-727-7411

BODY: NOT AVAIL.
DOB: [REDACTED] 1982
LICENSE NUMBER: [REDACTED]

COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: HISPANIC

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Case #: 17-5-1A

OFFICER(S)

SEX RACE AGE SSN PHONE

[APPEARANCE]

GLASSES WORN: NO

EMPLOYER/SCHOOL: CENTRAL FALLS POLICE 401-727-7411
M W [REDACTED] NOT AVAIL 401-000-0000

8 [REDACTED]
160 ILLINOIS ST
CENTRAL FALLS RI 02863

CONTACT INFORMATION:

Home Phone (Primary) 401-000-0000
Home Phone 401-727-7411
Cell Phone 401-000-0000
Work Phone (Primary) 401-000-0000
Work Phone (Primary) 401-727-7411

HEIGHT: [REDACTED]
BODY: NOT AVAIL.

WEIGHT: [REDACTED]

HAIR: NOT AVAIL.
COMPLEXION: LIGHT
PLACE OF BIRTH: PROVIDENCE, RI
ETHNICITY: NOT HISPANIC

EYES: NOT AVAIL.

LICENSE NUMBER: [REDACTED]

[APPEARANCE]

GLASSES WORN: NO

TATTOOS: TAT UR ARM()

EMPLOYER/SCHOOL: CITY OF CENTRAL FALLS 401-727-7411
160 ILLINOIS ST
CENTRAL FALLS RI 02863

OCCUPATION: DISPATCHER

Central Falls Police Department
NARRATIVE FOR CAPTAIN CRAIG P HORTON

Page: 1

Ref: 17-5-IA

Entered: 05/04/2017 @ 0756
Modified: 05/31/2017 @ 1210
Approved: 05/04/2017 @ 0830

Entry ID: CH
Modified ID: CH
Approval ID: CH

Facts:

On 04/28/2017, I received five Citizen Complaint forms concerning one incident which occurred at approximately 1911 HRS, on 04/25/2017, at 99/101 Rand Street. The dispatch log shows the call came into the Central Falls PD as a B&E in progress. The caller, [REDACTED] stated four males broke into the house. All four males had black masks and guns. He locked himself in the bathroom. He could hear them talking on cell phones. He was alone and he confirmed he lived on the first floor at 99 Rand Street. Officers on scene confirmed with Dispatch the address and the nature of the call. The caller disconnected after he asked for the police to enter the house. Dispatcher [REDACTED] tried three times to reach him, but there was no answer. Officer [REDACTED] was utilizing his flashlight to see through the windows to discover what was occurring in the first floor apartment. At this time, [REDACTED] opened the side door to the house. He was ordered down at gun point and officers forced entry into the first floor apartment [REDACTED] repeatedly told officers his children were in there as officers made entry. Officers cleared the apartment with guns drawn and then proceeded to clear the rest of the apartments within the house. No suspects were located and no further contact could be made with the caller. Officers responded to 199 Rand Street & 299 Rand Street as well, but neither address exists.

Central Falls [REDACTED] came to the station with her sister [REDACTED] and demanded Central Falls PD Citizen Complaint forms. [REDACTED] the Officer-in-Charge that evening tried to talk to [REDACTED] but they did not want to hear what [REDACTED] had to say. [REDACTED] returned with five completed complaint forms; [REDACTED]

Findings:

On 05/04/2017, at approximately 0745 HRS, I called all five complainants. I spoke with [REDACTED] and made an appointment with him and another complainant [REDACTED] his step-daughter, to come into the Central Falls PD to speak with me at 0800 HRS on 05/09/2017. I also spoke to, and made an appointment with, a third complainant [REDACTED] for 1500 HRS on 05/09/2017. I called and left voice mails for the other two complainants; [REDACTED]

On 05/09/2017, at approximately 0800 HRS, [REDACTED] came into the Central Falls PD to speak with me regarding this incident. [REDACTED] and her mother spoke with me first. [REDACTED] reiterated to me what she wrote in her statement. She explained she never saw a gun pointed at her, but she complied with the orders of the police officers in her apartment. She was scared at the time but was more at ease when the police explained to them (her, her younger brother and sister, her stepfather). [REDACTED] was not home at the time of the incident. She received a text from one of the neighbors asking her if she and her family were alright, while the police were on scene. She called her daughter, [REDACTED] while everything was still happening and prior to the police explaining why they were there taking the actions they were taking. This got her very nervous and upset so she left work immediately and called her sister [REDACTED] to meet her at her house. I explained to them why the police were there, what was said on the phone call to get the police there, what the police knew and didn't know as well as normal police procedures in cases like this incident. After discussing the incident with [REDACTED], both left feeling more at ease with the situation. Neither of them had a complaint against any particular officer [REDACTED] was concerned about the

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Ref: 17-5-1A

Entered: 05/04/2017 @ 0756

Modified: 05/31/2017 @ 1210

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Entry ID: CH

Modified ID: CH

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need to break the door to gain entry and her 10-year-old daughter's fears concerning the incident. [REDACTED] didn't want her daughter to be afraid of the police based on this incident. I told her I would have Community Services [REDACTED] come to speak with her daughter about the incident and assist her with any fears of the police. (This was later confirmed with an appointment for [REDACTED] to go to the [REDACTED] at 2030 HRS on 05/09/2017.) I also mentioned having the family come to the Touch-a-Truck event on 05/20/2017 at Higginson Park to see the officers in a different light.

[REDACTED] also reiterated what was written in his statement. At the conclusion of the incident the night in question, he was satisfied with the explanation of the police officers. He decided to fill out a complaint form because his 10-year-old daughter said a gun was pointed at her. I explained to him I would be interviewing the officers involved, but I also explained the same things I explained to his wife earlier in the interview with [REDACTED]. I went into more detail explaining police procedure in incidents like this one and what a normal police officer would do. He also left the interview with a greater understanding of what occurred regarding the police officers on scene. He did not have a complaint about any officers specifically, just that he didn't like the idea a gun was pointed at his daughter, if in fact this was the case. He was not mistreated or have any physical altercation with any officer.

On 05/09/2017, at approximately 1126 HRS, I called and left another message for [REDACTED]. At 1128 HRS, I called and left a message for [REDACTED] who called me back immediately. I spoke with her about the incident over the phone. She did not feel it was something she needed to come into the police station for an interview because there was nothing else she had to add to her statement. We talked for a few minutes about the incident. She was under the impression the police were at the wrong address based on the news release about a completely separate incident which occurred on Parker Street earlier in the afternoon on 04/25/2017. She realized she was misinformed and was understanding with what occurred based on what I explained to her. She also noted, she did not have an actual complaint, she was a witness to what she saw happen, and based on the false information, thought some of the actions of the police officers were unprofessional. After speaking with her, she did not have those same thoughts. [REDACTED] did not show up for her interview and she did not call with an explanation or try to reschedule.

On 05/22/2017, at approximately 1500 HRS, I interviewed [REDACTED] in the presence of Major Daniel Barzykowski, the Central Falls Police Department's Field Operation Commander and Lead Use of Force Instructor. [REDACTED] stated they were dispatched to 99 Rand Street for the report of four armed men in the house and the victim was hiding in the bathroom. He, and other officers who responded, took cover, made a perimeter around the house and eventually closed in on the house. He was on the west side, he checked the exterior door which was locked, but a male opened the door wearing basketball shorts and nothing in his hands. He didn't know what floor the male had come from but he passed him off to other officers and he moved closer to the first floor apartment. [REDACTED] ordered him to force entry into the first floor apartment. He kicked the door in without checking if it was unlocked first and he and [REDACTED] cleared the first floor apartment. He had his department issued firearm at the "ready" position as he searched the apartment, and subsequent apartments. He never brought his weapon up and pointed it at anyone inside or outside the building.

On 05/23/2017, at approximately 1330 HRS, I interviewed [REDACTED] in the presence of Major Daniel Barzykowski, the Central Falls Police Department's Field Operation Commander and Lead Use of Force Instructor. [REDACTED] stated they were dispatched to 99 Rand Street for the report of four armed men in the first floor apartment and the victim was hiding in the bathroom. He ordered the men to form a

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NARRATIVE FOR CAPTAIN CRAIG P HORTON

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Ref: 17-5-IA

Entered: 05/04/2017 @ 0756

Entry ID: CH

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perimeter as he gathered more information from Dispatch and requested more officers respond to the scene from an unrelated scene. After the male came out of the house leaving access to the interior hallway, he ordered [REDACTED] to force entry into the first floor apartment. He and [REDACTED] searched and cleared the first floor apartment with their department issued firearms at the ready due to the nature of the call. After quickly ascertaining there was no threat in the first floor apartment, he and [REDACTED] checked the other floors without incident and not discovering any suspects. He had other officers check other addresses on Rand Street in case they had the wrong address but there was nothing at those addresses either. He explained his, and his officers, actions to the residents at 99/101 Rand Street. Although the children were scared, all understood the reasons why officers were there and why they forced entry into the apartment. [REDACTED] never pointed his firearm at anyone inside or outside the house.

Conclusion:

The officers were responding to a call of armed men gaining entry into the first floor apartment and a potential victim hiding in the bathroom. They attempted to gather as much information as possible in a short period of time to end a potentially dangerous or deadly situation. When an unknown male came out of the house, they quickly removed him from the situation and utilized the opportunity to get into the first floor apartment as quickly as possible. They had their weapons drawn and at the ready due to the nature of the call and the potential for violent reactions from the armed men they anticipated were inside the apartment. As quickly as they entered the apartment, they were able to ascertain there was no danger within the apartment, only children. They checked the rest of the house as well as other possible addresses. They could not have known at that time the call was a hoax, but rather they maintained their weapons discipline and avoided a potentially catastrophic outcome.

The complainant(s) in this incident were satisfied with the explanations they received from the police department. Their door was fixed by the landlord and he was told of the process to make a claim with the City of Central Falls for reimbursement of monies lost. The children were spoken to again by fellow officers to assure they were not overly traumatized by the incident. The other tenants who filled out complaint forms, either did not have a complaint or did not follow up with the investigator.

I reviewed Major Barzykowski's Use of Force Evaluation sent to Colonel Mendonca as the department's lead Use of Force Instructor and Field Operations Commander, as well as the department's Use of Force Policy and the incident Suspect Non-Compliance form. Major Barzykowski utilized his extensive training and experience as a Use of Force Instructor and established case law governing the Use of Force by police officers while in the execution of their duties. He determined that although unfortunate in the circumstances surrounding this incident, the officers involved acted appropriately, within department policy and objectively reasonable given the circumstances and information known at the time.