



Central Falls Police Department  
Investigative Report

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07/13/2020

Case #: 19-3-IA

Date/Time Reported: 02/26/2019 @ 1150  
Report Date/Time: 03/08/2019 @ 1040  
Occurred Between: 02/26/2019 @ 0600  
And: 02/26/2019 @ 0800  
Complaint Type: Civilian  
Disposition: Not Sustained

Reporting Officer: [REDACTED]  
Signature: \_\_\_\_\_

# OFFENSE(S) A/C TITLE/CHAP SECTION

LOCATION TYPE: Highway/Road/Alley/Street Zone: ZONE 1  
160 ILLINOIS ST  
CENTRAL FALLS RI 02863

#	OFFENSE(S)	A/C	TITLE/CHAP	SECTION
1	OBEDIENCE TO RULES&REGULATIONS OCCURRED: 02/26/2019 0700	C	C II	2A
2	HARASSMENT AND DISCRIMINATION OCCURRED: 02/26/2019 0700	C	C II	10A

# VICTIM(S) SEX RACE AGE SSN PHONE

1	BAXTER, KELLY A UNKNOWN PROVIDENCE RI 02907 DOB: [REDACTED]/1985 CONTACT INFORMATION: Home Phone (Primary) 401-UNK-NOWN ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Non Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2	F	W	[REDACTED]	NOT AVAIL	401-UNK-NOWN
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# PERSON(S) PERSON TYPE SEX RACE AGE SSN PHONE

1	BAXTER, KELLY A UNKNOWN PROVIDENCE RI 02907 DOB: [REDACTED]/1985 CONTACT INFORMATION: Home Phone (Primary) 401-UNK-NOWN	COMPLAINANT	F	W	[REDACTED]	NOT AVAIL	401-UNK-NOWN
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# OFFICER(S) SEX RACE AGE SSN PHONE

1	[REDACTED] 160 ILLINOIS ST CENTRAL FALLS RI 02863 CONTACT INFORMATION: Home Phone (Primary) 401-616-[REDACTED] Home Phone (Primary) 401-727-[REDACTED]	M	W	[REDACTED]	NOT AVAIL	401-616-[REDACTED]
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BODY: NOT AVAIL.  
DOB: [REDACTED]/1990  
LICENSE NUMBER: [REDACTED]

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

EMPLOYER/SCHOOL: CENTRAL FALLS P.D. • 401-727-7411

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Description	Type
COMPLAINT RESOLUTION	PDF
Attachment#: BE434CF45DBD4056A52BD315D71143E8	

Central Falls Police Department

PERSONNEL NARRATIVE FOR [REDACTED]

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Ref: 19-3-IA

Entered: 04/23/2019 @ 0119  
Modified: 07/08/2019 @ 1045  
Approved: 05/20/2019 @ 0915

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

On 4/1/19, I was assigned this internal affairs matter for review. On 2/26/19, at approximately 9:41am, [REDACTED] was assigned to a traffic enforcement detail. It was at this time [REDACTED] initiated a vehicle stop at the corner of Hunt Street and Fuller Avenue. The vehicle in question was Rhode Island registration [REDACTED], which was registered to one Kelly Baxter, dob [REDACTED]/85. [REDACTED] pulled the vehicle over due to the fact it was travelling 38mph in a posted 25mph zone. The vehicle registration showed it was expired as of 1/20/19, and upon further inspection of the vehicle, it did not have a Rhode Island Inspection Sticker. [REDACTED] then approached the vehicle and spoke with the operator, Ms. Baxter. [REDACTED] then issued Ms. Baxter Rhode Island Summons 19401500427 for Speeding 1-10 over and Driving with an expired registration. Ms. Baxter was then allowed to drive her vehicle from the scene.

Ms. Baxter at approximately 11:50am on this date sent an e-mail complaint to the City Solicitor, Matt Jerzyk, due to her interaction with [REDACTED]. Ms. Baxter states that when [REDACTED] approached the vehicle he stated he knew it was her after he ran her registration. Ms. Baxter further states [REDACTED] improperly put the Central Falls Police Department address as hers. Ms. Baxter further states she named [REDACTED] in a Human Rights/EEOC complaint she filed in April of 2018 and she feels he issued the ticket in retaliation for this complaint.

A check of the NCIC system showed no officers of the Central Falls Police Department made any inquiries as Ms. Baxter's plate during the entire pervious year. I then added the documentation to the case file.

On 4/16/19, Ms. Baxter responded to the Municipal Court for the summons. The matter was handled in the Judge's chambers and the registration matter was dismissed, as Ms. Baxter had properly registered her vehicle. Ms. Baxter then used the Good Driving Statute and was allowed to just pay the court costs. This entire sequence of events was witnessed by [REDACTED] who was in charge of Municipal Court during this matter, and he memorialized it in a witness statement on 5/8/19.

On 4/21/19, I spoke with [REDACTED] and informed him I was assigned to this internal review matter and I requested a witness statement to the events of this vehicle stop. [REDACTED] complied and handed in the witness statement to me on 4/23/19.

On 5/19/19, at approximately at 8:36pm, I spoke with [REDACTED] and I read him his Garrity Rights pursuant to the Rhode Island Police Officers Bill of Rights. [REDACTED] stated he understood his rights as they were read to him and he signed the form. The following are the questions that I asked of [REDACTED] and his responses:

Q. Did you know that Ms. Baxter was operating the vehicle prior to pulling her over on 2/26/19?  
A. No

Q. Have you seen her previously driving through the city in that vehicle?  
A. No, I have seen the vehicle previously parked on Conduit Street near the rear of the property.

Q. Do you know where Ms. Baxter lives?  
a. No

Q. When you approached the vehicle what did you say?  
A. I approached the vehicle and told her my name was [REDACTED] of the Central Falls Police Department and

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PERSONNEL NARRATIVE FOR LIEUTENANT JOHN C CARROLL  
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I told her why I pulled her over and asked for her license, registration, and proof of insurance.

Q. What was her response to you when you approached the window?

A. She asked what my name was and I then recognized her as someone who used to work at the Police Department during my Field Training Program. I had very minimal interaction with her during her time at the department.

Q. Why did you put the police department's address on the summons as Ms. Baxter's home address?

A. It was a mistake I must of hit the address automatically when her named popped up on the screen in the IMC system and it will not happen again.

Q. Do you realize it is very important to make sure all information placed in official police reports or summons must be accurate to the best of your knowledge?

A. Yes, I do, I realize that I put the wrong address and it will not happen again. I learn from my mistakes.

Q. Did you know you are part of a complaint filed by Ms. Baxter in April of 2018 with the Human Rights/EEOC Commission?

A. No I was never told that I had no idea.

Upon my review of this matter, I found that other than the clerical error on the summons in regards to Ms. Baxter's address, [REDACTED] did not violate any department rules or regulations. [REDACTED] admits his mistake in backfilling the information from the IMC system and not checking it prior to issuing the ticket. I have counseled [REDACTED] on this matter and he again knows about the importance of placing accurate information on issued summons. Ms. Baxter, based upon her own complaint, filed with the City Solicitor on 2/26/19 admits to speeding and knowing her vehicle registration had lapsed. This admission shows that if Ms. Baxter had adhered to the speed limit and properly maintained her vehicle's registration this entire incident would not have taken place. Ms. Baxter's charge that this ticket was issued to her by [REDACTED] as some form of retaliation for her EEOC complaint is baseless. During my questioning of [REDACTED] he clearly did not know that any such complaint even existed.

The charges against [REDACTED] are **NOT SUSTAINED** based on the evidence of the case.