

State of Rhode Island
Complaint to Search and Seize Property / or Person

TO Pamela Woodcock Pfeiffer ~~Justice of the Supreme, Superior Court,~~ or Judge of the District Court of the State of Rhode Island.

- a) Detective Stephen Vinton Member of the Division of State Police.
- b) _____ a person authorized by law to bring complaints for violation of the law which it is my responsibility to enforce/a person who has a right to possession of the property stolen, embezzled, or obtained by false pretense or pretenses:

ON OATH COMPLAINS THAT:

- (1) Certain property has been stolen or embezzled, or obtained by false pretenses, or pretenses, with intent to cheat or defraud within this state or elsewhere.
- (2) Certain property has been kept, suffered to be kept, concealed, deposited, or possessed in violation of law, or for the purpose of violating the law;
- (3) Certain property is designed or intended for use, or is or has been used in violation of law, or as a means of committing a violation of law;
- (4) Certain property contains evidence of a crime.

And prays that a warrant to search for and seize said property/person be issued and if the same be subject to forfeiture, that the property be forfeited.


The person/property or articles to be searched for and/or seized is described as follows: **Examine, photograph and seize any biological, physical or trace evidence from the interior or exterior of the vehicle that may assist in the investigation to include: hair, fibers, blood, latent fingerprints, airbags, any paperwork showing control and ownership of vehicle, receipts, any form of digital media and the contents thereof, to include, but not limited to: cameras, video cameras, cellular telephones, thumb drives, Global Positioning Systems, compact discs, computers, and any evidence as part of the electrical systems and its components, specifically including the Airbag Control Module and/or the Event Data Recorder installed in the vehicle and any and all data contained therein and any and all other evidence pertaining to the investigation.**

The name of the owner or keeper, thereof (if known) is: **Unknown.**

The place or person to be searched is described as follows: **2004 black BMW, bearing Wyoming passenger registration [redacted] with Vehicle Identification Number (VIN#) [redacted]**

Your complainant prays that said warrant may be served in the nighttime for the reason that: **N/A**

Subscribed and sworn to before me:



Judge/Justice

7/20/21

Date
Det. [Signature]

Complainant

Search Warrant

State Ex rel	Member of the Rhode Island State Police Detective Stephen Vinton	County:
vs. Respondent 2004 black BMW, bearing Wyoming passenger registration [REDACTED] with Vehicle Identification Number (VIN#) [REDACTED]	TO: An Officer authorized by law to execute the within warrant,	

Complaint and affidavit having been made to me under oath, **Detective Stephen Vinton** and as I am satisfied that there is probable cause for the belief therein set forth that grounds for issuing a search warrant exist, you are hereby commanded diligently to search the place or person herein described for the property specified and to bring such property or articles, and to summon the owner, or keeper thereof, if any be named in the complaint, if to be found by you, to appear before the District Court in the district where such property shall have been seized, namely the 6th Division of the District Court of Rhode Island.

Place or person to be searched: **2004 black BMW, bearing Wyoming passenger registration [REDACTED] with Vehicle Identification Number (VIN#) [REDACTED]**

Property or articles to be searched for: **Examine, photograph and seize any biological, physical or trace evidence from the interior or exterior of the vehicle that may assist in the investigation to include: hair, fibers, blood, latent fingerprints, airbags, any paperwork showing control and ownership of vehicle, receipts, any form of digital media and the contents thereof, to include, but not limited to: cameras, video cameras, cellular telephones, thumb drives, Global Positioning Systems, compact discs, computers, and any evidence as part of the electrical systems and its components, specifically including the Airbag Control Module and/or the Event Data Recorder installed in the vehicle and any and all data contained therein and any and all other evidence pertaining to the investigation.**

Name of owner, or keeper, thereof if known to complainant: **Unknown.**

Said warrant shall be served in the daytime -- may be served in the nighttime -- within seven (7) days from the issuance hereof, AND IF NOT SERVED WITHIN SAID TIME TO BE RETURNED FORTHWITH TO A JUDGE SITTING IN THE ABOVE NAMED COURT.

Property seized by you hereunder shall be safely kept by you under the direction of the Court so long as may be necessary for the purpose of being used as evidence in any case. As soon as may be thereafter, if the same be subject to forfeiture, such further proceedings shall be had thereon for forfeiture as is prescribed by law.

Hereof fail not and MAKE TRUE RETURN PROMPTLY OF THIS WARRANT TO A JUDGE THERE SITTING with your doings thereon, accompanied by a written inventory of any property taken to a judge sitting in the above named court.

Issued at Providence in the county of Providence this 20th day of
, A.D. July

[Signature]
Judge of the District Court
~~Justice of the Supreme/Superior Court~~

ACKNOWLEDGMENT OF RETURN

Warrant received on the _____ - day of _____, _____, from Detective
Stephen Vinton at _____.

Judge/Clerk

7/27/21

AFFIDAVIT

Your affiant upon oath states that he has reason to believe and does believe that grounds for such warrant exists and states the following facts on which such belief is founded on the following affidavit.

I, Detective Stephen Vinton, on oath, do depose and say that:

I am a member of the Rhode Island State Police and have been continuously employed in this capacity for the past twelve (12) years. I am presently assigned to the Major Crimes Unit and I am charged with the duty of investigating all violations of the laws of the State of Rhode Island, collecting evidence in cases in which the State of Rhode Island is or may be a party in interest, and performing other duties imposed upon me by law.

Your affiant has reason to believe that grounds exist in support that a search warrant be issued for a 2004 black BMW, bearing Wyoming passenger registration [REDACTED] with Vehicle Identification Number (VIN#) [REDACTED]. This search warrant is being sought to further an ongoing criminal investigation by members of the Rhode Island State Police, relative to an incident involving a Providence Police Officer utilizing physical force to effect the arrest of a juvenile suspect, who was involved in several reported assaults with a dangerous weapon (ADW) throughout the City of Providence.

On Friday, July 16, 2021, members of the Rhode Island State Police Major Crimes Unit were assigned to work in conjunction with members of the Office of Attorney General and Providence Police Department, to conduct an investigation regarding a Providence Police Officer utilizing physical force to effect the arrest of a juvenile suspect on Friday, July 9, 2021, at approximately 2:02 AM. The juvenile suspect was involved in several reported assaults with a dangerous weapon (ADW) on a police officer and civilians throughout the City of Providence, during the time period of Thursday, July 8, 2021, through Friday, July 9, 2021.

The Providence Police Department reported that during the evening of Thursday July 8, 2021, their agency received several complaints of three (3) male suspects firing projectiles from 'rifles' at civilians and vehicles. The suspects were said to be travelling in a black BMW convertible bearing Wyoming registration plate [REDACTED]

At approximately 1:28 AM, on the above date, the suspect vehicle was observed by police and a pursuit of that vehicle subsequently followed. The suspect vehicle travelled at a high rate of speed through neighboring jurisdictions, at times travelling on the wrong side of the roadway and passing vehicles on the left, placing the lives of several civilians and police officers in danger. At approximately 2:01 AM, the suspect vehicle lost control and crashed into a fire hydrant located at the corner of Salmon Street and King Street in the City of Providence.

The three (3) occupants inside the vehicle were taken into custody and positively identified as [REDACTED] (operator); [REDACTED] (front seat passenger); and [REDACTED] (rear seat passenger). Due to the motor vehicle

crash, the suspects were treated on scene by Providence Emergency Medical Services personnel and transported to Hasbro Children's Hospital for evaluation.

During the arrest of juvenile [redacted] Providence Police Officers utilized physical force, including closed fist strikes to the head of [redacted] before gaining control and placing the juvenile subject in handcuffs.

Your affiant reasonably believes that further evidence may be obtained through a search of the black BMW, that may assist investigators with determining whether the injuries sustained to the head and neck of [redacted], were caused as a result of the motor vehicle crash and/or the officers placing him into custody.

Based upon this investigation, your affiant has cause to believe that the 2004 black BMW, bearing Wyoming passenger registration [redacted] with Vehicle Identification Number (VIN#) [redacted] was involved in several assaults with a dangerous weapon (ADW) throughout the City of Providence. It is additionally believed that the 2004 black BMW contains physical and electronic evidence related to this investigation. This data may include information related to the collision and stored by the airbag system. This data may contain evidence relative to the cause and contributing factors which resulted in this collision, and the extent of the injuries sustained by the occupants of this vehicle.

Your affiant requests a search warrant be issued for the 2004 black BMW, bearing Wyoming passenger registration [redacted] with Vehicle Identification Number (VIN#) [redacted] to examine, photograph, and seize any biological or physical evidence from the interior or exterior of the vehicle that may assist in the investigation to include: hair, fibers, blood, latent fingerprints, airbags, any paperwork showing control and ownership of vehicle, receipts, any form of digital media and the contents thereof, to include, but not limited to: cameras, video cameras, cellular telephones, thumb drives, Global Positioning Systems, compact discs, computers, and any evidence as part of the electrical systems and its components, specifically including the Airbag Control Module and/or the Event Data Recorder installed in the vehicle and any and all data contained therein and any and all other evidence pertaining to the investigation. Additionally, members of the Rhode Island State Police Computer Crimes Unit and/or qualified designee, be allowed to conduct an off-site forensic analysis and search on any and all electronic devices and the contents therein as described in "Attachment A" and "Attachment B" attached hereto and made a part thereof.

7/20/21

Date

Det. Stephen Vinton
Affiant

Providence Sc. In Prov. this 20th day of July, 2021, before me personally came Detective Stephen Vinton and made oath to the truth of the foregoing

[Signature]
Judge of the District Court
Justice of the Supreme/Superior Court

ATTACHMENT "A"

The following terms and definitions are provided in support of the application to search for and seize evidence:

Computer Hardware consists of all equipment, which can collect, analyze, create, display, convert, store, conceal, or transmit electronic, digital, magnetic, optical or similar computer impulses or binary data. Hardware includes, but is not limited to, desktop computers, laptop computers, tablets or e-readers, video gaming systems, or server machines—internal and peripheral storage devices – such as fixed disks, external hard disks, flash memory, solid state drives, random access memory, USB storage devices, cell phones, personal digital assistants, video production/editing equipment, digital video recorders, digital cameras, web cameras (webcams), portable MP3 players, floppy disk drives and diskettes, tape drives and tapes, optical storage devices, and other memory storage devices; peripheral input/output devices – such as keyboards, printers, scanners, video display monitors (to include televisions being used as a display monitor), and optical readers as well as related communications devices – such as modems, wireless cards, GPS devices, cables, and connections, recording equipment, RAM or ROM units, routers, switches and gateways – as well as any devices, mechanisms or parts that can be used to restrict access to computer hardware, such as physical keys, biometric security devices and locks.

Computer Software is digital code and information or files, which can be interpreted by a computer or central processing unit or other component to function with computer hardware and software as a part of a computer system. Software is stored in electronic, binary, magnetic, optical, transient, volatile or any other digital form. It commonly includes programs to run operating systems; applications like word-processing, graphics or spreadsheet programs, utilities, compilers, interpreters, communications programs or other systems or computer code.

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Computer-related Documentation consists of written, recorded, printed or electronically stored material(s), which explains or illustrates how to configure, access, control, operate, or interact with or use computer hardware, computer software or other related items.

Records which reflect the ownership or control of computer hardware, computer software, records documents and materials and/or password or other data security devices.

Records, Documents and Materials include all items believed to be of evidentiary nature or evidence in any form including: printed "hard" copy records, binary/or electronic format such as: electronic data, data streams, network identifiers, network logs and records, electronic text, digital images and digital video, fragments of video and images, photographs, drawings, internet accounts, business and accounting records, phone records, website data and records, books and ledgers, props and child exploitation related paraphernalia, correspondence and notes, electronic mail, physical mail, communications, text messages, files, internet browser history, user activity data, trace digital forensic evidence, system and chat logs, peer to peer materials, live processes and services, transient data, electronic code, audio recordings and files, internet groups, child pornographic trading associates, written documents or materials and their drafts or modifications, system generated data, deleted and trace data, files and information.

Evidence which may lead to the identification of victims.

Documentation related to the identification of persons or entities which have control and possession of the place to be searched

Passwords and other Data Security Devices consists of passwords, encryption keys, hardware devices, authentication devices, software programs, and biometric devices designed to effectuate authentication and/or hide disguise and prevent viewing or otherwise limit access to data, and written records or notes.

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ATTACHMENT "B"

Computer hardware, computer software, records, documents and materials, computer related documentation, passwords, and data security devices may be important to a criminal investigation in two distinct and important respects: (1) the objects themselves may be instrumentalities, fruits or evidence of crime and/or (2) the objects may have been used to collect and store information about crimes in the form of electronic data.

Based upon your affiant's knowledge, training and experience as well as on consultations with law enforcement officers in the area of computer forensics and investigations, it is known that searching and seizing information from computers often requires agents to seize most or all electronic storage devices, along with related peripherals, to be searched later by a qualified computer expert in a laboratory or other controlled environment. This is true because of the following:

Volume of Evidence. Computer storage devices, like hard disks, diskettes, tapes and laser disks, can store the equivalent of thousands of pages of information. Additionally, a suspect may try to conceal criminal evidence; he or she may store it in random order with deceptive file names. This may require searching authorities to examine all the stored data to determine which particular files are evidence or instrumentalities of a crime. This sorting process may take weeks or months depending on the volume of data stored and it would be impractical to attempt this kind of data search on site.

Technical Requirements. Searching computer systems for criminal evidence is a highly technical process requiring expert skill and a properly controlled environment. The vast array of computer hardware and software available requires even computer experts to specialize in some systems and applications, making it difficult to know before a search which expert is qualified to analyze the system and its data. Data search protocols are exacting scientific procedures designed to protect the integrity of the evidence and to recover even "hidden", erased, compressed, password-protected or encrypted files. Computer

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evidence is extremely vulnerable to inadvertent or intentional modification or destruction, both from external sources or from destructive code imbedded in the system, such as a "booby trap", necessitating a controlled environment for complete and accurate analysis. Additionally, the nature of computer forensics is extremely time-consuming process which can take weeks or months.

Searching computerized information for evidence or instrumentalities of crime commonly requires seizure of most or all of a computer system's input/output peripheral devices, related software, documentation and data security devices, including passwords, so that a qualified computer expert can accurately retrieve the system's data in a laboratory or other controlled environment. This is true because of the following:

The peripheral devices, which allow users to enter or retrieve data from the storage devices, vary widely in their compatibility with other hardware and software. Many system storage devices require particular input/output (I/O) devices in order to read the data on the system. It is important that the analysts be able to properly reconfigure the system as it now operates in order to accurately retrieve the evidence listed above. Additionally, the analyst needs the relevant system software - operating systems, interfaces and hardware drivers, any application software which may have been used to create the data, whether stored on hard drives or external media, as well as related instruction manuals or other documentation and data security devices.

In order to fully retrieve data from a computer system, the computer forensic analyst needs all or most of a computer system's equipment, and may be required to seize hardware, peripherals, software, documentation, security devices and passwords and run that data in its native environment in order to most effectively identify relevant evidence. In addition, the analyst needs all the system software (operating systems or interfaces, and hardware drivers) and any applications software which may have been used to create or display the data (whether stored on hard drives or on external media). Instruction manuals for any hardware and software, and passwords, are also helpful to retrieve data/information."