

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

TO Pinnagala  
District Court of the State of Rhode Island.

Justice of the Supreme, Superior Court, or Judge of the

- a) Ptlm. Jose Deschamps 419, a member of the Providence Police Department.
- 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 is designed or intended for the use or is or has been used in violation of law, or as a means of committing a violation of law; and prays that a warrant to search for a seize said property / person be issued and if the same by subject to forfeiture. That the property be forfeited. \_\_\_\_\_

The person/property or articles to be searched for and/or seized is described as follows: 1999 Yamaha motorcycle 50 CC's listed as color white but has black plastic fender parts on it; bearing VIN number VG54UYA06XA105925, last registered to \_\_\_\_\_ Tiverton, RI 02878. This motorcycle did not have a valid registration plate on it for the date of the collision(s) of 10-18-20, THE REGISTRATION WAS EXPIRED. On 10-18-20 at approximately 1750 hours, this motorcycle was being operated by Jhmal E. Gonsalves \_\_\_\_\_ with active RI drivers' license \_\_\_\_\_ which had the motorcycle endorsement.

The name of the owner or keeper, thereof (if known) is: \_\_\_\_\_  
Tiverton, RI 02878.

The place or person to be searched is described as follows: 1999 Yamaha listed color white with black plastic fender parts on it; bearing VIN number VG54UYA06XA105925.

Your complainant prays that said warrant may be served in the night time for the reason that: N/A  
Subscribed and sworn to before me:

\_\_\_\_\_  
Judge/Justice

10-23-20  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Complainant

Search Warrant

State Ex rel	Member of the Rhode Island State Police. Ptlm. Jose Deschamps 419	County: Providence
vs. Respondent [REDACTED] Tiverton, RI 02878		TO: An Officer authorized by law to execute the within warrant.

Complaint and affidavit having been made to me under oath 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 4<sup>th</sup> Division of the District Court of Rhode Island.

Place or person to be searched: 1999 Yamaha listed color white with black plastic fender parts on it; bearing VIN number VG54UYA06XA105925. Operated by Jhamal E. Gonsalves [REDACTED]

Property or articles to be searched for: 1999 Yamaha listed color white with black plastic fender parts on it; bearing VIN number VG54UYA06XA105925.

Name of owner, or keeper, thereof if known to complainant: [REDACTED] Tiverton, RI 02878.

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.

A.D. 2020

Issued at

Providence

in the county of

Providence

this

25

day of

October

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

ACKNOWLEDGMENT OF RETURN

Warrant received on the 23 day of October, from PHM Jose DesChamps at \_\_\_\_\_

Judge [Signature]

## AFFIDAVIT

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

I, Ptlm. Jose Deschamps 419 under oath do depose and say that I am a member of the Providence Police Department and have been continuously employed in that capacity for the past twenty-six years (26). I am currently assigned to the Motor Unit which falls under the Traffic Bureau. My duties include, but are not limited to investigating all violations of the General Laws of Rhode Island. I have in my experiences as a law enforcement officer been involved in cases involving the detection of alcoholic beverages and or narcotics in individuals and have been involved in the apprehension of individuals for committing the crime of operating a motor vehicle while under the influence of liquor or drugs. Additionally, I have received special training throughout my career in the area of apprehension and detection of motorist who have been operating under the influence of intoxicating beverages and or drugs.

Your affiant request with the facts of this affidavit in support of a search warrant to forward an investigation of Jhamal E. Gonsalves [REDACTED] and the motorcycle he was operating described as a 1999 Yamaha color white with black plastic fenders not bearing a registration plate and was displaying VIN number VG54UYA06XA105925; listed owner as [REDACTED] Tiverton, RI 02878; in reference to a collision(s) which occurred on 10-18-20 at approximately 1750 hours at the intersection of Elmwood Avenue and Bissell Street in the City of Providence involving a marked Providence Police Department vehicle, registration plate 24. Mr. Gonsalves was transported to Rhode Island Hospital Emergency Room after being involved in a motor vehicle collision(s) in which he struck the north side exterior brick wall of 1245 Elmwood Avenue. Mr. Gonsalves was also struck on his head which he was wearing a motorcycle helmet, by a stop sign which was up rooted by the collision of the stop sign and the Providence Police vehicle, 24 registration. The motorcycle Mr. Gonslaves was operating was left at the scene. [REDACTED]

[REDACTED] Therefore, as part of the investigation, your affiant request the permission to search and seize any and all other items pertaining to this investigation from the motorcycle Mr. Gonsalves' was operating on the date in question of the collision(s). Your affiant believes the motorcycle Mr. Gonsalves was operating on 10-18-20 at approximately 1750 hours at the intersection of Elmwood Avenue and Bissell Street, described as 1999 Yamaha motorcycle colored white with black plastic fenders bearing VIN number VG54UYA06XA105925, which had no registration plate on it, [REDACTED]

[REDACTED]

On October 18, 2020 at approximately 1750 hours and up to approximately two and half hours prior to this time, the Providence Police Department received numerous telephone calls with regards to approximately two hundred (200) to three hundred (300) ATV's, motor scooters, mopeds, motorcycles and quad off road type vehicles operating at a high rate of speed, in and out of traffic, causing dangerous traffic issues to the operators and passengers of this large group as well as vehicular and pedestrian traffic throughout the City of Providence. Members of this large group eventually were traveling south on Elmwood Avenue in all four lanes of Elmwood Avenue which is a large four lane roadway with north / south direction lanes. Mr. Gonsalves was operating a black and white colored Yamaha 50 CC motorcycle, VIN - VG54UYA06XA105925, which had no registration plate on it; in a southerly direction on Elmwood Avenue. Mr. Gonsalves was traveling south in the east lane of the roadway. When just prior to Bissell Street, Mr. Gonsalves veered to his right in what appeared to be an avoidance of a collision with a marked Providence Police Department vehicle. This Providence Police vehicle had pulled out of Bissell Street in an easterly direction before it made a left turn onto Elmwood Avenue. Mr. Gonsalves then mounted the south side sidewalk of Bissell Street and struck the north side brick wall of 1245 Elmwood Avenue. Mr. Gonsalves' helmet was struck by the stop sign which was up rooted by Providence Police Department vehicle registration 24. Mr. Gonsalves then came to final rest on the sidewalk with the motorcycle laying across his legs.

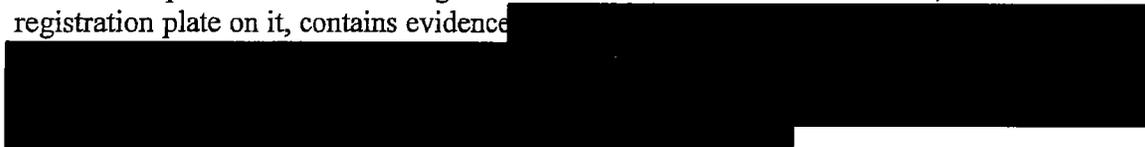
Mr. Gonsalves was transported to Rhode Island Hospital ER by Providence Fire Rescue for serious bodily injuries sustained to his head and body. The officer involved in this incident refused medical attention at the scene stating he was not injured.

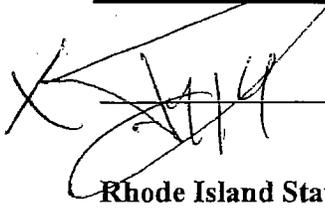
[REDACTED]

On October 18, 2020 at approximately 2130 hours, your affiant responded to Rhode Island Hospital ER to interview Mr. Gonsalves but was informed he was intubated with a drian attached to his head for draining fluids. Your affiant was informed he was stable but in critical condition.

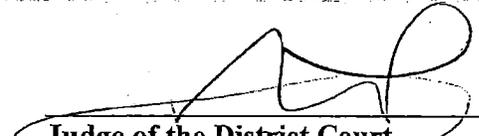
Based on the aforementioned facts and circumstances, your affiant, believes that probable cause exists to indicate that on October 18, 2020 at approximately 1750 hours, Jhamal E. Gonsalves [REDACTED] had been operating a motor vehicle on the following public roadway - Elmwood Avenue in the City of Providence [REDACTED]. Your affiant requests that a search warrant be granted of the motorcycle Mr. Gonsalves was operating described as a 1999 Yamaha motorcycle color white with black fenders and no registration plate displaying VIN number VG54UYA06XA105925, last owned by [REDACTED] Tiverton, RI 02878.

This warrant to seize any and all affiant request the permission to search and seize any and all other items pertaining to this investigation from the motorcycle Mr. Gonsalves' was operating on the date in question of the collision(s). Your affiant believes the motorcycle Mr. Gonsalves was operating on 10-18-20 at approximately 1750 hours at the intersection of Elmwood Avenue and Bissell Street, described as 1999 Yamaha motorcycle colored white with black plastic fenders bearing VIN number VG54UYA06XA105925, which had no registration plate on it, contains evidence



  
Rhode Island State Police

In Providence this 23 day of  
before me personally came PTM Julie DeChamper  
October 2020 and made oath to the truth of the foregoing.

  
Judge of the District Court  
Justice of the Supreme / Superior Court

RETURN OF SERVICE

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

\_\_\_\_\_, SC.

At \_\_\_\_\_ (place), \_\_\_\_\_ (date) A.D. \_\_\_\_\_, pursuant to the within warrant I have made search during the -- "daytime / nighttime" -- as commanded and submit herewith a written inventory of property taken:

I have also summoned \_\_\_\_\_ named in said Complaint, as commanded to appear before the \_\_\_\_\_ Division of the District Court in \_\_\_\_\_ at 9:30 o'clock in the forenoon, on A.D. \_\_\_\_\_.

I have also given to \_\_\_\_\_ the person from whom -- from whose premises said property was taken -- a copy of the within warrant -- I have left a copy of the within warrant at -- on the place from which said property was taken -- but I did not find the person from whose premises said property was taken but left a copy of said warrant -- on the place from which the property was taken.

\_\_\_\_\_  
Authorized Officer