

**RULE 9 WARRANT
IN THE SUPERIOR COURT OF THE STATE OF DELAWARE**

STATE OF DELAWARE)	
)	INDICTMENT BY THE GRAND JURY
V.)	
)	
EDWIN R. RAMIREZ)	I.D. NO. 2108013584

The Grand Jury charges that:

Introduction Relevant to All Charges

1. EDWIN R. RAMIREZ (“DEFENDANT”) is a Corporal with the Delaware State Police (“DSP”) assigned to Troop 9 in Odessa, Delaware. At all times relevant to this Indictment he was serving in his official capacity as a law enforcement officer and public servant.

2. An “E-Warning” issued by DSP, according to divisional policy, is a written warning for a motor vehicle violation that is also entered into an electronic law enforcement database, and is an alternative to an “E-Ticket.” An “E-Ticket” is the written notice of an actual motor vehicle violation that is also entered in an electronic law enforcement database. An “E-Warning” may be issued in response to a minor traffic violation committed in areas where traffic collision experience is minimal.

N# _____

COUNT ONE, A MISDEMEANOR:

**FALSIFYING BUSINESS RECORDS, in violation of Title 11, Section 871
of the Delaware Code.**

3. On April 30th, 2021, a supervising officer and Lieutenant of DSP Troop 9, (“LIEUTENANT”) was reviewing police reports. LIEUTENANT discovered an accident report that was linked to an E-Warning for Failing to Provide Information at an Accident Scene, which

is an offense under Delaware law. An E-Ticket was also issued for Following Too Closely and No Proof of Insurance, additional offenses under Delaware law. DEFENDANT was the police officer in this incident. LIEUTENANT contacted the motorist (“VICTIM ONE”) and discovered that VICTIM ONE did not receive an E-Warning from DEFENDANT. Further, DEFENDANT’S police report does not indicate that an E-Warning was issued to VICTIM ONE.

4. LIEUTENANT then reviewed additional instances, starting with April 1st, 2021, where an E-Warning and E-Ticket were issued by DEFENDANT. LIEUTENANT then compared those results to footage from dashcam recordings. LIEUTENANT found similar instances where DEFENDANT issued an E-Ticket but not an E-Warning. In those instances, the motorists were not questioned about the warning infraction and the E-Warnings were entered after the conclusion of the stop.

5. LIEUTENANT discovered that two E-Warnings were issued to the same motorist (“VICTIM TWO”) by DEFENDANT. There was no recorded DVR of a traffic stop by DEFENDANT of VICTIM TWO. VICTIM TWO was in Virginia at the time of the alleged stop but the vehicle was home at Port Penn, Delaware.

6. LIEUTENANT reported his findings to DSP Leadership, who then assigned a DSP Investigator (“INVESTIGATOR”). INVESTIGATOR reviewed all activity for DEFENDANT in only the month of April, 2021, to assess the scope of potential misconduct.

7. VICTIM THREE was issued an E-Warning on April 1, 2021, for not wearing a seatbelt. VICTIM THREE was not pulled over and says s/he has not been pulled over by law enforcement for years. According to his DSP vehicle monitoring system, DEFENDANT was mobile (driving at 18 mph) when he issued the E-Warning to VICTIM THREE.

8. On or about April 1, 2021, DEFENDANT issued VICTIM FOUR an E-Warning for a window tint violation. VICTIM FOUR was not pulled over and was home on the computer for virtual Parent/Teacher conferences at the time the E-Warning was issued. DEFENDANT was mobile (driving at 24 mph) when VICTIM FOUR was issued this E-Warning.

9. On or about April 2, 2021, DEFENDANT issued VICTIM FIVE an E-Warning for speeding. VICTIM FIVE works for DSP Communications and was not pulled over. DEFENDANT was mobile (driving at 16 mph) at the time of E-Warning.

10. On or about April 5, 2021, DEFENDANT issued VICTIM SIX an E-Warning for slow speed/impeding movement. VICTIM SIX was not pulled over. DEFENDANT was mobile (driving at 39 mph) at the time of the E-Warning.

11. On or about April 5, 2021, DEFENDANT issued VICTIM SEVEN an E-Warning, for driving off the roadway. VICTIM SEVEN is a police officer in Sussex County and was not pulled over. DEFENDANT was mobile (driving at 58 mph) at the time of the E-Warning.

12. On or about April 5, 2021, DEFENDANT issued VICTIM EIGHT an E-Warning for speeding. VICTIM EIGHT was not pulled over.

13. On or about April 5, 2021, DEFENDANT issued VICTIM NINE an E-Warning for window tint. VICTIM NINE was not pulled over. DEFENDANT was mobile (driving at 74 mph) at the time of the E-Warning.

14. On or about April 6, 2021, DEFENDANT issued VICTIM TEN an E-Warning for failure to remain stopped. VICTIM TEN recalls a Trooper behind him at a stop sign, but VICTIM TEN was not pulled over. DEFENDANT was stopped for approximately 20 seconds at the time of the E-Warning.

15. On or about April 6, 2021, DEFENDANT issued VICTIM ELEVEN an E-Warning for using a cell phone while driving. VICTIM ELEVEN was not pulled over. DEFENDANT was mobile (driving at 72 mph) at the time of the E-Warning.

16. On or about April 9, 2021, DEFENDANT issued VICTIM TWELVE an E-Warning for stopping or parking in a no stopping zone. VICTIM TWELVE was not stopped by the police. DEFENDANT was stopped for approximately one minute around the time of the E-Warning.

17. On or about April 9, 2021, DEFENDANT issued VICTIM THIRTEEN an E-Warning for stopping or parking in a no stopping zone. VICTIM THIRTEEN was not stopped by the police. DEFENDANT was mobile (driving at 38 mph) at the time of the E-Warning. DEFENDANT stopped for approximately 15 seconds a short time later.

18. On or about April 10, 2021, DEFENDANT issued VICTIM FOURTEEN an E-Warning for not wearing a seatbelt. VICTIM FOURTEEN works for the United States Postal Service and was at work at the time of the “stop.” DEFENDANT was mobile (driving at 40 mph) at the time of the E-Warning.

19. On or about April 10, 2021, DEFENDANT issued VICTIM FIFTEEN an E-Warning for parking in a no parking zone. VICTIM FIFTEEN was not stopped by the police. DEFENDANT was mobile (driving at 49 mph) at the time of the E-Warning.

20. On or about April 11, 2021, DEFENDANT issued VICTIM SIXTEEN an E-Warning for using a cell phone while driving. VICTIM SIXTEEN works for the Department of Corrections and was not pulled over at any time. DEFENDANT was mobile (driving at 36 mph) at the time of the E-Warning.

21. On or about April 20, 2021, DEFENDANT issued VICTIM SEVENTEEN an E-Warning for driving off the roadway. VICTIM SEVENTEEN was not pulled over.

22. On or about April 20, 2021, DEFENDANT issued VICTIM EIGHTEEN an E-Warning for not wearing a seatbelt. VICTIM EIGHTEEN was not pulled over. DEFENDANT was mobile (driving at 66 mph) at the time of the E-Warning.

23. On or about April 24, 2021, DEFENDANT issued VICTIM NINETEEN an E-Warning for operating an unregistered vehicle. VICTIM NINETEEN's daughter uses the vehicle, and she was not pulled over. DEFENDANT was mobile (driving at 49 mph) at the time of the E-Warning.

24. On or about April 29, 2021, DEFENDANT issued VICTIM TWENTY and E-Warning for not wearing a seatbelt. VICTIM TWENTY was not pulled over. DEFENDANT was stationary for less than 30 seconds.

25. INVESTIGATOR also found multiple occasions in the month of April 2021 when an E-Warning was authored by DEFENDANT after the conclusion of a traffic stop and issued with no apparent knowledge of the driver, even though E-Tickets were also issued and provided to the motorists by DEFENDANT.

26. On or about April 1, 2021, DEFENDANT issued VICTIM TWENTY-ONE an E-Ticket and an E-Warning. VICTIM TWENTY-ONE can be heard on the DEFENDANT's microphone asking if DEFENDANT needs her insurance. DEFENDANT replied no, saying he could check it. She was issued an E-Warning for No Proof of Insurance.

27. On or about April 6, 2021, DEFENDANT issued VICTIM TWENTY-TWO an E-Ticket and an E-Warning. VICTIM TWENTY-TWO offered to show proof of insurance via

Progressive phone application, but DEFENDANT issued an E-Warning for No Proof of Insurance and did not inform VICTIM TWENTY-TWO of the E-Warning.

28. On or about April 9, 2021, DEFENDANT issued VICTIM TWENTY-THREE an E-Ticket and an E-Warning. DEFENDANT created an E-Warning for No Proof of Insurance and did not explain it, nor inform VICTIM TWENTY-THREE of the E-Warning.

29. On or about April 13, 2021, DEFENDANT issued VICTIM TWENTY-FOUR an E-Ticket and an E-Warning. DEFENDANT issued VICTIM TWENTY-FOUR an E-Warning for No Proof of Insurance without notice.

30. On or about April 13, 2021, DEFENDANT issued VICTIM TWENTY-FIVE an E-Ticket and an E-Warning. DEFENDANT issued VICTIM TWENTY-FIVE an E-Warning for No Proof of Insurance without notice.

31. On or about April 13, 2021, DEFENDANT issued VICTIM TWENTY-SIX an E-Ticket and an E-Warning. DEFENDANT issued VICTIM TWENTY-SIX an E-Warning for No Proof of Insurance without notice.

32. On or about April 14, 2021, DEFENDANT issued VICTIM TWENTY-SEVEN an E-Ticket and an E-Warning. DEFENDANT issued VICTIM TWENTY-SEVEN an E-Warning for not wearing a seat belt, without any conversation about a seat belt.

33. On or about April 14, 2021, DEFENDANT issued VICTIM TWENTY-EIGHT an E-Ticket and an E-Warning. DEFENDANT issued VICTIM TWENTY-EIGHT an E-Warning for No Proof of Insurance without notice.

34. On or about April 14, 2021, DEFENDANT issued VICTIM TWENTY-NINE an E-Ticket at 3:43pm and an E-Warning at 3:47pm . DEFENDANT said he could look up the

insurance on his own when proof was offered by VICTIM TWENTY-NINE, but then issued an E-Warning to VICTIM TWENTY-NINE for No Proof of Insurance without notice.

35. On or about April 24, 2021, DEFENDANT issued VICTIM THIRTY an E-Ticket and an E-Warning. DEFENDANT issued VICTIM THIRTY an E-Warning for No Proof of Insurance without notice.

36. INVESTIGATOR also found multiple incidents where DEFENDANT interacted with a motorist, did not issue an E-Ticket, but then issued an E-Warning without notice to the motorist.

37. On or about April 1, 2021, DEFENDANT issued VICTIM THIRTY-ONE, a female motorist, an E-Warning for speeding, but video evidence shows DEFENDANT made contact with a male driver.

38. On or about April 20, 2021, DEFENDANT made contact with VICTIM THIRTY-TWO, a motorist who was pulled over to the shoulder of the road. DEFENDANT asked if the VICTIM was okay or if he was broken down, and VICTIM THIRTY-TWO responded that he just pulled over to use his phone. The exchange ended. VICTIM THIRTY-TWO was later issued an E-Warning for stopping, standing, or parking in a prohibited zone, but not notified.

39. On or about April 24, 2021, DEFENDANT made contact with VICTIM THIRTY-THREE. DEFENDANT pulled over VICTIM THIRTY-THREE's vehicle, but pulled up alongside the vehicle, in the right lane of travel. DEFENDANT inquired why VICTIM THIRTY-THREE was stopped at a green light. DEFENDANT never asked about window tint. DEFENDANT then issued an E-Warning for window tint, but never informed VICTIM THIRTY-THREE.

40. INVESTIGATOR was granted a search warrant for DEFENDANT's police car. INVESTIGATOR recovered from the center console a sheet kept by DEFENDANT displaying Troop 9's troopers and their statistics on traffic citations. Also recovered was DEFENDANT's 2020 and 2019 yearly evaluations. Within both, DEFENDANT's Sergeant commended him for excellent traffic productivity.

41. On February 2, 2021, DEFENDANT was recognized as the recipient of the "2020 Troop 9 Traffic Ace" award to the entire DSP Troop 9. DEFENDANT's Captain noted that "[DEFENDANT] continues to stand out in regards to proactive traffic enforcement. In 2020 [DEFENDANT] issued 458 traffic citations and 640 traffic e-warnings."

42. Paragraphs 1 through 41 are incorporated herein.

43. DEFENDANT, on or between the 1st day of April, 2021, and the 30th day of April, 2021, with intent to defraud, did knowingly make or cause a false entry in the business records of an enterprise, in violation of Title 11, Section 871 of the Delaware Code.

N# _____

COUNT TWO, A FELONY:

TAMPERING WITH PUBLIC RECORDS IN THE FIRST DEGREE, in violation of Title 11, Section 876 of the Delaware Code.

44. Paragraphs 1 through 41 are incorporated herein.

45. DEFENDANT, on or between the 1st day of April, 2021, and the 30th day of April, 2021, with intent to defraud, and knowing that the person does not have the authority of anyone entitled to grant it, knowingly made a false entry in or falsely altered any record filed with, deposited in or otherwise constituting a record of a public officer or a public servant.

N# _____

COUNT THREE, A FELONY:

ISSUING A FALSE CERTIFICATE, in violation of Title 11, Section 878

of the Delaware Code.

46. Paragraphs 1 through 41 are incorporated herein.

47. DEFENDANT, on or between the 1st day of April, 2021, and the 30th day of April, 2021, being a public servant authorized by law to make or issue official certificates or official written instruments, and with intent to defraud, deceive or injure another person, issued such an instrument, or made the same with intent that it be issued, knowing that it contained a false statement or false information.

N# _____

COUNT FOUR, A MISDEMEANOR:

OFFICIAL MISCONDUCT, in violation of Title 11, Section 1211

of the Delaware Code.

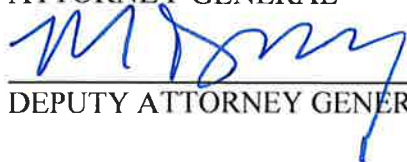
48. Paragraphs 1 through 41 are incorporated herein.

49. DEFENDANT, on or between the 1st day of April, 2021, and the 30th day of April, 2021, when intending to obtain a personal benefit, or to cause harm to another person, DEFENDANT committed an act constituting an unauthorized exercise of official functions, knowing that the act was unauthorized.

A TRUE BILL

(FOREPERSON)

KATHLEEN JENNINGS
ATTORNEY GENERAL



DEPUTY ATTORNEY GENERAL