

UNITED STATES DISTRICT COURT
for the
District of Rhode Island

United States of America
v.
Nadine Jean Baptiste

Case No. 1:24-MJ-77PAS

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 2020-present in the county of in the
District of Rhode Island, the defendant(s) violated:

Table with 2 columns: Code Section and Offense Description. Rows include 18 U.S.C. § 1028A; Aggravated Identity Theft; 18 U.S.C. § 1343; Wire Fraud; 7 U.S.C. § 2024(b); Illegal Acquisition or Use of Supplemental Nutrition Assistance Program Benefits; 42 U.S.C. § 408(a)(7)(B); Misuse of a Social Security Number; 18 U.S.C. § 371; Conspiracy

This criminal complaint is based on these facts:

See the attached Affidavit of Special Agent Kyle Bishop with the United States Department of Agriculture - Office of Inspector General ("USDA-OIG")

Continued on the attached sheet.

Kyle Bishop (Signature)

Complainant's signature

Special Agent Kyle Bishop-USDA-OIG

Printed name and title

Sworn telephonically and signed electronically

Sworn before me and signed in my presence.

Date: September 6, 2024

Pat A Sullivan (Signature)

Judge's signature

City and state: Providence, Rhode Island

Patricia A. Sullivan, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF SEARCH WARRANTS AND CRIMINAL COMPLAINTS**

I, Special Agent Kyle Bishop, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the United States Department of Agriculture - Office of Inspector General (“USDA-OIG”). As such, I am an “investigative or law enforcement officer” within the meaning of 18 U.S.C. § 2510(7) in that I am an officer of the United States who is empowered by law to conduct investigations and to make arrests for federal felony offenses. I also am a “federal law enforcement officer” within the meaning of Rule 41 of the Federal Rules of Criminal Procedure.

2. I am a graduate of the Criminal Investigator Training Program at the Federal Law Enforcement Training Center. I am also a graduate of the Rhode Island Police Academy and the U.S. Coast Guard Maritime Law Enforcement Academy. I hold a bachelor’s degree in criminal justice and a master’s degree in education. I have over ten years of experience as a law enforcement officer.

3. As a federal agent, I am authorized to investigate violations of laws of the United States and as a law enforcement officer, I am authorized to execute search warrants and arrest warrants issued under the authority of the United States. I am authorized to conduct and supervise investigations relating to the programs and operations of the USDA; to make arrests, execute warrants, and carry firearms as authorized by the Agriculture and Food Act of 1981 (P.L. 97-98); and to exercise all duties and responsibilities authorized by the Inspector General Act of 1978 or incident thereto, including the authority to obtain USDA records and information, to administer oaths, and to undertake other duties as necessary in support of the mission of the OIG.

**Purpose of Affidavit**

4. I am investigating Nadine Jean Baptiste (“BAPTISTE”) and her daughter Octavia Jean Baptiste (“OCTAVIA”) for suspected violations of 18 U.S.C. § 1028A (Aggravated Identity Theft), 18 U.S.C. § 1343 (Wire Fraud), 7 U.S.C. § 2024(b) (Illegal Acquisition or Use of Supplemental Nutrition Assistance Program Benefits); 42 U.S.C. § 408(a)(7)(B) (Misuse of a Social Security Number); and 18 U.S.C. § 371 (Conspiracy) (collectively, the “Subject Offenses”) in relation to the fraudulent use and acquisition of Supplemental Nutrition Assistance Program (SNAP) benefits in Rhode Island.

5. This affidavit is made in support of an Application for a Search Warrant for the following persons and places:

- a. **NADINE JEAN BAPTISTE’s**, residence at 37 Foxcroft Avenue in Warwick, Rhode Island (“the Baptiste Subject Premises”) and further described in Attachment A-1, for the items described in Attachment B;
- b. **NADINE JEAN BAPTISTE’s** workspaces, two specific areas within the Rhode Island Department of Human Services at 1 Reservoir Avenue in Providence, Rhode Island (“the Subject DHS Office”) further described in Attachment A-2, for the items described in Attachment B;
- c. **NADINE JEAN BAPTISTE’s** (“Subject Person 1”) person, year of birth 1967, and further described in Attachment A-3, for the items described in Attachment B.
- d. **OCTAVIA JEAN BAPTISTE’s** (“Subject Person 2”) person, year of birth 1996, and further described in Attachment A-4, for the items described in Attachment B.

I also submit this affidavit in support of an arrest warrant for **BAPTISTE**, who is known to reside at the Baptiste Subject Premises and work at the Subject DHS Office which are further described in Attachments A-1 and A-2 respectively.

I also submit this affidavit in support of an arrest warrant for **OCTAVIA**, who is known to reside at the Baptiste Subject Premises which is further described in Attachment A-1.

6. As set forth below, I believe probable cause exists to show evidence, fruits, and instrumentalities of these crimes committed by BAPTISTE and OCTAVIA (collectively, “the Subject Persons”) and other co-conspirators will be found where the Subject Persons reside, where BAPTISTE work , and on the persons of the Subject Persons, including on their cell phones and computers.

7. This affidavit is based on my personal knowledge, information provided to me by other investigators including Internal Audit Manager Brittany Badway of the Fraud Detection and Prevention Unit of the Rhode Island Office of Internal Audit (“OIA”) and Special Agent Robert Beard of the Social Security Administration - Office of Inspector General, as well as my review of reports and records used herein. This affidavit is not intended to set forth all the information that I have learned during this investigation but includes only the information necessary to establish probable cause for the search warrants for the Subject Premises, Subject DHS Office, and Subject Persons.

#### **Background Information on SNAP**

8. The statements in this section are based on my training and personal experience investigating identity and other fraud, and on information provided to me by other investigators.

9. Congress enacted SNAP to “promote the general welfare, to safeguard the health

and well-being of the nation's population by raising levels of nutrition among low-income households." 7 U.S.C. § 2011. This program enables low-income households to obtain a more nutritious diet by increasing their food purchasing power.

10. Under the program, eligible households receive food stamps in the form of credits to an electronic benefit card to buy food from retail food stores that participate in SNAP. Food stamp benefits are obligations of the United States and redeemable at face value by the Secretary through the facilities of the Treasury of the United States. 7 U.S.C. § 2024(d). USDA administers SNAP nationally. Individuals or families that are in need of SNAP benefits may apply for assistance through the Rhode Island Department of Human Services ("RI DHS").

11. It is unlawful to knowingly use, transfer, acquire, alter, or possess SNAP benefits in any manner contrary to Title 7 of United States Code or the regulations issued by the USDA. Violations of the section are punishable by a fine of not more than \$250,000 or imprisonment for not more than twenty years. 7 U.S.C. § 2024(b).

12. The Secretary of Agriculture may subject to forfeiture and denial of property rights any nonfood items, moneys, negotiable instruments, securities, or other things of value that are furnished by any person in exchange for benefits, or anything of value obtained by use of an access device, in any manner contrary to this chapter or the regulations issued under this chapter. Any forfeiture and disposal of property forfeited under this subsection shall be conducted in accordance with procedures contained in regulations issued by the Secretary. 7 U.S.C. § 2024(e).

13. Rhode Island uses the Electronic Benefit Transfer ("EBT") system for SNAP benefits. The EBT system uses plastic debit cards, which are automatically credited with the recipient's appropriate amount of benefits during certain times of each month. In the State of Rhode Island, SNAP benefits are credited to recipient's accounts on the first of every month. To

access benefits, the recipient presents the card at an authorized retailer's location. The card is swiped through an electronic terminal device (commonly and hereinafter referred to as an "EBT terminal") which reads coded information on the card's magnetic strip. The transaction amount is deducted from the EBT card's balance and deposited into the retailer's account.

14. When making a purchase from an authorized vendor, an EBT card user swipes the card through the EBT terminal and enters a personal identification number ("PIN") via a PIN pad. The terminal communicates via a financial network through a processing switch with a central database, which maintains recipient account balance information. The central database verifies the amount of benefits available, authorizes the transaction and deducts the purchase amount from the recipient's available balance. The system also calculates cumulative SNAP sales for each retailer and authorizes electronic payments to the retailer's bank account.

15. Investigators have the ability to monitor the SNAP EBT transactions at a particular store by accessing the database of the financial institution that is contracted to implement the SNAP EBT program. Throughout this investigation, the financial institution contracted in Rhode Island for the SNAP EBT program was Fidelity National Information Services, Inc ("FIS") which is headquartered in Jacksonville, Florida. Rhode Island uses ebtEDGE, a database maintained by FIS, to administer SNAP benefits. FIS uses a data center located in Phoenix, Arizona to house the individual Rhode Island EBT cardholder transaction data, and the daily settlement payments made to retailers in Rhode Island. These financial institutions provide an electronic means of identifying the locations of retailers that were visited by the SNAP EBT participant. This monitoring allows the investigators to view the transaction by card number at the store as it is being processed for redemption. It also allows the investigators to see the dollar amount of the transaction.

16. Retailers must obtain a license from the USDA Food and Nutrition Service ("FNS")

to accept food stamp benefits from eligible recipients as payment for authorized food purchases. Before receiving authorization to participate in SNAP, a retailer is provided with an application to participate in SNAP and a book of federal regulations regarding SNAP. As part of the application filled out by a retailer seeking to participate in SNAP, the retailer is advised of the SNAP regulations, including those prohibiting the retailer from providing cash or ineligible items to recipients in exchange for the recipient's SNAP benefits.

17. FNS has designated what types of items are eligible for purchase using SNAP benefits and what types of items are ineligible for purchase using SNAP benefits. Typical eligible items include bread/cereal, dairy products, fruits, vegetables, meat, poultry, fish, etc. Typical ineligible items include gasoline, tobacco products, alcohol, paper products, cleaning products, etc.

18. In Rhode Island, SNAP benefits are administered to recipients by RI DHS in accordance with federal requirements. RI DHS is responsible for determining SNAP eligibility and authorizing benefits for low-income households (participants) in need. RI DHS is staffed by state employees who operate staff offices and facilitate online infrastructure.

19. To qualify for SNAP in Rhode Island, the applicant must be a resident of Rhode Island, meet the financial eligibility requirements, and be a United States citizen or an eligible non-citizen, such as Lawful Permanent Resident (LPR) who has earned, or can be credited with, 40 quarters of work. An applicant for SNAP benefits must also provide proof of their identity, i.e., the applicant must be the person who they claim to be. An applicant must also furnish a Social Security Number or provide proof that the applicant has applied for one.

20. An applicant for SNAP benefits must provide complete and accurate information both at the time of application and on an ongoing basis to properly assess initial and continued eligibility for benefits.

21. When a recipient submits an application requesting SNAP, RI DHS has 30 thirty days to determine eligibility. In some limited cases, if the application indicates that the applicant meets any one of the enumerated “Expedited Guidelines”, the application will be processed within seven days.

22. If any one of these criteria are met, the household will meet expedited status, and an eligibility technician will contact the applicant within seven days of the application being submitted for an interview. Expedited benefit applicants receive maximum benefits for 1 month or prorated and 1 month. If the applicant completes the scheduled interview, the benefits will be approved for 12 months, if the applicant submits an interim report after 6 months.

23. If the eligibility technician is unable to contact the applicant, the individual will receive expedited benefits for the applying month but will not be approved for the 12-month period. Depending on the date the recipient submitted the application, they may receive a pro-rated benefit amount for the month in which they applied, plus the following month’s benefit amount. If the technician cannot reach the applicant, the technician will schedule an interview for a later date and forward the interview date to the applicant’s provided mailing address. If the applicant does not attend the interview, a correspondence titled Noticed of Missed Interview (“NOMI”) will be sent to the applicant’s mailing address, and the case will be closed.

24. The amount of SNAP benefits to which a program participant is entitled is electronically posted to the program participant’s account on a monthly basis. Applicant eligibility is determined by citizenship, income, and number of people living within a household. A SNAP



household is defined as persons who live together and purchase and prepare meals together. In general, households with larger numbers of people or dependents will receive higher amounts of benefits. Monthly benefits for SNAP are primarily determined by household size (number of persons living in a household). In the continental United States during Fiscal Year 2024, households typically receive between \$291 for a household of one person up to \$1,751 for a household of eight persons.

25. SNAP recipients can query the balance of funds on an EBT card by placing a telephone call to a toll-free number maintained by the financial institution providing the card. The telephone numbers calling the toll-free number are logged. In my experience reviewing SNAP-related records, it is common for an EBT card to be queried by one or two telephone numbers (typically the adults living in the household to whom the card was issued).

26. In Rhode Island, OIA performs the auditing function for the administration of state public assistance benefits, including SNAP. The USDA-OIG has federal statutory oversight authority of SNAP to investigate fraud, waste, and abuse.

### **Duties of RI DHS Principal Clerk**

27. The statements in this section are based on my review of employment documents and records as well as information provided to me by state employees including OIA and RI DHS management.

28. A RI DHS principal clerk is a state employee responsible for the supervision of four to five subordinate customer service aides in a state office which issues and updates state and federal public assistance benefits. SNAP is a federal public assistance benefit administered through EBT cards requested and printed by principal clerks and customer support aides at RI DHS.

Accordingly, principal clerks and customer service aides require at least a basic knowledge of rules, regulations, and laws concerning its administration. A principal clerk has access to state databases including RIBridges, a RI DHS benefit eligibility system that contains applications and issuance information for SNAP and other programs including Medicaid, cash assistance, childcare, and burial assistance. RIBridges contains personal identifiable information (“PII”) of current and past public assistance recipients including name, date of birth, Social Security number, and address.

29. As a supervisor, a principal clerk has unrestricted access to the state building to which they are assigned and may access the building without other staff present to include working overtime shifts alone. In addition to supervisory duties, a principal clerk manages daily customer interactions, retrieves the mail from the office drop box, sorts mail delivered from a courier service, organizes return mail, maintains accountability and destruction of EBT cards, maintains the visitor record, and more. A principal clerk has full access to the EBT card printing operations which include physical access to blank EBT cards and a machine which prints EBT cards. Duties of a principal clerk include tracking cards for destruction, inventorying EBT cards, requesting EBT cards for recipients, and distributing EBT cards to recipients without an address in the lobby which are commonly homeless people. The responsibilities of a principal clerk include receiving mail to the DHS office which contains EBT cards that were sent to the office for the in-person pickup by homeless people as well as return (undeliverable) mail.

30. According to RI DHS management, a principal clerk is prohibited by rule and/or directive from using a personal cell phone to conduct official business. A principal clerk does not have a need to know the balance of an EBT card or set PINs. A public telephone is available for

SNAP recipients to use at the Subject DHS Office. A principal clerk, and all unauthorized persons, are prohibited by law from using the EBT card issued to another.

31. BAPTISTE has been employed by the State of Rhode Island since at least 2013. In her current capacity, Baptiste serves as a principal clerk at the Subject DHS Office.

## **PROBABLE CAUSE**

### **Discovery of Scheme**

32. In September 2023, OIA received complaints from SNAP recipients via the Internal Audit Fraud Hotline alleging they did not receive EBT cards issued to them which are commonly mailed to the address of the recipient or obtained in-person from a DHS office in the case of a homeless recipient. OIA determined that the brother of “K.P.,” a state employee employed as a customer service aide supervised by BAPTISTE at the Subject DHS Office, unlawfully used multiple EBT cards on multiple occasions in 2023. K.P. printed most of the EBT cards OIA documented K.P.’s brother using on surveillance video, however an additional EBT card on which K.P.’s brother conducted a telephonic balance inquiry was printed by BAPTISTE. As a result of the state internal investigation, K.P. was terminated from employment with RI DHS in June 2024.

33. In June 2024, OIA began investigating an anonymous report made in March 2023 via the Internal Audit Fraud Hotline alleging BAPTISTE concealed household income and composition to obtain benefits from the Low Income Home Energy Assistance Program (“LIHEAP”). The anonymous report identified BAPTISTE as a “RI State Worker” and identified the residential address of BAPTISTE as the BAPTISTE Subject Premises.

34. In July 2024, OIA determined that BAPTISTE concealed household income and composition to obtain LIHEAP. In the process of making this determination, OIA conducted a

review of information available in the state public assistance benefit database. OIA discovered that BAPTISTE used her personal cell phone with a telephone number of (401) 450-8628 (“the BAPTISTE Phone Number”) to make telephonic balance inquiries on her daughter OCTAVIA’s EBT card. BAPTISTE is associated with the BAPTISTE Phone Number in the Accurint database, which is a public records database that provides names, dates of birth, addresses, associates, telephone numbers, email addresses, et cetera based on public information sources. BAPTISTE listed the BAPTISTE Phone Number as her contact telephone number in the LIHEAP application she submitted in March 2023. The BAPTISTE Phone Number is listed as the telephone number on the BJ’s Wholesale Club membership account issued to BAPTISTE and a bank account that belongs to BAPTISTE.

35. Additional queries by OIA determined the BAPTISTE Phone Number conducted 27 telephone balance inquiries on 16 separate EBT cards within a 30-day period ending on or about July 16, 2024. From January 1, 2023, to July 15, 2024, the BAPTISTE Phone Number conducted telephonic balance inquiries on 160 EBT cards including 139 PIN changes.

36. The telephone balance inquiry function is intended to be used by a SNAP recipient to query their SNAP balance on their EBT card. To conduct the inquiry, the caller must enter the EBT card number and the date of birth for the recipient via telephone keypad. Accordingly, it is most typical only for an individual recipient or other household members in his or her household to telephonically check the balance of an EBT card. Based on my training and experience in similar investigations, individuals who are involved in obtaining fraudulent benefits frequently use telephones to query card balances to fraudulently use the benefits or provide the balance information to other individuals to whom they give or sell the cards.

### **Subsequent Investigation**

37. Further investigation by federal agents and state investigators revealed BAPTISTE organized a scheme to steal SNAP benefits from recipients using her official position as a supervisory state employee. BAPTISTE used her access to EBT cards and PII of SNAP recipients entrusted to her through employment as a supervisory state employee to unlawfully use (and allow to be used) federal benefits intended by the government to be used by persons in need. Many of the victims were juveniles, homeless, or incarcerated at the time of victimization.

38. Initial queries showed that the BAPTISTE Phone Number conducted approximately 1,817 individual telephone balance inquires on approximately 408 EBT cards between January 2020 and July 2024.

39. Initial queries also showed that OCTAVIA used her personal cell phone with a telephone number of (401) 952-6171 (“the OCTAVIA Phone Number”) to conduct approximately 317 individual telephone balance inquires on approximately 95 EBT cards (excluding her issued EBT card) between January 2020 and July 2024. OCTAVIA is associated with the OCTAVIA Phone Number in the Accurint database. The OCTAVIA Phone Number is listed as the contact telephone number for OCTAVIA in an April 2023 application for SNAP and childcare assistance.

40. As further outlined below, video surveillance footage obtained in the investigation shows a subject believed to be BAPTISTE using \$2,580.87 in SNAP benefits. This video surveillance footage shows a subject believed to be BAPTISTE using 16 different EBT cards from June 14, 2024, to August 25, 2024. Retail establishments commonly use video surveillance systems to protect people and property. The video footage record by retail establishments is often retained for a limited period of time.

41. The ebtEDGE system tracks the PIN sets and changes via telephone call on EBT cards. According to OIA, the ebtEDGE system documented the BAPTISTE Phone Number and the OCTAVIA Phone Number conducting PIN changes on EBT cards with a combined value of \$161,868.07 used between January 1, 2023, and July 23, 2024. According to OIA, the ebtEDGE system documented the BAPTISTE Phone Number and the OCTAVIA Phone Number establishing and updating the PINs of 289 individual EBT cards used between January 1, 2023, and July 23, 2024.

42. The ebtEDGE system tracks telephone balance inquires on EBT cards. According to OIA, the ebtEDGE system documented the BAPTISTE Phone Number and OCTAVIA Phone Number conducting telephone balance inquires on EBT cards with a combined value of \$191,799.53 (which includes cards with PIN changes) used between January 1, 2023, and July 23, 2024. According to OIA, the ebtEDGE system documented the BAPTISTE Phone Number establishing and updating the PINs of 480 individual EBT cards used between January 1, 2023, and July 23, 2024.

43. As part of the initiation of the investigation, I reviewed government records including the driver's licenses issued to BAPTISTE and OCTAVIA by the Rhode Island Division of Motor Vehicles. The pictures associated with driver's licenses for BAPTISTE (left) and OCTAVIA (right) appear below.

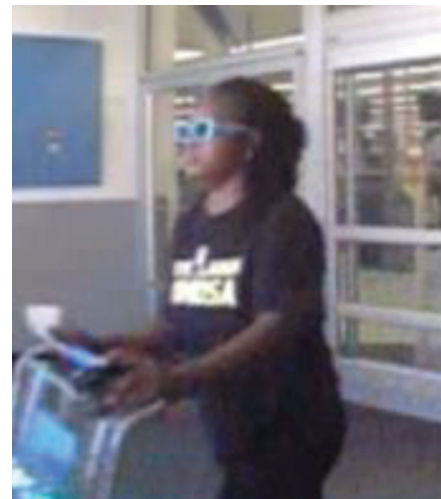
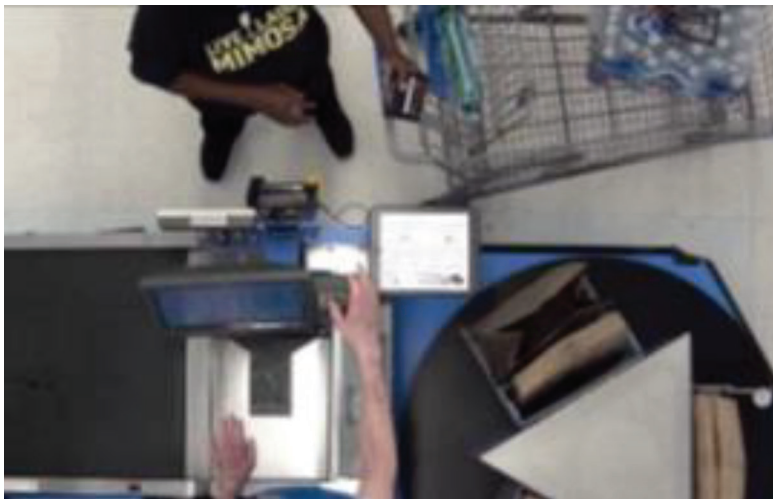


**Transactions Using Fraudulently Obtained EBT Cards**

44. On June 15, 2024, a SNAP transaction using an EBT card issued to the identity of C.R.M. occurred at America’s Food Basket in Providence, Rhode Island. The BAPTISTE Phone Number conducted twelve telephone balance inquires on the EBT card issued to C.R.M. In her official capacity as a supervisory state employee, BAPTISTE printed the EBT card issued to C.R.M on January 24, 2024. The below image from surveillance footage shows a subject believed to be BAPTISTE, wearing a denim jacket, making the transaction.



45. On June 16, 2024, a SNAP transaction using the EBT card issued to the identity of A.P. occurred at Walmart in Warwick, Rhode Island. The BAPTISTE Phone Number conducted eight telephone balance inquires on the EBT card issued to A.P., including the day after this transaction. Surveillance footage from the transaction shows a subject believed to be OCTAVIA using the EBT card (below left) and exiting Walmart (below right).

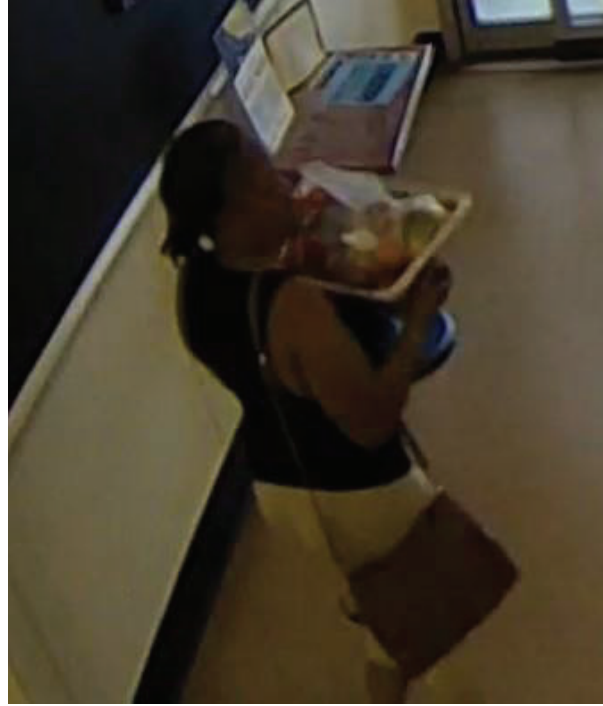




46. On June 18, 2024, a SNAP transaction using an EBT card issued to the identity of A.P. occurred at Market Basket in Warwick, Rhode Island. In addition to the telephone balance inquiries made on the EBT card issued to A.P. by the BAPTISTE Telephone Number, the OCTAVIA Phone Number conducted a telephone balance inquiry on the EBT card 30 minutes before this transaction. The below image from surveillance footage from the transaction shows a subject believed to be OCTAVIA exiting Market Basket.



47. On June 20, 2024, a SNAP transaction using an EBT card issued to the identity of L.C. occurred at Stop & Shop in Cranston, Rhode Island. The BAPTISTE Phone Number conducted seven telephone balance inquiries on the EBT card issued to L.C., including the day before this transaction. The below images from surveillance footage show a subject believed to be BAPTISTE making the transaction.



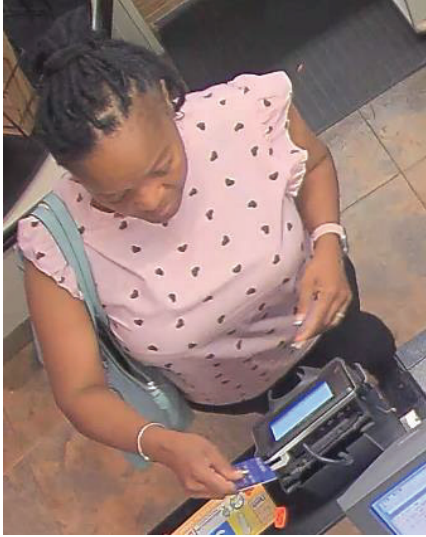
48. On June 22, 2024, a SNAP transaction using an EBT card issued to the identity of L.C. occurred at Dave's Market in Warwick, Rhode Island. The below image from surveillance footage from the transaction shows a subject believed to be BAPTISTE, wearing a denim jacket, exiting Dave's Market.



49. On July 16, 2024, a SNAP transaction using an EBT card issued to the identity of J.L. occurred at America's Food Basket in Providence, Rhode Island. The BAPTISTE Phone Number conducted eight telephone balance inquires on the EBT card issued to J.L., including six minutes before this transaction. The below images from surveillance footage show a subject believed to be Mackenzy Domesca ("Domesca") making the transaction (emphasis added with a red circle). The Rhode Island driver's license issued to Domesca uses an address of the BAPTISTE Subject Premises. Based on open-source social media information, I believe Domesca to be the spouse or male relative of BAPTISTE.



50. On July 18, 2024, a SNAP transaction using an EBT card issued to OCTAVIA occurred at Dave’s Market in Warwick, Rhode Island. BAPTISTE is listed as an authorized representative on the EBT issued to OCTAVIA. The below images from surveillance footage show a subject believed to be BAPTISTE making the transaction (left) and the subject departing the parking lot in a vehicle believed to be a gray 2015 Hyundai Elantra with a pink-colored front registration plate (right). BAPTISTE is the registered owner of a gray 2015 Hyundai Elantra with Rhode Island registration 590817 with breast cancer vanity plates (“the Subject Vehicle”).



51. On July 13, 2024, a SNAP transaction using an EBT card issued to the identity of R.E. occurred at Stop & Shop in Cranston, Rhode Island. The BAPTISTE Phone Number conducted three telephone balance inquires on the EBT card issued to R.E on August 9, 2024. The below images from surveillance footage from the transaction show a subject believed to be BAPTISTE exiting Stop & Shop (left) and the subject departing the parking lot in a vehicle believed to be a gray 2015 Hyundai Elantra.



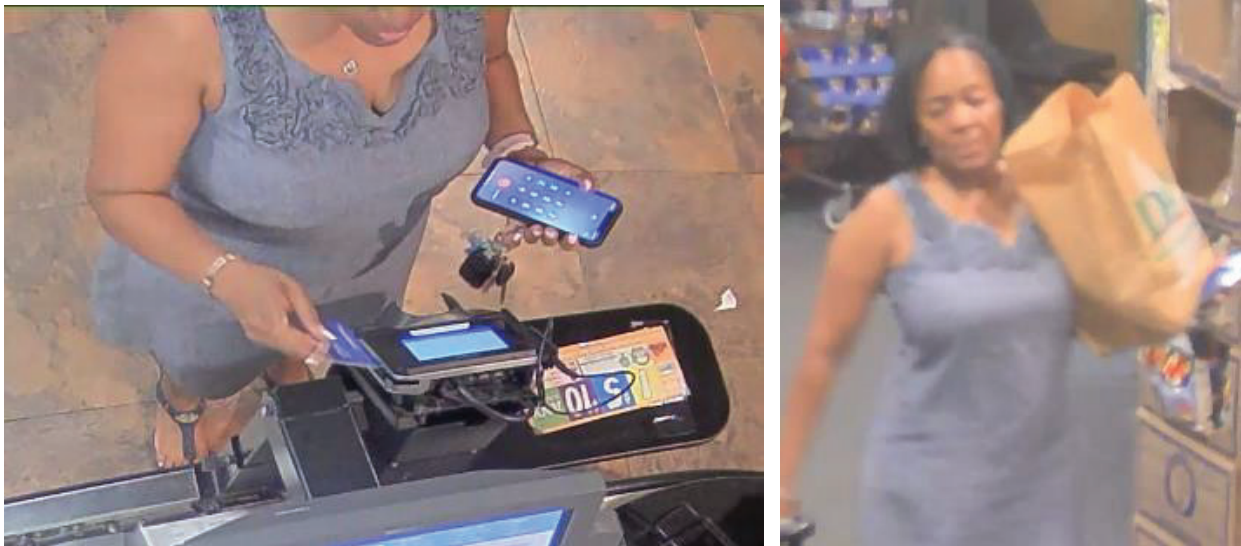
52. On July 18, 2024, SNAP transactions using EBT cards funded by the Summer Nutrition Program for eligible children aged 6 to 18 and years old issued to the identities of E.M. and C.B.B. occurred together at Price Rite in Cranston, Rhode Island. The BAPTISTE Phone Number conducted a total of six telephone balance inquires on the EBT cards issued E.M. and C.B.B. The below images from surveillance footage show a subject believed to be BAPTISTE, wearing a denim jacket, making the transaction.



53. On July 29, 2024, a SNAP transaction using an EBT card funded by the Summer Nutrition Program for eligible children aged 6 to 18 and years old issued to the identity of M.H. occurred at Shop & Shop in Cranston, Rhode Island. The BAPTISTE Phone Number conducted eight telephone balance inquires on the EBT card issued to M.H, including 17 minutes before this transaction. The below images from surveillance footage show a subject believed to be BAPTISTE after making the transaction (left) and the subject departing the parking lot in a grey four-door sedan (right).



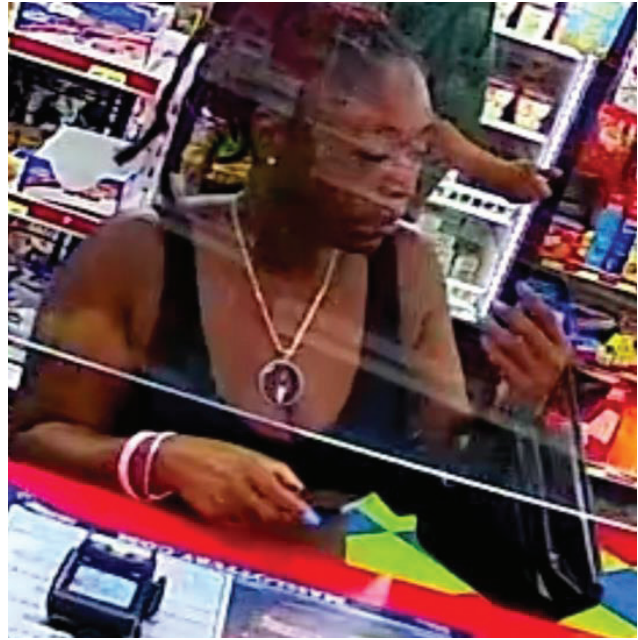
54. On August 1, 2024, a SNAP transaction using an EBT card funded by the Summer Nutrition Program for eligible children aged 6 to 18 and years old issued to the identity of Z.C. was used at Dave's Market in Warwick, Rhode Island. The BAPTISTE Phone Number conducted six telephone balance inquires on the EBT card issued to Z.C, including the day of the transaction. The below images from surveillance footage shows subject believed to be BAPTISTE making the transaction while manipulating a cell phone (top) and later enter a grey 2015 Hyundai Elantra (bottom).



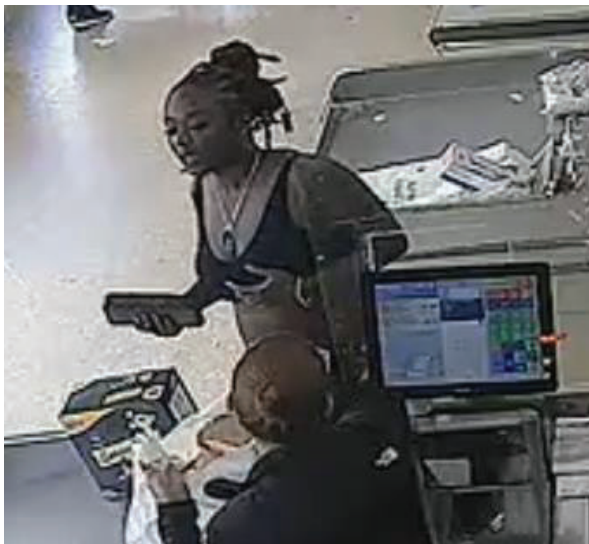


55. On August 11, 2024, SNAP transaction using an EBT card funded by the Summer Nutrition Program for eligible children aged 6 to 18 and years old issued to the identity of J.R. was used at Masud Food in Boston, Massachusetts. The BAPTISTE Phone Number conducted four telephone balance inquires on the EBT card issued to J.R. Additionally, another telephone number believed to be associated with OCTAVIA through an online advertisement conducted a telephone balance inquiry on the EBT card issued to J.R. The surveillance footage for the transaction shows a subject believed to be OCTAVIA manipulate a cell phone carried on her person immediately before the transaction. The below images from surveillance footage shows subject believed to be OCTAVIA making the transaction.





56. On August 11, 2024, a SNAP transaction using an EBT card funded by the Summer Nutrition Program for eligible children aged 6 to 18 and years old issued to the identity of J.R. was used at America's Food Basket in Boston, Massachusetts. The below images from surveillance footage shows subject believed to be OCTAVIA making the transaction.



57. On July 3, 2024, a SNAP transaction using an EBT card issued to the identity of Jo.R. was used at BJ's Wholesale Club in Warwick, Rhode Island. The BAPTISTE Phone Number

conducted three telephone balance inquires on the EBT card issued to Jo.R., including five minutes before this transaction. In her official capacity as a supervisory state employee, BAPTISTE printed the EBT card issued to Jo.R. on July 1, 2024. The below images from surveillance footage show a subject believed to be BAPTISTE, wearing a denim jacket, making the transaction (left) and exiting the store (right).



### **EBT Card Printing**

58. RI DHS uses the RIBridges system to print EBT cards and track their issuance. BAPTISTE has access to printing EBT cards within the RIBridges system and has physical access to the EBT card printing machine at the Subject DHS Office. BAPTISTE is assigned a username of “nbaptiste.” The BAPTISTE Phone Number conducted 84 telephone balance inquires on EBT cards printed by the “nbaptiste” username within the RIBridges system between 2020 to 2024.

**Known Victim Identities**

59. In August 2024, I interviewed P.L., an inmate at the Rhode Island Adult Correctional Institution, to obtain information on the suspected fraudulent use of his identity and SNAP benefits by BAPTISTE. P.L. stated that he did not know BAPTISTE after I showed him the picture for her Rhode Island driver's license. He further stated that he never permitted another person to use his identity information or SNAP benefits.

60. P.L. is currently incarcerated and has been since May 11, 2022. The RIBridges system indicates return mail, likely containing the EBT card issued to P.L., was received by the State of Rhode Island on or about May 15, 2022. The EBT card issued to P.L. was used four times during his incarceration including two times on April 7, 2023, and two times on April 8, 2023. The BAPTISTE Phone Number conducted five telephone balances inquires on the EBT card issued to P.L. including April 5, 2023, two times on April 7, 2023, May 1, 2023, and September 11, 2023.

61. In August 2024, I interviewed Y.P., an inmate at the Rhode Island Adult Correctional Institution, to obtain information on the suspected fraudulent use of his identity and SNAP benefits by BAPTISTE. Y.P. stated that he did not know BAPTISTE after I showed him the picture associated with her Rhode Island driver's license. He further stated that he never permitted another person to use his identity information or SNAP benefits.

62. Y.P. is currently incarcerated and has been since May 30, 2024. The EBT card issued to Y.P. has been used six times during his incarceration including June 27, 2024, and five times on June 29, 2024. The BAPTISTE Phone Number conducted six telephone balance inquires on the EBT card issued to Y.P. including two times on June 27, 2024, June 29, 2024, two times on July 2, 2024, and July 14, 2024.

63. On June 29, 2024, a SNAP transaction using an EBT card issued to the identity of Y.P., while he was incarcerated, occurred at Stop & Shop in Cranston, Rhode Island. The BAPTISTE Phone Number conducted a telephone balance inquiry twelve minutes prior to the transaction. The below images from surveillance footage show a subject believed to be BAPTISTE making the transaction wearing the same shirt as seen during the July 13, 2024, transaction using the identity of R.E.



64. On June 29, 2024, a SNAP transaction using an EBT card issued to the identity of Y.P., while he was incarcerated, occurred at BJ's Wholesale Club in Johnston, Rhode Island. The below images from surveillance footage show a subject believed to be BAPTISTE exiting the store after making the transaction wearing the apparently same shirt as seen during the July 13, 2024, transaction using the identity of R.E.



65. In August 2024, OIG Special Agents interviewed the mother of J.A., an 8-year-old juvenile who lives in Florida, to obtain information on the suspected fraudulent use of her son's identity and SNAP benefits by BAPTISTE. The mother of J.A. was unaware SNAP benefits were issued to her son in Rhode Island. The mother of J.A. stated that she and her son have lived in Florida since December 2022. They lived in Rhode Island from October 2022 to December 2022. For approximately eighteen months, the mother of J.A. stated that her ability to receive benefits in Florida on behalf of her son has been impacted by another person using her son's identity in Rhode Island; she was notified by the State of Florida the identity of her son was being used in Rhode Island at the same time as in Florida.

66. On July 31, 2024, a SNAP transaction using an EBT card funded by the Summer Nutrition Program for eligible children aged 6 to 18 and years old issued to the identity of J.A., born in 2016, was used at Pacific Seafood Market in Providence, Rhode Island. The BAPTISTE Phone Number conducted eight telephone balance inquires on the EBT card issued to J.A., including 35 minutes before this transaction and the day after the transaction. The below image from surveillance footage shows a subject believed to be BAPTISTE making the transaction.



67. On August 1, 2024, a SNAP transaction using an EBT card issued to the identity of C.D. was used at Pacific Seafood Market in Providence, Rhode Island. The BAPTISTE Phone Number conducted three telephone balance inquires on the EBT card issued to C.D., including seven minutes before this transaction. In her official capacity as a supervisory state employee, BAPTISTE printed the EBT card issued to C.D. on July 11, 2024. The below image from surveillance footage shows a subject believed to be BAPTISTE making the transaction.



**Subject Premises**

68. I believe that BAPTISTE and OCTAVIA reside at the Subject Premises. The Accurant information database provides the Subject Premises as the most current address for both BAPTISTE and OCTAVIA as of a query on September 4, 2024. BAPTISTE's Rhode Island driver's license lists the Subject Premises as her address.

69. The Subject Premises address is listed on the Rhode Island vehicle registrations for at least two vehicles, including the Subject Vehicle, which are registered to BAPTISTE. I observed a vehicle, or vehicles registered to BAPTISTE at the Subject Premises on August 8, 2024, August 29, 2024, and September 2, 2024. BAPTISTE and Domesca are the co-owners of the Subject Premises according to the City of Warwick Office of the Assessor. The active SNAP account for OCTAVIA lists the Subject Premises as her residence.

70. The Subject Premises is listed as the address on the BJ's Wholesale Club membership account issued to BAPTISTE. The Subject Premises is the listed address for a bank account that belongs to BAPTISTE.

71. A Facebook account exists for BAPTISTE with a display name of "Nadine JB Domes" universal resource locator (URL) link of <https://www.facebook.com/nadine.jeanbaptiste.777>. The employment field of the account indicates BAPTISTE is employed by the "Rhode Island Department of Human Services." I observed two pictures within the account, visible to the public, of BAPTISTE standing at a location I believe to be the exterior of the front door of the Subject Premises posted in December 2023 and June 2024.

72. Based on my training and experience in similar investigations, I believe evidence of the Subject Offenses will be found at the Subject Premises. Individuals committing fraud related to the possession and use of obtained EBT cards often use their residence to store EBT cards, ledgers, and other records which constitute evidence of the Subject Offenses. In identity fraud cases involving many victim identities used in the offense, such as this case, individuals committing the fraud often create ledgers or other written means to document and organize the EBT cards and their associated dollar amounts and PINs.

73. The purpose of SNAP is to purchase food using EBT cards. I know that food is very commonly stored in residences. Food products of various types can be stored for weeks or months prior to being consumed or resold. In cases food products are purchased in bulk from wholesale-type stores, such as BJ's Wholesale in this case, larger quantities of food products are often possessed for longer time periods or are stored to be resold.



74. On Saturday, August 31, 2024, and Sunday, September 1, 2024, four EBT purchases were made using two EBT cards associated with OCTAVIA, and BAPTISTE through telephone balance inquires. I believe the food purchased during these transactions and receipts obtained from the transactions are likely to be possessed at the Subject Premises.

**Subject DHS Office**

75. BAPTISTE is currently employed by the State of Rhode Island at the Subject DHS Office. On August 8, 2024, and August 29, 2024, I observed BAPTISTE at the Subject DHS Office.

76. The BAPTISTE Phone Number has conducted telephone balance inquires on more than 30 EBT cards that have or had a mailing address or physical address of the Subject DHS Office and BAPTISTE has used EBT cards that have a mailing address of the Subject DHS Office. BAPTISTE has used EBT cards issued to homeless people who often use the Subject DHS Office and other DHS offices to receive mail on their behalf. As part of her duties at the Subject DHS Office, BAPTISTE receives mail sent to the office as well as return mail which can contain EBT cards.

77. On September 3, 2024, I conducted an interview of a member of RI DHS senior management who provided additional information on BAPTISTE and the Subject DHS Office. Based on the interview, I understand Baptiste to utilize two specific workspaces within the Subject DHS Office which are both located in the lower level of the building. Her assigned workspace is a cubical-style workstation that is assigned solely to her and is designated with her name. Her additional workspace is in the document scanning area which includes a desk, a document scanning

device, and EBT destruction logs. While other employees have access to this area, Baptiste has “taken over” the area and uses it as a workspace.

78. Based on my training and experience in similar investigations, I believe evidence of the Subject Offenses will be found within the Subject DHS Office in and around the assigned desk of BAPTISTE located in the lower level of the building designated by the display of her name and in and around the document scanning area that is used by BAPTISTE as an additional workspace. In her official capacity as a supervisory state employee, BAPTISTE has access to the Subject DHS Office including return mail containing EBT cards, state public benefits databases, and an EBT card printing machine. As detailed above, I believe BAPTISTE likely unlawfully used EBT cards returned to the Subject DHS Office in return mail, unlawfully accessed state benefit databases to obtain PII of victims to perpetrate the fraud scheme at least to attain dates of birth required to conduct telephone balance inquires, and/or unlawfully printed or reprinted EBT cards using her access to an EBT card printing machine, with all of the foregoing occurring at the Subject DHS Office. These violations are likely to create evidence such as opened envelopes, falsified or incomplete records and destruction logs, receipts and reports of printed EBT cards, and notes and ledgers of names, dates or birth, PINs, and dollar amounts of EBT cards, especially as this scheme involves many identities and many EBT cards.

### **Subject Persons**

79. I believe that BAPTISTE and OCTAVIA have possessed and currently possess EBT cards unlawfully on their persons. As detailed above, video surveillance footage documented BAPTISTE and OCTAVIA in possession of EBT cards on their person while conducting various transactions. During transactions documented by video surveillance footage,

BAPTISTE and OCTAVIA possess and/or manipulate a cell phone before, during, and/or after multiple transactions. Cell phones, and applications or digital storage within, can be used to store information on the PINs and the dollar amounts specific to certain EBT cards. As detailed above, the cell phone numbers associated with BAPTISTE and OCTAVIA were used to conduct hundreds of telephone balance inquiries on the EBT cards issued in the identities of identity fraud victims which requires the knowledge of specific date of birth associated with the specific identity to which an EBT card is issued.

80. Based on my training and experience in similar investigations, I believe evidence of the Subject Offenses will be found within the cellular telephones of BAPTISTE and OCTAVIA. It is common for individuals who commit fraud to utilize telephones to communicate with other fraudsters through text messages and email messages, store digital ledgers/notes, and store photographs of there fraudulent activities.

#### **SEIZURE OF COMPUTER EQUIPMENT AND DATA**

81. There is probable cause to believe that electronic equipment was used to violate federal law, and that the equipment will be found at the Subject Premises.

82. From my training and experience, and information provided to me by other agents, I am aware that individuals frequently use computers to create and store records of their actions by communicating about them through e-mail, instant messages, and updates to online social networking websites; drafting letters; keeping their calendars; arranging for travel; storing pictures; researching topics of interest; buying and selling items online; and accessing their bank, financial, investment, utility, and other accounts online.

83. Further, based on my training, experience, and information provided by other law enforcement officers, I know that many cell phones (which are included in Attachment B's definition of "hardware") can now function essentially as small computers. Phones have capabilities that include serving as a wireless telephone to make audio calls, digital camera, portable media player, GPS navigation device, sending and receiving text messages and e-mails, and storing a range and amount of electronic data. Examining data stored on devices of this type can uncover, among other things, evidence of communications and evidence that reveals or suggests who possessed or used the device.

84. From my training, experience, and information provided to me by other agents, I am aware that individuals commonly store records of the type described in Attachment B in computer hardware, computer software, smartphones, and storage media.

85. Based on my knowledge, training, experience, and information provided to me by other agents, I know that computer files or remnants of such files can be recovered months or years after they have been written, downloaded, saved, deleted, or viewed locally or over the Internet. This is true because:

86. Electronic files that have been downloaded to a storage medium can be stored for years at little or no cost. Furthermore, when users replace their computers, they can easily transfer the data from their old computer to their new computer.

87. Even after files have been deleted, they can be recovered months or years later using forensic tools. This is so because when a person "deletes" a file on a computer, the data contained in the file does not actually disappear; rather, that data remains on the storage medium until it is overwritten by new data, which might not occur for long periods of time. In addition, a computer's operating system may also keep a record of deleted data in a "swap" or "recovery" file.

88. Wholly apart from user generated files, computer storage media in particular, computers' internal hard drives contain electronic evidence of how the computer has been used, what it has been used for, and who has used it. This evidence can take the form of operating system configurations, artifacts from operating system or application operation, file system data structures, and virtual memory "swap" or paging files. It is technically possible to delete this information, but computer users typically do not erase or delete this evidence because special software is typically required for that task.

89. Similarly, files that have been viewed over the Internet are sometimes automatically downloaded into a temporary Internet directory or "cache." The browser often maintains a fixed amount of hard drive space devoted to these files, and the files are overwritten only as they are replaced with more recently viewed Internet pages or if a user takes steps to delete them.

90. Data on a storage medium can provide evidence of a file that was once on the storage medium but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file). Virtual memory paging systems can leave traces of information on the storage medium that show what tasks and processes were recently active. Web browsers, e-mail programs, and chat programs store configuration information on the storage medium that can reveal information such as online nicknames and passwords. Operating systems can record additional information, such as the attachment of peripherals, the attachment of USB flash storage devices or other external storage media, and the times the computer was in use. Computer file systems can record information about the dates files were created and the sequence in which they were created, although this information can later be falsified.

91. As explained herein, information stored within a computer and other electronic storage media may provide crucial evidence of the “who, what, why, when, where, and how” of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, information stored within a computer or storage media (*e.g.*, registry information, communications, images and movies, transactional information, records of session times and durations, internet history, and anti-virus, spyware, and malware detection programs) can indicate who has used or controlled the computer or storage media. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence. The existence or absence of anti-virus, spyware, and malware detection programs may indicate whether the computer was remotely accessed, thus inculcating or exculpating the computer owner. Further, computer and storage media activity can indicate how and when the computer or storage media was accessed or used. For example, as described herein, computers typically contain information that log: computer user account session times and durations, computer activity associated with user accounts, electronic storage media that connected with the computer, and the IP addresses through which the computer accessed networks and the internet. Such information allows investigators to understand the chronological context of computer or electronic storage media access, use, and events relating to the crime under investigation. Additionally, some information stored within a computer or electronic storage media may provide crucial evidence relating to the physical location of other evidence and the suspect. For example, images stored on a computer may both show a particular location and have geolocation information incorporated into its file data. Such file data typically also contains information indicating when the file or image was created. The existence of such image files, along with external device connection logs, may

also indicate the presence of additional electronic storage media (*e.g.*, a digital camera or cell phone with an incorporated camera). The geographic and timeline information described herein may either inculcate or exculpate the computer user. Last, information stored within a computer may provide relevant insight into the computer user's state of mind as it relates to the offense under investigation. For example, information within the computer may indicate the owner's motive and intent to commit a crime (*e.g.*, internet searches indicating criminal planning), or consciousness of guilt (*e.g.*, running a "wiping" program to destroy evidence on the computer or password protecting/encrypting such evidence in an effort to conceal it from law enforcement).

92. A person with appropriate familiarity with how a computer works can, after examining this forensic evidence in its proper context, draw conclusions about how computers were used, the purpose of their use, who used them, and when.

93. The process of identifying the exact files, blocks, registry entries, logs, or other forms of forensic evidence on a storage medium that are necessary to draw an accurate conclusion is a dynamic process. While it is possible to specify in advance the records to be sought, computer evidence is not always data that can be merely reviewed by a review team and passed along to investigators. Whether data stored on a computer is evidence may depend on other information stored on the computer and the application of knowledge about how a computer behaves. Therefore, contextual information necessary to understand other evidence also falls within the scope of the warrant.

94. Further, in finding evidence of how a computer was used, the purpose of its use, who used it, and when, sometimes it is necessary to establish that a particular thing is not present on a storage medium. For example, the presence or absence of counter-forensic programs or anti-virus programs (and associated data) may be relevant to establishing the user's intent.

95. Based on my knowledge, training, and the experience of other agents with whom I have spoken, I am aware that in order to completely and accurately retrieve data maintained in computer hardware, computer software or storage media, to ensure the accuracy and completeness of such data, and to prevent the loss of the data either from accidental or programmed destruction, it is often necessary that computer hardware, computer software, and storage media (“computer equipment”) be seized and subsequently processed by a computer specialist in a laboratory setting rather than in the location where it is seized. This is true because of:

- a. The volume of evidence that storage media, such as hard disks, flash drives, CDs, and DVDs, can store the equivalent of thousands or, in some instances, millions of pages of information. Additionally, a user may seek to conceal evidence by storing it in random order or with deceptive file names. Searching authorities may need to examine all the stored data to determine which particular files are evidence, fruits, or instrumentalities of criminal activity. This process can take weeks or months, depending on the volume of data stored, and it would be impractical to attempt this analysis on-site.
- b. Technical requirements analyzing computer hardware, computer software or storage media for criminal evidence is a highly technical process requiring expertise 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. Thus, it is difficult to know, before the search, which expert possesses sufficient specialized skill to best analyze the system and its data. Furthermore, data analysis protocols are exacting procedures, designed to protect the integrity of the evidence and to recover even “hidden,” deleted, compressed, or



encrypted files. Many commercial computer software programs also save data in unique formats that are not conducive to standard data searches. Additionally, computer evidence is extremely vulnerable to tampering or destruction, both from external sources and destructive code imbedded in the system as a “booby trap.”

- c. Consequently, law enforcement agents may either copy the data at the premises to be searched or seize the computer equipment for subsequent processing elsewhere.

96. The Subject Premises may contain computer equipment whose use in the crimes or storage of the things described in this warrant is impractical to determine at the scene. Computer equipment and data can be disguised, mislabeled, or used without the owner’s knowledge. In addition, technical, time, safety, or other constraints can prevent definitive determination of their ownership at the premises during the execution of this warrant. If the things described in Attachment B are of the type that might be found on any of the computer equipment, this application seeks permission to search and seize it onsite or off-site in order to determine their true use or contents, regardless of how the contents or ownership appear or are described by people at the scene of the search.

97. The law enforcement agents will endeavor to search and seize only the computer equipment which, upon reasonable inspection and/or investigation conducted during the execution of the search, reasonably appear to contain the evidence in Attachment B because they are associated with the offenses described herein. If, however, the law enforcement agents cannot make a determination as to use or ownership regarding any particular device, the law enforcement agents will seize and search that device pursuant to the probable cause established herein.

98. This warrant authorizes a review of electronic storage media seized, electronically stored information, communications, other records and information seized, copied or disclosed

pursuant to this warrant in order to locate evidence, fruits, and instrumentalities described in this warrant. The review of this electronic data may be conducted by any government personnel assisting in the investigation, who may include, in addition to law enforcement officers and agents, attorneys for the government, attorney support staff, and technical experts. Pursuant to this warrant, law enforcement agents may deliver a complete copy of the seized, copied, or disclosed electronic data to the custody and control of attorneys for the government and their support staff for their independent review.

### **BIOMETRIC ACCESS TO DEVICES**

99. This warrant permits law enforcement to compel BAPTISTE and OCTAVIA to unlock any devices requiring biometric access subject to seizure pursuant to this warrant. The grounds for this request are as follows:

100. I know from my training and experience, as well as from information found in publicly available materials published by device manufacturers, that many electronic devices, particularly newer mobile devices and laptops, offer their users the ability to unlock the device through biometric features in lieu of a numeric or alphanumeric passcode or password. These biometric features include fingerprint scanners, facial recognition features and iris recognition features. Some devices offer a combination of these biometric features, and the user of such devices can select which features they would like to utilize.

101. If a device is equipped with a fingerprint scanner, a user may enable the ability to unlock the device through his or her fingerprints. For example, Apple offers a feature called “Touch ID,” which allows a user to register up to five fingerprints that can unlock a device. Once a fingerprint is registered, a user can unlock the device by pressing the relevant finger to the device’s Touch ID sensor, which is found in the round button (often referred to as the “home”

button) located at the bottom center of the front of the device. The fingerprint sensors found on devices produced by other manufacturers have different names but operate similarly to Touch ID.

102. If a device is equipped with a facial-recognition feature, a user may enable the ability to unlock the device through his or her face. For example, this feature is available on certain Android devices and is called “Trusted Face.” During the Trusted Face registration process, the user holds the device in front of his or her face. The device’s front-facing camera then analyzes, and records data based on the user’s facial characteristics. The device can then be unlocked if the front-facing camera detects a face with characteristics that match those of the registered face. Facial recognition features found on devices produced by other manufacturers have different names but operate similarly to Trusted Face.

103. If a device is equipped with an iris-recognition feature, a user may enable the ability to unlock the device with his or her irises. For example, on certain Microsoft devices, this feature is called “Windows Hello.” During the Windows Hello registration, a user registers his or her irises by holding the device in front of his or her face. The device then directs an infrared light toward the user’s face and activates an infrared-sensitive camera to record data based on patterns within the user’s irises. The device can then be unlocked if the infrared-sensitive camera detects the registered irises. Iris-recognition features found on devices produced by other manufacturers have different names but operate similarly to Windows Hello.

104. In my training and experience, users of electronic devices often enable the aforementioned biometric features because they are considered to be a more convenient way to unlock a device than by entering a numeric or alphanumeric passcode or password. Moreover, in some instances, biometric features are considered to be a more secure way to protect a device’s

contents. This is particularly true when the users of a device are engaged in criminal activities and thus have a heightened concern about securing the contents of a device.

105. As discussed in this Affidavit, I believe that one or more digital devices will be found during the search. The passcode or password that would unlock the devices subject to search under this warrant currently is not known to law enforcement. Thus, law enforcement personnel may not otherwise be able to access the data contained within the devices, making the use of biometric features necessary to the execution of the search authorized by this warrant.

106. I also know from my training and experience, as well as from information found in publicly available materials including those published by device manufacturers, that biometric features will not unlock a device in some circumstances even if such features are enabled. This can occur when a device has been restarted, inactive, or has not been unlocked for a certain period of time. For example, Apple devices cannot be unlocked using Touch ID when: (1) more than 48 hours has elapsed since the device was last unlocked; or (2) when the device has not been unlocked using a fingerprint for 8 hours and the passcode or password has not been entered in the last 6 days. Similarly, certain Android devices cannot be unlocked with Trusted Face if the device has remained inactive for four hours. Biometric features from other brands carry similar restrictions. Thus, in the event law enforcement personnel encounter a locked device equipped with biometric features, the opportunity to unlock the device through a biometric feature may exist for only a short time.

107. Due to the foregoing, if law enforcement personnel encounter any devices for which they have a reasonable belief belong to BAPTISTE or OCTAVIA that are subject to seizure pursuant to this warrant and may be unlocked using one of the aforementioned biometric features, this warrant permits law enforcement personnel to: (1) press or swipe the fingers (including

thumbs) of BAPTISTE and OCTAVIA to the fingerprint scanner of the devices found at the premises; (2) hold the devices found at the premises in front of the face of BAPTISTE and OCTAVIA and activate the facial recognition feature; and/or (3) hold the devices found at the premises in front of the face of BAPTISTE and OCTAVIA and activate the iris recognition feature, for the purpose of attempting to unlock the devices in order to search the contents as authorized by this warrant. The proposed warrant does not authorize law enforcement to compel that BAPTISTE or OCTAVIA state or otherwise provide the password or any other means that may be used to unlock or access the devices. Moreover, the proposed warrant does not authorize law enforcement to compel BAPTISTE or OCTAVIA to identify the specific biometric characteristics (including the unique finger(s) or other physical features) that may be used to unlock or access the devices.

#### CONCLUSION

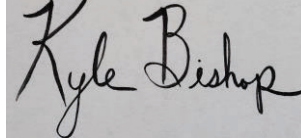
108. Based on the forgoing, I respectfully request that the Court issue the proposed search warrants and arrest warrants.

109. Based on the foregoing, I believe probable cause exists to show BAPTISTE and OCTAVIA have violated the federal criminal statutes cited herein, and that evidence, fruits, and instrumentalities of the Subject Offenses—more fully described in **Attachment B**—are located at the Subject Premises, Subject DHS Office, and the Subject Persons—more fully described in **Attachment A1-A4**. I respectfully request that the Court issue the requested warrants authorizing the search of the Subject Premises, Subject DHS Office, and Subject Persons and the seizure therefrom of the evidence, fruits, and instrumentalities described in **Attachment B**.

110. Based on the foregoing, I believe there is probable cause to arrest BAPTISTE and OCTAVIA for violations of the Subject Offenses

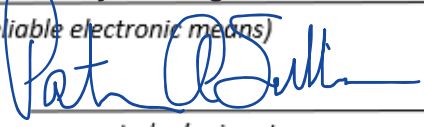
111. I seek permission to allow USDA-OIG to obtain the assistance of other federal, state, and/or local law enforcement authorities, including state investigators of Rhode Island Office of Internal Audit, to aid in the execution of search and arrests warrants.

Respectfully submitted,



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Special Agent Kyle Bishop  
Office of Inspector General  
United States Department of Agriculture

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 <u>by</u> <b>Sworn telephonically and signed electronically</b>	
<i>(specify reliable electronic means)</i>	
September 6, 2024	
<i>Date</i>	<i>Judge's signature</i>
<b>Providence, Rhode Island</b>	<b>Patricia A. Sullivan, USMJ</b>
<i>City and State</i>	<i>Magistrate Judge Patricia A. Sullivan</i>

**ATTACHMENT B**

**Particular Things to be Seized**

All evidence, instrumentalities, fruits or contraband, in whatever form they are found, relating to violations of the 18 U.S.C. § 1028A (Aggravated Identity Theft), 18 U.S.C. § 1343 (Wire Fraud), 7 U.S.C. § 2024(b) (Illegal Acquisition or Use of Supplemental Nutrition Assistance Program Benefits); 42 U.S.C. § 408(a)(7)(B) (Misuse of a Social Security Number); and 18 U.S.C. § 371 (Conspiracy), including but not limited to the following:

1. All computers, electronic devices, smart phones, and cellular telephones capable of internet connectivity.
2. All documents, records, and other items concerning employment at the State of Rhode Island.
3. Indicia of occupancy including but not limited to mail or documents bearing the names of the occupants of the residence being searched.
4. Any and all documents / items relating to SNAP fraud, aggravated identity theft, and wire fraud, including, but not limited to, currency, cashier's checks, money orders, wire transfer records, bank records, ledgers, cash receipts journals, cash disbursement journals, cash register records, notes, SNAP, EBT or WIC cards or coupons, EBT terminals, EBT keypads, and EBT customer lists.
5. Any and all documents related to identity information of the victims of identity fraud
6. Any and all documents relating to transferring or secreting of money.

7. Any and all forms of communication and/or correspondence, including, but not limited to, memoranda, handwritten notes, letters, cellular telephones, facsimile, and email between or involving the locations and/or individuals discussed within this affidavit.
8. Security cameras and video recording devices.
9. Authentic and counterfeit identity documents of all types including driver's licenses, identification cards, and passports.
10. Blue denim jacket and/or any other clothing that matches clothing depicted on video footage.
11. For any computer or storage medium whose seizure is otherwise authorized by this warrant, and any computer or storage medium that contains or in which is stored records or information that is otherwise called for by this warrant (hereinafter, "COMPUTER"):

The term "storage medium" includes any physical object upon which computer data can be recorded. Examples include hard disks, RAM, floppy disks, flash memory, CD-ROMs, and other magnetic or optical media.

- a. Computers, phones, electronic media storage devices used to process or store electronic media related to applications for SNAP benefits.
- b. Telephones capable of calling state or federal agencies that administer the SNAP or private entities who facilitate the SNAP.
- c. Documents containing personal identifying information.
- d. Mail or other correspondence to/from state and federal agencies that administer the SNAP or private entities who facilitate the SNAP.
- e. SNAP EBT and/or other financial transaction cards.



- f. Financial transaction card numbers.
- g. Applications for SNAP benefits.
- h. Applications for retailer participation in the SNAP.
- i. Point of Sale (POS) terminals.

**ATTACHMENT A-1**

**Property to be Searched**

The Subject Premises of 37 Foxcroft Avenue, Warwick, Rhode Island, including the entire residence, basement, garage, and common areas, is particularly described a light-colored ranch-style structure with dark shutters, an open-gable, asphalt-shingled roof, and concrete front steps with black wrought iron-style railings. The numbers “37” appear on the siding of the structure to the right of the front door.

Photographs of 37 Foxcroft Avenue, Warwick, Rhode Island (location marked with “37” in white in the top photograph) appear below.



Source: Google Earth



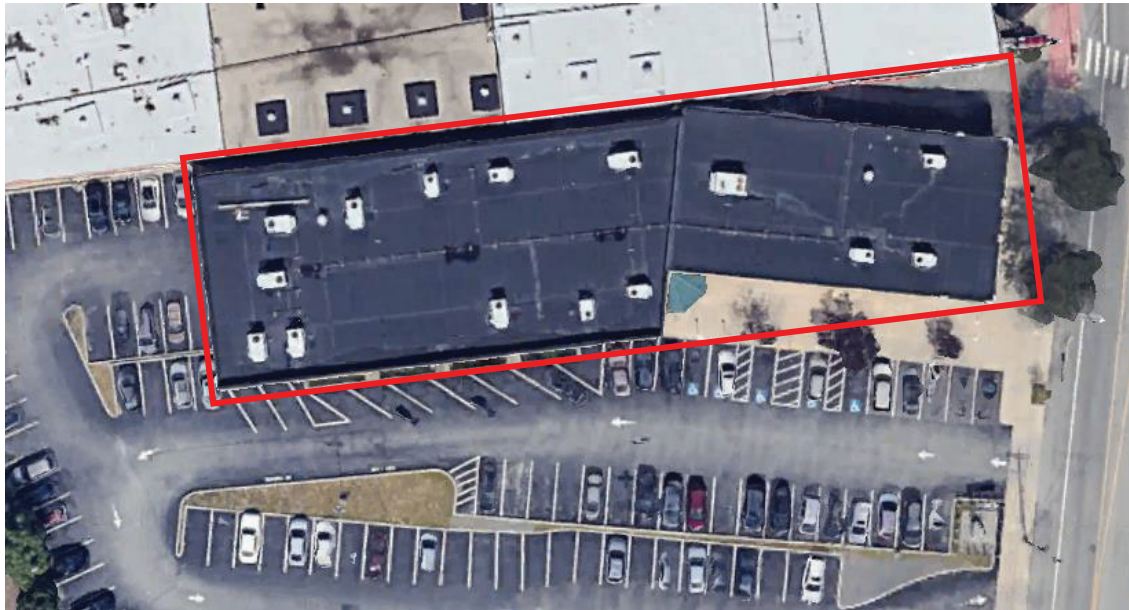
Source: Agent Surveillance (8/29/2024)

**ATTACHMENT A-2**

**Property to be Searched**

The Subject DHS Office is located at 1 Reservoir Avenue in Providence, Rhode Island, with the only areas within the building to be searched particularly described as: 1) the assigned desk of Baptiste located in the lower level of the building designated by the display of her name; and 2) the document scanning area that is used by Baptiste as an additional workspace.

Photographs of the exterior of the Subject DHS Office appear below.



Source: Google Earth



Source: Google Street View

**ATTACHMENT A-3**

**Person to be Searched**

The person of Nadine Jean Baptiste described as a an approximately 57-year-old female adult with dark eyes and approximately 5'3" in height. A photograph of Baptiste appears below.



Source: Rhode Island Division of Motor Vehicles

**ATTACHMENT A-4**

**Person to be Searched**

The person of Octavia Jean Baptiste described as a an approximately 27-year-old female adult with dark eyes and approximately 5'4" in height. A photograph of Octavia appears below.



Source: Rhode Island Division of Motor Vehicles

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  INFORMATION  INDICTMENT  COMPLAINT

CASE NO. 1:24-MJ-77PAS

Matter Sealed:  Juvenile  Other than Juvenile  
 Pre-Indictment Plea  Superseding  Defendant Added  
 Indictment  Charges/Counts Added  
 Information

USA vs.  
 Defendant: Nadine Jean Baptiste

Address: [REDACTED]

Name of District Court, and/or Judge/Magistrate Location (City)  
 UNITED STATES DISTRICT COURT RHODE ISLAND  
 DISTRICT OF RHODE ISLAND Divisional Office

Name and Office of Person Furnishing Information on THIS FORM ZACHARY A. CUNHA  
 U.S. Atty  Other U.S. Agency  
 Phone No. (401) 709-5000  
 Name of Asst. U.S. Attorney (if assigned) PETER I. ROKLAN

Interpreter Required Dialect: \_\_\_\_\_

Birth Date [REDACTED]  Male  Alien  
 Female (if applicable)

Social Security Number [REDACTED]

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)  
United States Department of Agriculture - OIG

- person is awaiting trial in another Federal or State Court (give name of court)
- this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District
- this is a re prosecution of charges previously dismissed which were dismissed on motion of:  
 U.S. Atty  Defense
- this prosecution relates to a pending case involving this same defendant. (Notice of Related Case must still be filed with the Clerk.)
- prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded under

SHOW DOCKET NO.

MAG. JUDGE CASE NO.

Place of offense RHODE ISLAND County

**DEFENDANT**

Issue:  Warrant  Summons

Location Status:

Arrest Date \_\_\_\_\_ or Date Transferred to Federal Custody \_\_\_\_\_

- Currently in Federal Custody
- Currently in State Custody
- Writ Required
- Currently on bond
- Fugitive

Defense Counsel (if any): \_\_\_\_\_

- FPD  CJA  RET'D
- Appointed on Target Letter

This report amends AO 257 previously submitted

**OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS**

Total # of Counts 5

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
	See Attachment	See Attachment	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
		Estimated Trial Days: 3	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

Submit

Go

**ATTACHMENT TO DEFENDANT COMPLAINT RELATIVE TO A CRIMINAL  
ACTION - IN U.S. DISTRICT COURT**

**DEFENDANT:** NADINE JEAN BAPTISTE

**COUNT I:** – Aggravated Identity Theft (18 U.S.C. § 1028A)

**MAXIMUM PENALTIES:** Imprisonment: **Mandatory minimum** 2 years, consecutive to underlying felony; Supervised release: years; and Special assessment: \$100.

**COUNT II:** - Wire Fraud (18 U.S.C. § 1343)

**MAXIMUM PENALTIES:** Imprisonment: 20 years; Supervised release: 3years; Fine: \$250,000; and Special assessment: \$100.

**COUNT III:** – Illegal Acquisition or Use of Supplemental Nutrition Assistance Program Benefits (7 U.S.C. § 2024(b))

**MAXIMUM PENALTIES:** Imprisonment: 20 years; Supervised release: 3 years; Fine: \$250,000; and Special assessment: \$100.

**COUNT IV:** - Misuse of a Social Security Number (42 U.S.C. § 408(a)(7)(B))

**MAXIMUM PENALTIES:** Imprisonment: 10 years; Supervised release: 3 years; Fine: \$250,000; and Special assessment: \$100.

**COUNT V:** - Conspiracy (18 U.S.C. § 371)

**MAXIMUM PENALTIES:** Imprisonment: 5 years; Supervised release: 3 years; Fine: \$250,000; and Special assessment: \$100.