

STATE OF RHODE ISLAND
RHODE ISLAND TRAFFIC TRIBUNAL

STATE OF RHODE ISLAND	:	
	:	
v.	:	C.A. No. T24-0026
	:	24001524905, 24001524907
REGENA JOHNSON	:	

DECISION

PER CURIAM: Before this Panel on May 28, 2025—Magistrate DiChiro (Chair), Magistrate Abilheira, and Magistrate Welch—is the appeal of ReGena Johnson (Appellant) from a decision of Magistrate Kruse Weller (Trial Magistrate) of the Rhode Island Traffic Tribunal, sustaining the charged violations of G.L. 1956 § 31-16-5 “Turn Signal Required,” § 31-12-3 “Obedience to Police Officers,” and § 31-10-27, “License to Be Carried and Exhibited on Demand.” Appellant appeared *pro se* before this Panel. Jurisdiction is pursuant to G.L. 1956 § 31-41.1-8. For reasons set forth in this Decision, Appellant’s appeal is denied.

I

Facts and Travel

On July 17, 2024, at approximately 10:00 a.m., Troopers Jason Patalano and Trooper Betsy Heidel of the Rhode Island State Police were conducting a stationary traffic post at the intersection of Main Street and Fairview Avenue in West Warwick. While parked in a commercial lot, the troopers observed a black Ford Fusion with Rhode Island registration MQ856, determined to be operated by Appellant, proceed past their position. Both officers testified that the vehicle had heavily tinted front windows, which they noted as a potential

violation of state law regarding sunscreen material. *See* October 15, 2024 Trial Tr. at 5:8–21; 35:16–21; *see also* Summons.

According to Trooper Heidel, as the vehicle passed the cruiser, the operator “leaned forward, looked directly at us, stared at us,” then “slammed on her brakes” and stopped “right in the middle of the road, in the lane of travel,” despite there being no traffic or obstructions necessitating the stop. *Tr.* at 6:8–19; 7:2–7. Trooper Patalano corroborated that the vehicle “suddenly came to a complete stop in the middle of the travel lane at a green light” and did not activate a turn signal. *Id.* at 36:4–12

The officers initiated a traffic stop by activating emergency lights. Ms. Johnson did not immediately comply and instead remained stopped in the lane of travel for several seconds, prompting Trooper Heidel to give hand and verbal signals directing her to pull to the right. Ultimately, Ms. Johnson pulled into a right-turn-only lane that was not a proper parking area. *Id.* at 7:8–18; 8:3–15; 36:13–25.

Upon approach, Trooper Heidel requested Ms. Johnson’s license, registration, and insurance. Ms. Johnson, however, refused to comply, instead questioning the officers' authority, and stating she was “traveling,” not “driving.” *Id.* at 9:7–23; 10:2–10. She began recording the officers with her phone and stated she would not provide identification or documents, asserting she did not recognize their authority *Id.* at 11:1–12; 36:23–37:2.

Both troopers testified that they made multiple requests for identification, and after several warnings of arrest for noncompliance, they ordered Ms. Johnson out of the vehicle. When she refused, she was placed under arrest and handcuffed at the scene. During a protective search of the vehicle, the officers located her Rhode Island driver’s license in a wallet in the center console *Id.* at 13:6–14:5; 38:4–9.

Shortly after Ms. Johnson was placed under arrest, she requested medical assistance due to chest pain and was subsequently transported to Kent Hospital by rescue personnel *Id.* at 14:6–14; 39:15–21. At the scene, prior to her transport, she was issued three citations in Summons No. 24001524905. These included: (1) a violation of § 31-14-9, “Operating Below Minimum Speed,” based on the troopers’ observations that she abruptly and unnecessarily stopped her vehicle in a 25-mph zone without traffic, obstructions, or any apparent justification (Tr. at 6:8–14; 36:4–8); (2) a violation of § 31-16-5, “Turn Signal Required,” based on her failure to activate a turn signal before changing lanes or coming to a stop *Id.* at 36:9–12; and (3) a violation of § 31-17-6, “Failure to Yield to Emergency Vehicles,” based on her initial refusal to pull over despite the officers activating their cruiser’s emergency lights and sirens *Id.* at 8:3–15; 37:3–14.

Approximately one hour later, while Ms. Johnson remained at the hospital, the troopers issued a second set of citations, Summons No. 24001524907, based on her conduct during the stop and arrest. This summons included: (1) a violation of § 31-13-4, “Obedience to Traffic Control Devices,” for stopping unnecessarily at a green light in the middle of the travel lane *Id.* at 6:18–23; 36:5–9; (2) a violation of § 31-12-3, “Obedience to Police Officers,” based on her repeated refusal to comply with lawful commands, including her failure to provide a driver’s license or exit the vehicle when ordered *Id.* at 9:7–23; 11:1–12; 13:6–13; and (3) a violation of § 31-10-27, “License to Be Carried and Exhibited on Demand,” because she declined to present her license when requested, and the troopers only located it after a protective search of the vehicle revealed it stored in her center console *Id.* at 13:6–14:5; 38:4–9.

A trial on all six charged violations was held before Magistrate Kruse-Weller on October 15, 2024. The State called Troopers Patalano and Heidel as its only witnesses. Ms. Johnson declined to testify or submit evidence. After hearing the testimony and arguments, the court

found Ms. Johnson guilty on three counts: § 31-16-5 “Turn Signal Required,” § 31-12-3 “Obedience to Police Officers,” and § 31-10-27, “License to Be Carried and Exhibited on Demand.” She was found not guilty on the remaining three counts: § 31-14-9 “Operating Below Minimum Speed,” § 31-17-6 “Failure to Yield to Emergency Vehicles,” and § 31-13-4 “Obedience to Traffic Control Devices.”

Aggrieved by the decision, Appellant timely filed this Appeal.

II

Standard of Review

Pursuant to § 31-41.1-8, the Appeals Panel of the Rhode Island Traffic Tribunal possesses appellate jurisdiction to review an order of a judge or magistrate. Section 31-41.1-8(f) provides in pertinent part:

“The appeals panel shall not substitute its judgment for that of the judge or magistrate as to the weight of the evidence on questions of fact. The appeals panel may affirm the decision of the judge or magistrate, or it may remand the case for further proceedings or reverse or modify the decision if the substantial rights of the appellant have been prejudiced because the judge’s findings, inferences, conclusions or decisions are:

- (1) In violation of constitutional or statutory provisions;
- (2) In excess of the statutory authority of the judge or magistrate;
- (3) Made upon unlawful procedure;
- (4) Affected by other error of law;
- (5) Clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or
- (6) Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.”

In reviewing a hearing judge or magistrate’s decision pursuant to § 31-41.1-8, this Panel “lacks the authority to assess witness credibility or to substitute its judgment for that of the hearing judge [or magistrate] concerning the weight of the evidence on questions of fact.” *Link v. State*,

633 A.2d 1345, 1348 (R.I. 1993) (citing *Liberty Mutual Insurance Co. v. Janes*, 586 A.2d 536, 537 (R.I. 1991)). “The review of the appeals panel is confined to a reading of the record to determine whether the judge’s [or magistrate’s] decision is supported by legally competent evidence or is affected by an error of law.” *Id.* (citing *Environmental Scientific Corp. v. Durfee*, 621 A.2d 200, 208 (R.I. 1993)). “In circumstances in which the appeals panel determines that the decision is ‘[c]learly erroneous in view of the reliable, probative, and substantial evidence on the whole record,’ or is affected by ‘error of law,’ it may remand, reverse, or modify the decision.” *Id.* “Otherwise, it must affirm the hearing judge’s [or magistrate’s] conclusions” on appeal. *Id.*; *see Janes*, 586 A.2d at 537.

III

Analysis

On Appeal, this Panel reviews whether the Trial Magistrate’s decision were clearly erroneous or otherwise affected by legal error. Appellant was found guilty after trial of three violations, and we address each in turn.

A. 31-16-5, Turn Signal Required

Pursuant to § 31-16-5, “[a] signal of intention to turn right or left shall be given continuously during not less than the last one hundred feet traveled by the vehicle before turning.” Trooper Patalano testified that Appellant stopped in the middle of the roadway without signaling, stating that Appellant “suddenly came to a complete stop in the middle of the travel lane at a green light and did not activate a turn signal.” *Tr.* at 36:4–12. This testimony was corroborated by Trooper Heidel, who testified to the observation that the vehicle stopped abruptly and inappropriately in the right-turn lane without indicating her intent to turn or pull over. *Id.* at 6:8–19; 7:2–7. The Trial Magistrate found this evidence sufficient to prove that

Appellant failed to use a turn signal as required by law. Based on this testimony, the Magistrate's decision was supported by reliable testimony that clearly and convincingly proved the violation. Accordingly, this Panel finds no error in sustaining the violation under § 31-16-5.

B. 31-12-3, Obedience to Police Officers

Further, under § 31-12-3, “[n]o person shall willfully fail or refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control, or regulate traffic.” The record clearly establishes that both troopers gave Appellant multiple lawful orders, including instructions to provide her driver's license and step out of the vehicle. Appellant refused to comply, recording the officers on her phone, and stated she was “traveling” and did not recognize their authority. *Id.* at 9:7–23; 10:2–10; 11:1–12. Due to Appellant's continued refusal to comply, the Troopers removed her from the vehicle and placed her under arrest. They testified that they determined that her conduct warranted repeated efforts to gain compliance with lawful orders. *Id.* at 10:5–15; 51:18–52:10.

The Trial Magistrate credited this testimony and found that Appellant's refusal to produce identification and exit the vehicle constituted willful noncompliance with lawful police orders. The decision to sustain the violation under § 31-12-3 was not clearly erroneous or affected by legal error.

C. 31-10-27, License to Be Carried and Exhibited on Demand

Lastly, § 31-10-27 provides that a driver must carry a valid license and exhibit it “upon demand of any proper officer.” The record reflects that Appellant repeatedly declined to provide her license despite several direct and lawful requests by Trooper Heidel at the scene. *Id.* at 9:7–23; 11:1–12. Appellant instead questioned the officer's authority, recorded the encounter on her phone, and asserted that she was “traveling” rather than driving. Her license was only discovered

after she was arrested and the vehicle was searched as part of a protective inventory, at which point Trooper Patalano located it in the center console. *Id.* at 13:6–14:5; 38:4–9.

Before this Panel, Appellant argues that she did not “refuse” to provide her license but that the situation escalated before she had the opportunity to voluntarily comply. She contends that she was not afforded a reasonable window of time to respond before being removed from the vehicle. However, this Panel is constrained by its standard of review and may not substitute its judgment for that of the Trial Magistrate concerning the weight of the evidence or witness credibility. *Link v. State*, 633 A.2d 1345, 1348 (R.I. 1993). The Trial Magistrate, after observing the testimony firsthand, found that Appellant had opportunity to comply and chose not to do so.

The statute only requires that a driver fail to produce the license when properly requested. The Trial Magistrate’s finding that Appellant failed to carry out her statutory obligation was supported by reliable, probative, and substantial evidence. As such, this Panel finds no error in sustaining the violation under § 31-10-27.

