

COMPLAINT - WARRANT

COMPLAINT NUMBER

0290 W 2019 000150

COURT CODE PREFIX YEAR SEQUENCE NO.

**CENTRAL MUN CT BERGEN COUNTY
71 HUDSON STREET
HACKENSACK NJ 07601-0000
201-336-6222 COUNTY OF: BERGEN**

of CHARGES **3** CO-DEFTS POLICE CASE #: **E-49617**

COMPLAINANT **JAMES DEPONTE**
NAME:

THE STATE OF NEW JERSEY

VS.

JOEL GUICHARDO

ADDRESS: **159 LEXINGTON AVE
PASSAIC NJ 07055-0000**

DEFENDANT INFORMATION
SEX: **M** EYE COLOR: **BROWN** DOB: **07/29/1980**
DRIVER'S LIC. #. DL STATE:
SOCIAL SECURITY #: **xxx-xx-x488** SBI #: **398354D**
TELEPHONE #: ()
LIVESCAN PCN #: **029903005739**

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **04/11/2019** in **CENTRAL MUN CT BERGEN COUNTY**, **BERGEN County, NJ** did: WITHIN THE JURISDICTION OF THIS COURT, ATTEMPT VIA ELECTRONIC MEANS TO LURE OR ENTICE A CHILD OR ONE WHO HE REASONABLY BELIEVED TO BE A CHILD TO MEET WITH A PURPOSE TO COMMIT A CRIMINAL OFFENSE WITH OR AGAINST THE CHILD, SPECIFICALLY BY ARRANGING TO MEET "KRISSY", A PURPORTED 14 YEAR OLD CHILD, WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT WITH "KRISSY".

THIS BEING IN VIOLATION OF N.J.S.A. 2C:13-6(A), A CRIME OF THE SECOND DEGREE.

WITHIN THE JURISDICTION OF THIS COURT, ATTEMPT TO ENGAGE IN SEXUAL CONDUCT WHICH WOULD IMPAIR OR DEBAUCH THE MORALS OF A CHILD UNDER THE AGE OF 18, SPECIFICALLY BY TRAVELING TO MEET "KRISSY", BY ENGAGING IN SEXUAL COMMUNICATIONS AND ARRANGING TO MEET "KRISSY", WHOM HE BELIEVED TO BE 14 YEARS OLD, VIA SCOUT AND KIK MESSENGER.

in violation of:

Original Charge	1) 2C:13-6A	2) 2C:24-4A(2)	3) 2C:14-3B
Amended Charge			

CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: DANIEL LOJEK Date: 04/12/2019

You will be notified of your **Central First Appearance/CJP** date to be held at the **Superior Court** in the county of **BERGEN** at the following address: **BERGEN SUPERIOR COURT JUSTICE CENTER 10 MAIN STREET HACKENSACK NJ 07601-0000**
Date of Arrest: **04/11/2019** Appearance Date: Time: Phone: **201-221-0700**

PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT

Probable cause **IS NOT** found for the issuance of this complaint.

Signature of Court Administrator or Deputy Court Administrator Date Signature of Judge Date

Probable cause **IS** found for the issuance of this complaint.

Signature and Title of Judicial Officer Issuing Warrant Date

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT.

Bail Amount Set: _____ by: _____
(if different from judicial officer that issued warrant)

Domestic Violence – Confidential Related Traffic Tickets or Other Complaints Serious Personal Injury/ Death Involved

Special conditions of release:

No phone, mail or other personal contact w/victim
 No possession firearms/weapons
 Other (specify):

ORIGINAL

COMPLAINT - WARRANT

COMPLAINT NUMBER

0290

W

2019

000150

STATE V.

JOEL GUICHARDO

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THIS BEING IN VIOLATION OF N.J.S.A. 2C:5-1(A) AND N.J.S.A. 2C:24-4(A), A CRIME OF THE THIRD DEGREE.

WITHIN THE JURISDICTION OF THIS COURT, ATTEMPT TO ENGAGE IN AN ACT OF SEXUAL CONTACT WITH A CHILD UNDER THE AGE OF 16, SPECIFICALLY BY ARRANGING VIA SOCIAL MEDIA APPS TO MEET AND ENGAGE IN SEXUAL CONTACT WITH "KRISSY", A PERSON HE BELIEVED TO BE A 14 YEAR OLD CHILD.

THIS BEING IN VIOLATION OF N.J.S.A. 2C:5-1(A) AND N.J.S.A. 2C:14-3(B), A CRIME OF THE FOURTH DEGREE.

*** THIS CASE IS BEING PROSECUTED BY SPECIAL DEPUTY ATTORNEY GENERAL, ASSISTANT PROSECUTOR BRIAN SINCLAIR ***

Original Charge

Amended Charge

COMPLAINT - WARRANT

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NJ/CDR2 1/1/2017

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER				STATE V.
0290	W	2019	000150	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	

JOEL GUICHARDO

FTA Bail Information		Date Bail Set: _____	Amount Bail Set: \$ _____ by: _____	<input type="checkbox"/> Bail Recog. Attached
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Released on Bail (v)	R.O.R.	Committed Default	Committed w/o Bail	Place Committed: _____	Date Referred to County Prosecutor: _____
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Date of First Appearance: _____	<input type="checkbox"/> Advised of Rights by _____	Defendant Desires Counsel: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Prosecuting Attorney Information				Defense Counsel Information					
Name:				Name:					
State	County	Municipal	Other	None	Retained	Public Def	Assigned	Waived	Other

Original Charge	1) 2C:13-6A	2) 2C:24-4A(2)	3) 2C:14-3B
Amended Charge			
Waiver Indt/Jury			
Plea/Date of Plea	Plea: _____ Date: _____	Plea: _____ Date: _____	Plea: _____ Date: _____
Adjudication (* see code)	Finding Code: _____ Date: _____	Finding Code: _____ Date: _____	Finding Code: _____ Date: _____
Jail Term	Jail time credit Susp. Imp	Jail time credit Susp. Imp	Jail time credit Susp. Imp
Probation Term	Susp. Imp	Susp. Imp	Susp. Imp
Cond. Discharge Term			
Community Service			
D/L Suspension Term			
Fines/Costs	Fines: _____ Costs: _____	Fines: _____ Costs: _____	Fines: _____ Costs: _____
VCCB/SNSF	VCCB: _____ SNSF: _____	VCCB: _____ SNSF: _____	VCCB: _____ SNSF: _____
DEDR/Lab Fee	DEDR: _____ LAB: _____	DEDR: _____ LAB: _____	DEDR: _____ LAB: _____
CD Fee/Drug Ed Fnd	CD: _____ DAEF: _____	CD: _____ DAEF: _____	CD: _____ DAEF: _____
DV Surch/Other Fees	DV: _____ Other: _____	DV: _____ Other: _____	DV: _____ Other: _____
Restitution Beneficiary: _____			

<p>Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:</p> <p>Related Traffic Tickets and Complaints:</p>	<p style="text-align: center;">* Finding Codes</p> <p>1 – Guilty 2 – Not Guilty 3 – Dismissed – Other 4 – Guilty but Merged 5 – Dismissed-Rule 6 – Dismissed Lack of Prosecution 7 – Dismissed – Pros Motion/Vic Req 8 – Conditional Discharge D – Dismissed- Prosecutor Discretion M – Dismissed- Mediation P – Dismissed-Plea Agreement S – Disposed at Superior W – Dismissed-False ID</p>
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COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER				STATE V.
0290	W	2019	000150	
<small>COURT CODE</small>	<small>PREFIX</small>	<small>YEAR</small>	<small>SEQUENCE NO.</small>	

JOEL GUICHARDO

FTA Bail Information		Date Bail Set: _____	Amount Bail Set: \$ _____ by: _____	<input type="checkbox"/> Bail Recog. Attached
-----------------------------	--	----------------------	-------------------------------------	---

<small>Released on Bail (v)</small>	<small>R.O.R.</small>	<small>Committed Default</small>	<small>Committed w/o Bail</small>	<small>Place Committed:</small> _____	<small>Date Referred to County Prosecutor:</small> _____
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<small>Date of First Appearance:</small> _____	<input type="checkbox"/> <small>Advised of Rights by</small> _____	<small>Defendant Desires Counsel:</small> <input type="checkbox"/> Yes <input type="checkbox"/> No
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Prosecuting Attorney Information				Defense Counsel Information					
Name:				Name:					
<small>State</small>	<small>County</small>	<small>Municipal</small>	<small>Other</small>	<small>None</small>	<small>Retained</small>	<small>Public Def</small>	<small>Assigned</small>	<small>Waived</small>	<small>Other</small>

Original Charge									
Amended Charge									
Waiver Indt/Jury									
Plea/Date of Plea	<small>Plea:</small>	<small>Date:</small>		<small>Plea:</small>	<small>Date:</small>		<small>Plea:</small>	<small>Date:</small>	
Adjudication (* see code)	<small>Finding Code:</small>	<small>Date:</small>		<small>Finding Code:</small>	<small>Date:</small>		<small>Finding Code:</small>	<small>Date:</small>	
Jail Term		<small>Jail time credit</small>	<small>Susp. Imp</small>		<small>Jail time credit</small>	<small>Susp. Imp</small>		<small>Jail time credit</small>	<small>Susp. Imp</small>
Probation Term			<small>Susp. Imp</small>			<small>Susp. Imp</small>			<small>Susp. Imp</small>
Cond. Discharge Term									
Community Service									
D/L Suspension Term									
Fines/Costs	<small>Fines:</small>	<small>Costs:</small>		<small>Fines:</small>	<small>Costs:</small>		<small>Fines:</small>	<small>Costs:</small>	
VCCB/SNSF	<small>VCCB:</small>	<small>SNSF:</small>		<small>VCCB:</small>	<small>SNSF:</small>		<small>VCCB:</small>	<small>SNSF:</small>	
DEDR/Lab Fee	<small>DEDR:</small>	<small>LAB:</small>		<small>DEDR:</small>	<small>LAB:</small>		<small>DEDR:</small>	<small>LAB:</small>	
CD Fee/Drug Ed Fnd	<small>CD:</small>	<small>DAEF:</small>		<small>CD:</small>	<small>DAEF:</small>		<small>CD:</small>	<small>DAEF:</small>	
DV Surch/Other Fees	<small>DV:</small>	<small>Other:</small>		<small>DV:</small>	<small>Other:</small>		<small>DV:</small>	<small>Other:</small>	
Restitution <small>Beneficiary:</small> _____									

Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:

- * Finding Codes
- 1 – Guilty
 - 2 – Not Guilty
 - 3 – Dismissed – Other
 - 4 – Guilty but Merged
 - 5 – Dismissed-Rule
 - 6 – Dismissed Lack of Prosecution
 - 7 – Dismissed – Pros Motion/Vic Req
 - 8 – Conditional Discharge
 - D – Dismissed- Prosecutor Discretion
 - M – Dismissed- Mediation
 - P - Dismissed-Plea Agreement
 - S – Disposed at Superior
 - W – Dismissed-False ID

Related Traffic Tickets and Complaints:

COMPLAINT - WARRANT

COMPLAINT NUMBER

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**CENTRAL MUN CT BERGEN COUNTY
71 HUDSON STREET
HACKENSACK NJ 07601-0000
201-336-6222 COUNTY OF: BERGEN**

of CHARGES **3** CO-DEFTS POLICE CASE #: **E-49617**

COMPLAINANT NAME: **JAMES DEPONTE**

THE STATE OF NEW JERSEY

VS.

JOEL GUICHARDO

ADDRESS: **159 LEXINGTON AVE
PASSAIC NJ 07055-0000**

DEFENDANT INFORMATION
SEX: **M** EYE COLOR: **BROWN** DOB: **07/29/1980**
DRIVER'S LIC. #. DL STATE:
SOCIAL SECURITY #: **xxx-xx-x488** SBI #: **398354D**
TELEPHONE #: ()
LIVSCAN PCN #: **029903005739**

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **04/11/2019** in **CENTRAL MUN CT BERGEN COUNTY**, **BERGEN County, NJ** did: WITHIN THE JURISDICTION OF THIS COURT, ATTEMPT VIA ELECTRONIC MEANS TO LURE OR ENTICE A CHILD OR ONE WHO HE REASONABLY BELIEVED TO BE A CHILD TO MEET WITH A PURPOSE TO COMMIT A CRIMINAL OFFENSE WITH OR AGAINST THE CHILD, SPECIFICALLY BY ARRANGING TO MEET "KRISSY", A PURPORTED 14 YEAR OLD CHILD, WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT WITH "KRISSY".

THIS BEING IN VIOLATION OF N.J.S.A. 2C:13-6(A), A CRIME OF THE SECOND DEGREE.

WITHIN THE JURISDICTION OF THIS COURT, ATTEMPT TO ENGAGE IN SEXUAL CONDUCT WHICH WOULD IMPAIR OR DEBAUCH THE MORALS OF A CHILD UNDER THE AGE OF 18, SPECIFICALLY BY TRAVELING TO MEET "KRISSY", BY ENGAGING IN SEXUAL COMMUNICATIONS AND ARRANGING TO MEET "KRISSY", WHOM HE BELIEVED TO BE 14 YEARS OLD, VIA SCOUT AND KIK MESSENGER.

in violation of:

Original Charge	1) 2C:13-6A	2) 2C:24-4A(2)	3) 2C:14-3B
Amended Charge			

CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

Signed: **DANIEL LOJEK** Date: **04/12/2019**

You will be notified of your **Central First Appearance/CJP** date to be held at the **Superior Court** in the county of **BERGEN** at the following address: **BERGEN SUPERIOR COURT JUSTICE CENTER 10 MAIN STREET HACKENSACK NJ 07601-0000**
Date of Arrest: **04/11/2019** Appearance Date: Time: Phone: **201-221-0700**

PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT

Probable cause **IS NOT** found for the issuance of this complaint.

Signature of Court Administrator or Deputy Court Administrator Date Signature of Judge Date

Probable cause **IS** found for the issuance of this complaint.

Signature and Title of Judicial Officer Issuing Warrant Date

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT.

Bail Amount Set: by: (if different from judicial officer that issued warrant)

Domestic Violence – Confidential Related Traffic Tickets or Other Complaints Serious Personal Injury/ Death Involved

Special conditions of release:

No phone, mail or other personal contact w/victim
 No possession firearms/weapons
 Other (specify):

COMPLAINT - WARRANT (DEFENDANT'S COPY)

COMPLAINT - WARRANT

COMPLAINT NUMBER

0290

W

2019

000150

STATE V.

JOEL GUICHARDO

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THIS BEING IN VIOLATION OF N.J.S.A. 2C:5-1(A) AND N.J.S.A. 2C:24-4(A), A CRIME OF THE THIRD DEGREE.

WITHIN THE JURISDICTION OF THIS COURT, ATTEMPT TO ENGAGE IN AN ACT OF SEXUAL CONTACT WITH A CHILD UNDER THE AGE OF 16, SPECIFICALLY BY ARRANGING VIA SOCIAL MEDIA APPS TO MEET AND ENGAGE IN SEXUAL CONTACT WITH "KRISSY", A PERSON HE BELIEVED TO BE A 14 YEAR OLD CHILD.

THIS BEING IN VIOLATION OF N.J.S.A. 2C:5-1(A) AND N.J.S.A. 2C:14-3(B), A CRIME OF THE FOURTH DEGREE.

*** THIS CASE IS BEING PROSECUTED BY SPECIAL DEPUTY ATTORNEY GENERAL, ASSISTANT PROSECUTOR BRIAN SINCLAIR ***

Original Charge

Amended Charge

COMPLAINT - WARRANT (DEFENDANT'S COPY)

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NJ/CDR2 1/1/2017

COMMITMENT

COMPLAINT NUMBER

0290**W****2019****000150**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

CENTRAL MUN CT BERGEN COUNTY
71 HUDSON STREET
HACKENSACK NJ 07601-0000
201-336-6222 COUNTY OF: **BERGEN**

of CHARGES: **3** CO-DEFTS: POLICE CASE #: **E-49617**

COMPLAINANT **JAMES DEPONTE**
NAME:

THE STATE OF NEW JERSEY

VS.

JOEL GUICHARDO

ADDRESS: **159 LEXINGTON AVE**

PASSAIC**NJ 07055-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN** DOB: **07/29/1980**

DRIVER'S LIC. #. DL STATE:

SOCIAL SECURITY #: **xxx-xx-x488** SBI #: **398354D**

TELEPHONE #: ()

LIVESCAN PCN #: **029903005739**

To any Law Enforcement Official of New Jersey, You are commanded to transport this defendant to the Warden of this county who is required to keep the defendant in custody until a release or detention decision is made.

Offense

Aux Offense

Drug Code Degree

Offense Description

1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____

Commitment Reason:

You will be notified of your **Central First Appearance/CJP** date to be held at the **Superior Court** in the county of **BERGEN**
at the following address: **BERGEN SUPERIOR COURT**
JUSTICE CENTER **10 MAIN STREET** **HACKENSACK** **NJ 07601-0000**

Date of Arrest: **04/11/2019**Phone: **201-221-0700**

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. JOEL GUICHARDO	
0290	W	2019	000150	ADDRESS: 159 LEXINGTON AVE PASSAIC NJ 07055-0000	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
CENTRAL MUN CT BERGEN COUNTY 71 HUDSON STREET HACKENSACK NJ 07601-0000 201-336-6222 COUNTY OF: BERGEN					
# of CHARGES 3	CO-DEFTS	POLICE CASE #: E-49617		DEFENDANT INFORMATION	
COMPLAINANT JAMES DEPONTE NAME:				SEX: M EYE COLOR: BROWN DOB: 07/29/1980 DRIVER'S LIC. #. DL STATE: SOCIAL SECURITY #: xxx-xx-x488 SBI #: 398354D TELEPHONE #: () LIVESCAN PCN #: 029903005739	

Purpose: This Affidavit/Certification is to more fully describe the facts of the alleged offense so that a judge or authorized judicial officer may determine probable cause.

1. Description of relevant facts and circumstances which support probable cause that (1) the offense(s) was committed and (2) the defendant is the one who committed it:
 On April 10, 2019, an individual using profile name "karmal" contacted an undercover detective posing as a 14 year old female named "Krissy" on a social media application. The individual claimed he was in his 30's. The individual asked "Krissy" if she was really only 18. Krissy responded that she was younger then 18, at which point the defendant said "how much younger? I love young. LOL. That sounded so bd. Bad." Krissy said she was 14 years old. He proceeded to ask about her sexual experience and asked if she was a virgin. She said that she was a virgin. Defendant requested a picture of Krissy, and as result, an undercover picture was sent to the defendant. Defendant said she was "hot". He asked for "body" pics and claimed he was too old to "just look at pics". He also expressed an interest in meeting in person. When discussing her age, defendant expressed that if they met, Krissy would be the youngest he had ever met. Defendant referred to the purported 14 year old as "sexy ass". The conversations continued on April 11, 2019. Defendant asked how school was that day. At one point, defendant asked Krissy to promise she wasn't a cop or someone from to catch a predator. He asked for a pic with very little close and indicated that they could meet that night. He mentioned that he would want to grab her buttocks and asked what else he could do to her. He also asked if he could give "it" a kiss. He also said he wanted to do everything Krissy would let him do, "kiss touch lick" and "I want to lick u really good". They discussed meeting and said that he would make her feel good. Defendant was arrested when he arrived at the agreed upon meeting location.

Affidavit of Probable Cause

COMPLAINT NUMBER

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SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

JOEL GUICHARDO

2. I am aware of the facts above because: (Included, but not limited to: your observations, statements of eyewitnesses, defendant's admission, etc.)

Observations, Defendant statements/admission

3. If victim was injured, provide the extent of the injury:

N/A

Certification:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: DANIEL LOJEK LAW ENFORCEMENT OFFICER

Date: 04/11/2019

Affidavit of Probable Cause

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1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER			
0290	W	2019	000150
COURT CODE	PREFIX	YEAR	SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

JOEL GUICHARDO

CENTRAL MUN CT BERGEN COUNTY
71 HUDSON STREET
HACKENSACK NJ 07601-0000
201-336-6222 COUNTY OF: BERGEN

ADDRESS: **159 LEXINGTON AVE**
PASSAIC NJ 07055-0000

# of CHARGES 3	CO-DEFTS	POLICE CASE #: E-49617
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DEFENDANT INFORMATION
 SEX: **M** EYE COLOR: **BROWN** DOB: **07/29/1980**
 DRIVER'S LIC. #. DL STATE:
 SOCIAL SECURITY #: **xxx-xx-x488** SBI #: **398354D**
 TELEPHONE #: ()
 LIVSCAN PCN #: **029903005739**

COMPLAINANT **JAMES DEPONTE**
 NAME:

Purpose: The Preliminary Law Enforcement Incident Report (PLEIR) is intended to document basic information known to the officer at the time of its preparation. It is recognized that additional relevant information will emerge as an investigation continues. The PLEIR shall be in addition to, not in lieu of, any regular police arrest, incident, or investigation reports. Note that the PLEIR is specific to each defendant charged in an investigation.

- The offense involved a sexual crime.
- The complaining officer personally observed the offense.
- Another law enforcement officer(s) personally observed the offense, List the officer(s) and their badge#
James DePonte #208
- The defendant made statements/admissions.
 - It was recorded using:
*Stationhouse interview room camera
- The offense/incident was recorded using electronic/surveillance via:
 - Other/Explain Cell Phone
- The case involves a consent search.

Certification:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: **DANIEL LOJEK LAW ENFORCEMENT OFFICER** Date: **04/11/2019**