

COMPLAINT - WARRANT

COMPLAINT NUMBER				<p><i>THE STATE OF NEW JERSEY</i></p> <p>VS.</p> <p>KEVIN J ROTH</p>
0290	W	2019	000152	
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 2	CO-DEFTS	POLICE CASE #: E-49655		DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: 02/15/1993 DRIVER'S LIC. #. DL STATE: SOCIAL SECURITY #: xxx-xx-x005 SBI #: 442741G TELEPHONE #: () LIVSCAN PCN #: 029903005744
COMPLAINANT KIMBERLEE GAUTIER NAME:				
ADDRESS: 213 ARLINGTON COURT NANUET NY 10954-0000				

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 **04/12/2019** 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, THAT IS, AN UNDERCOVER DETECTIVE POSING AS A 14-YEAR-OLD BOY, TO MEET WITH A PURPOSE TO COMMIT A CRIMINAL OFFENSE WITH OR AGAINST THE CHILD, SPECIFICALLY BY ARRANGING TO MEET A 14-YEAR-OLD CHILD WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT WITH THE CHILD. THIS BEING IN VIOLATION OF N.J.S.A. 2C:13-6(A), A CRIME OF THE SECOND DEGREE.

*** THIS CASE IS BEING PROSECUTED BY SENIOR ASSISTANT PROSECUTOR BRIAN SINCLAIR ***

WITHIN THE JURISDICTION OF THIS COURT, ATTEMPT TO ENGAGE IN AN ACT OF SEXUAL PENETRATION WITH A CHILD UNDER THE AGE OF 16, SPECIFICALLY BY ARRANGING VIA INTERNET CHAT TO MEET AND HAVE SEXUAL INTERCOURSE WITH A MALE CHILD, THAT IS, AN **in violation of:**

Original Charge	1) 2C:13-6A	2) 2C:5-1A(1) 2C:14-2C(4)	3)
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: SCOTT DONLAN 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: **04/12/2019** 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. **GIUSEPPE RANDAZZO JUDICIAL OFFICER** 04/12/2019
 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)

- | | | |
|--|---|---|
| <input type="checkbox"/> Domestic Violence – Confidential | <input type="checkbox"/> Related Traffic Tickets or Other Complaints | <input type="checkbox"/> 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

COMPLAINT NUMBER				STATE V. KEVIN J ROTH
0290	W	2019	000152	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	

UNDERCOVER DETECTIVE, WHOM HE BELIEVED TO BE 14 YEARS OLD. THIS BEING IN VIOLATION OF N.J.S.A. 2C:5-1(A) AND N.J.S.A. 2C:14-2(C)(4), A CRIME OF THE SECOND DEGREE.

Original Charge			
Amended Charge			

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER				STATE V.
0290	W	2019	000152	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	

KEVIN J ROTH

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:5-1A(1) 2C:14-2C(4)	3)
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
Probation Term		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	000152	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	

KEVIN J ROTH

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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									
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									
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: _____									

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

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0290	W	2019	000152	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	
CENTRAL MUN CT BERGEN COUNTY 71 HUDSON STREET HACKENSACK NJ 07601-0000 201-336-6222 COUNTY OF: BERGEN				DEFENDANT INFORMATION
# of CHARGES 2	CO-DEFTS	POLICE CASE #: E-49655		SEX: M EYE COLOR: BLUE DOB: 02/15/1993
COMPLAINANT NAME: KIMBERLEE GAUTIER				DRIVER'S LIC. #. DL STATE:
				SOCIAL SECURITY #: xxx-xx-x005 SBI #: 442741G
				TELEPHONE #: ()
				LIVESCAN PCN #: 029903005744

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 **04/12/2019** 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, THAT IS, AN UNDERCOVER DETECTIVE POSING AS A 14-YEAR-OLD BOY, TO MEET WITH A PURPOSE TO COMMIT A CRIMINAL OFFENSE WITH OR AGAINST THE CHILD, SPECIFICALLY BY ARRANGING TO MEET A 14-YEAR-OLD CHILD WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT WITH THE CHILD. THIS BEING IN VIOLATION OF N.J.S.A. 2C:13-6(A), A CRIME OF THE SECOND DEGREE.

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Original Charge	1) 2C:13-6A	2) 2C:5-1A(1) 2C:14-2C(4)	3)
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: SCOTT DONLAN 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: **04/12/2019** 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. GIUSEPPE RANDAZZO JUDICIAL OFFICER 04/12/2019
 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)

- | | | |
|--|---|---|
| <input type="checkbox"/> Domestic Violence – Confidential | <input type="checkbox"/> Related Traffic Tickets or Other Complaints | <input type="checkbox"/> Serious Personal Injury/ Death Involved |
|--|---|---|

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

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STATE V.

KEVIN J ROTH

UNDERCOVER DETECTIVE, WHOM HE BELIEVED TO BE 14 YEARS OLD. THIS BEING IN VIOLATION OF N.J.S.A. 2C:5-1(A) AND N.J.S.A. 2C:14-2(C)(4), A CRIME OF THE SECOND DEGREE.

Original Charge			
Amended Charge			

COMMITMENT

COMPLAINT NUMBER				<i>THE STATE OF NEW JERSEY</i> VS. KEVIN J ROTH ADDRESS : 213 ARLINGTON COURT NANUET NY 10954-0000
0290	W	2019	000152	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	
CENTRAL MUN CT BERGEN COUNTY 71 HUDSON STREET HACKENSACK NJ 07601-0000 201-336-6222 COUNTY OF: BERGEN				DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: 02/15/1993 DRIVER'S LIC. #. DL STATE: SOCIAL SECURITY #: xxx-xx-x005 SBI #: 442741G TELEPHONE #: () LIVESCAN PCN #: 029903005744
# of CHARGES 2	CO-DEFTS	POLICE CASE #: E-49655		
COMPLAINANT KIMBERLEE GAUTIER NAME:				

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.	2C:13-6A			2	LURE/ENTICE CHI
2.	2C:5-1A(1)	2C:14-2C(4)		2	CRIMINAL ATTEMP
3.					
4.					

Commitment Reason: **Criminal Justice Reform**

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: **04/12/2019**

Phone: **201-221-0700**

GIUSEPPE RANDAZZO JUDICIAL OFFICER**04/12/2019**

Signature and Title of Judicial Officer Issuing Warrant Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. KEVIN J ROTH ADDRESS : 213 ARLINGTON COURT NANUET NY 10954-0000			
0290	W	2019	000152				
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 2	CO-DEFTS	POLICE CASE #: E-49655		DEFENDANT INFORMATION			
COMPLAINANT KIMBERLEE GAUTIER NAME:				SEX: M EYE COLOR: BLUE DOB: 02/15/1993			
				DRIVER'S LIC. #. DL STATE:			
				SOCIAL SECURITY #: xxx-xx-x005 SBI #: 442741G			
				TELEPHONE #: ()			
				LIVESCAN PCN #: 029903005744			

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 11, 2019, an individual with a profile name "kevdakidd93" contacted an undercover detective posing as a 14-year-old male child named on the mobile application Kik, having obtained the screen name from a profile on the mobile application Grindr. The individual identified himself as a 24-year-old male. The "child" stated that he was 14 years old, to which "kevdakidd93" stated "Oh wow. Really young." The individual asked the child, "What have u done?" and told the child, "If u want I'll give u head." The individual then told the child he had "a dream" to "obey a younger guy" and told the child "I'll do anything u want me to." "Kevdakidd93" further told the child, "I'd definitely wanna suck ur cock." The individual asked the child to send naked pictures and offered to come to the child's home tomorrow to perform oral sex on the child. The individual further stated that he wanted to do "Sex stuff. Kinky stuff. Embarrassing stuff. Chores. Anything." with the child. The individual made arrangements to meet the child at a predetermined location in Bergen County. At approximately 5:45 p.m., the target, later identified as Kevin Roth, arrived at the location and was taken into custody.

Affidavit of Probable Cause

Affidavit of Probable Cause

COMPLAINT NUMBER			
0290	W	2019	000152
COURT CODE	PREFIX	YEAR	SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

KEVIN J ROTH

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

The investigating officer relayed the facts to me.

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

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: SCOTT DONLAN LAW ENFORCEMENT OFFICER

Date: 04/12/2019

Affidavit of Probable Cause

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. KEVIN J ROTH	
0290	W	2019	000152		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
CENTRAL MUN CT BERGEN COUNTY 71 HUDSON STREET HACKENSACK NJ 07601-0000 201-336-6222 COUNTY OF: BERGEN				DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: 02/15/1993 DRIVER'S LIC. #. DL STATE: SOCIAL SECURITY #: xxx-xx-x005 SBI #: 442741G TELEPHONE #: () LIVSCAN PCN #: 029903005744	
# of CHARGES 2	CO-DEFTS	POLICE CASE #: E-49655			
COMPLAINANT KIMBERLEE GAUTIER 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.
- Another law enforcement officer(s) personally observed the offense, List the officer(s) and their badge#
Kimberlee Gautier #3015
- The defendant made statements/admissions.
 - It was recorded using:
 - *Stationhouse interview room camera
 - *Written statement
- The defendant was a stranger to the victim.
- Physical evidence was seized/recovered:
 - Other Type(s) of physical evidence Cell Phone
- The case involves a consent search.
- The investigation involved the seizure of one or more cellphones, computers or similar electronic devices.
List the type of device(s) and total number of each recovered: Cell Phone

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: SCOTT DONLAN LAW ENFORCEMENT OFFICER Date: 04/12/2019

Preliminary Law Enforcement Incident Report

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7/20/2018