



**NORTH BERGEN POLICE DEPARTMENT
NORTH BERGEN, NJ**

<u>INCIDENT # / REPORT #</u> 11020852 / 0	<u>OFFICER</u> MENDEZ, E	<u>RANK</u> DETECTIVE	<u>REVIEW STATUS</u> APPROVED
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INCIDENT #11020852 DATA

As Of 03/29/2011 07:06:25

BASIC INFORMATION

<u>CASE TITLE</u> SEXUAL ASSAULT	<u>LOCATION</u> 3801 TONNELLE AVE	<u>APT/UNIT #</u>
<u>DATE/TIME REPORTED</u> 03/28/2011 07:21:00	<u>DATE/TIME OCCURRED</u> 03/28/2011 00:20 to 03/28/2011 02:00	

INCIDENT TYPE(S)/OFFENSE(S)
(2C:14-2(B))SEXUAL ASSAULT

PERSONS

<u>ROLE</u>	<u>NAME</u>	<u>SEX</u>	<u>RACE</u>
VICTIM	[REDACTED]	[REDACTED]	[REDACTED]
INVOLVED PARTY	PATEL, KANUBHAN R	MALE	WHITE

OFFENDERS

<u>STATUS</u>	<u>NAME</u>	<u>SEX</u>	<u>RACE</u>
SUSPECT	MARCOS, KELLY R	MALE	BLACK

VEHICLES

<u>ROLE</u>	<u>TYPE</u>	<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>COLOR</u>	<u>REG #</u>	<u>STATE</u>
PLATE CHECK	AUTOMOBILES	2007	HONDA	CRV WAGON	[REDACTED]	[REDACTED]	NJ

<u>STOLEN \$</u>	<u>REC CODE</u>	<u>DATE REC</u>	<u>REC \$</u>	<u>REC BY</u>

VIN

[NO PROPERTY]

OFFICER REPORT: 11020852 - 0 / MENDEZ, E (319)

<u>DATE/TIME OF REPORT</u> 03/28/2011 09:44:34	<u>TYPE OF REPORT</u> INCIDENT	<u>REVIEW STATUS</u> APPROVED
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NARRATIVE

On Monday March 28, 2011 Sergeant Corbisiero was advised by the Jersey City Police Department that a Sexual Assault Incident had occurred in our jurisdiction specifically at the Lincoln Tunnel Motel.

At this time Sergeant Fernandez and I responded to the Lincoln Tunnel Motel, at which time we were met by Sergeant Olszewski of the Jersey City Police Department North District. Sergeant Olszewski advised us that they were notified by the Bayonne Police Department that they had a victim of a Sexual Assault and the victim claimed that the assault was committed by a Jersey City police officer.

According to Sergeant Olszewski the victim, by the name of [REDACTED] claims that she was walking in the area of the Wilson Carpets, at which time she was approached by a male, who was later identified as Mr. Marcos Kelly and was brought to this establishment. Sergeant Olszewski advised us that when [REDACTED] was approached by Mr. Kelly, he asked her if she needed a warm place to stay and if she needed food. [REDACTED] told Mr. Kelly that she had ran away from home and wanted help. Sergeant Olszewski stated that is when Mr. Kelly bought [REDACTED] some food and brought her to the Motel. While in the motel, Mr. Kelly forced [REDACTED] to perform oral sex on him in exchange for the motel room and the food. According to Sergeant Olszewski, [REDACTED] stated that Mr. Kelly ejaculated into a towel that was still in the room. Upon finishing the sexual act both [REDACTED] and Mr. Kelly left the room, at which time Mr. Kelly dropped off [REDACTED] in unknown location. After being dropped off [REDACTED] told her parents about what had just happened, at which time she was taken to the Bayonne Police Department to report the incident.

We were advised that while at the Bayonne Police Department, [REDACTED] provided them with a cell number that she was able to obtain from Mr. Kelly's cell phone. Sergeant Olszewski stated that while Mr. Kelly was

registering to get the room she called her boyfriend and told him where she was and that is how Mr. Kelly's cell phone was obtained. According to Sergeant Olszewski, Bayonne Police Department attempted to contact Mr. Kelly in regards to this incident but declined responding there.

Sergeant Olszewski was able to look through the Motel's registration cards, at which time he found a registration card bearing the name of Richard Mark with a driver license number of [REDACTED]. Sergeant Olszewski recognized the name of Richard Mark as name that he has dealt with in regards to Burglary. Sergeant Olszewski ran the New Jersey License Number, at which time it had a return of a male by the name of Marcos Kelly. Marcos Kelly was identified as a Jersey City Police Officer by Sergeant Olszewski. It was discovered that Mr. Kelly rented room number 19, at which time the above listed officers went to the room to see if there were any occupants in the room. Upon opening the door it was determined that the room was empty, at which time all officers backed out of the room to preserve the crime scene. Police Officer Himsel was placed in front of room number 19 and was instructed not to allow anyone there until the Hudson County Prosecutor Office Special Victim's Unit arrived to take over the investigation.

Shortly after Sergeant Rosario of the Hudson County Prosecutor's Office Special Victim's Unit, arrived at which time she advised us that the victim [REDACTED] was currently at Christ Hospital for evaluation. Sergeant Rosario stated that Detective Michael Crowe of the Hudson County Prosecutor's Office Homicide Unit will respond to process the crime scene. I asked Sergeant Rosario if they were in the process of trying to locate Mr. Kelly, at which time she advised me that they were not actively looking Mr. Kelly since they had not officially taken a statement from the victim. She further stated that she believed Jersey City Police Department Internal Affairs Unit was in the process of locating Mr. Kelly.

Moments later Detective Crowe arrived on scene, at which time it was discovered that the room was rented until 11:00am. Based on this information Police Officer Himsel was advised to secure the room until 11:00am, at which time room number 19 will be returned to the motel's ownership.

At approximately 11:30 Detective Crowe was able to obtain a consent to search from Mr.Patel, at which time entry was made into room number 19. Upon entering room number 19 I was able to obtain twelve digital pictures of the motel room. Detective Crowe began to process the room, at which time he was able to obtain the following items as evidence;

- 1- 1 Set of bed sheets
- 2- 1 Condom wrapper found in the garbage next to the tv stand
- 3- 1 White towel between the night stand and the bed
- 4- 1 White towel found on top of the bathroom sink
- 5- 1 Poland Spring Water Bottle found on top of the tv stand
- 6- 1 Pepsi Bottle found on top of the bathroom sink
- 7- 1 White towel hanging on the left side of bed
- 8- 1 White towel found inside the tv stand

At the completion of Detective Crowe's investigation the room was turned over back to the Lincoln Tunnel Motel. We were also advised that Mr. Kelly turned himself to the Hudson County Prosecutor's Office and was being questioned.

REPORT OFFICERS

Reporting Officer:	MENDEZ, E	319
Approving Officer:	BRIGNOLA, C	188