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Sep. 30. 2019 10:50AM Judge Jacqueline Mizerock

No. 0574 P. 1

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF JEFFERSON



POLICE CRIMINAL COMPLAINT  
COMMONWEALTH OF PENNSYLVANIA  
VS.

Magisterial District Number: 54-3-01  
MDJ: Hon. Jacqueline J. Mizerock  
Address: 222 North Findley Street, Suite 110,  
Punxsutawney, PA 15767

DEFENDANT:

(NAME and ADDRESS):

PAUL JOSEPH PAPE  
First Name Middle Name Last Name Gen

710 W. Mahoning Street, Punxsutawney, PA 15767

Telephone: (814)938-9381

NCIC Extradition Code Type

- 1-Felony Full
- 2-Felony Limited
- 3-Felony Surrounding States
- 4-Felony No Extradition
- 5-Felony Pending Extradition
- 6-Felony Pending Extradition Delerm.
- A-Misdemeanor Full
- B-Misdemeanor Limited
- C-Misdemeanor Surrounding States
- D-Misdemeanor No Extradition
- E-Misdemeanor Pending Extradition
- F-Misdemeanor Pending Extradition

Distance: \_\_\_\_\_

DEFENDANT IDENTIFICATION INFORMATION

Docket Number CL-171-19 Date Filed 9/30/19 OTN/LiveScan Number U7541162-3 Complaint/Incident Number 43 1633 Request Lab Services?  YES  NO

GENDER  Male  Female  
DOB 03/22/1963 POB Pennsylvania Add'l DOB / / Co-Defendant(s)   
First Name Middle Name Last Name Gen.

RACE  White  Asian  Black  Native American  Unknown

ETHNICITY  Hispanic  Non-Hispanic  Unknown  
Hair Color  GRY (Gray)  RED (Red/Aubn.)  SDY (Sandy)  BLU (Blue)  PLE (Purple)  BRO (Brown)  
 BLK (Black)  ONG (Orange)  WHI (White)  XXX (Unk./Bald)  GRN (Green)  PNK (Pink)  
 BLN (Blonde / Strawberry)

Eye Color  BLK (Black)  BLU (Blue)  BRO (Brown)  GRN (Green)  GRY (Gray)  
 HAZ (Hazel)  MAR (Maroon)  PNK (Pink)  MUL (Multicolored)  XXX (Unknown)

DNA  YES  NO DNA Location WEIGHT (lbs.)

FBI Number MNU Number

Defendant Fingerprinted  YES  NO Ft. HEIGHT In.

Fingerprint Classification:

DEFENDANT VEHICLE INFORMATION

Plate # State Haz mat Registration Comm'l Veh. Ind. School Veh. Oth. NCIC Veh. Code Reg. same as Def.  
Sticker (MM/YY) / Model Style Color

Office of the attorney for the Commonwealth  Approved  Disapproved because: \_\_\_\_\_

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507).

(Name of the attorney for the Commonwealth)

(Signature of the attorney for the Commonwealth)

(Date)

I, PSP CPL. KEVIN KRICK AND S.A. CRAIG SENZ #10009/#596

(Name of the Affiant)

(PSP/MPOETC -Assigned Affiant ID Number & Badge #)

of PA State Police PA0222400

(Identify Department or Agency Represented and Political Subdivision)

(Police Agency ORI Number)

do hereby state: (check appropriate box)

- 1.  I accuse the above named defendant who lives at the address set forth above
- I accuse the defendant whose name is unknown to me but who is described as \_\_\_\_\_

I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe with violating the penal laws of the Commonwealth of Pennsylvania at [406] 710 W. Mahoning Street, Punxsutawney, Pa 15767 (Subdivision Code) (Place-Political Subdivision)

in JEFFERSON County [33] on or about AUGUST 10, 2019  
(County Code)

**POLICE CRIMINAL COMPLAINT**

Docket Number:	Date Filed: / /	OTN/LiveScan Number	Complain/Incident Number 43 1633
Defendant Name:	First: PAUL	Middle: JOSEPH	Last: PAPE

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 - 213.7.)

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input checked="" type="checkbox"/>	1	3126	A 1	of the TITLE 18	1	M2		
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number _____	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance): **INDECENT ASSAULT**

Acts of the accused associated with this Offense:

The defendant did on or about August 10, 2019 have indecent contact with, or caused the victim, C.S., to have indecent contact with th defendant without the consent of that person, in violation of Section 3126 (A)(1) of the Pennsylvania Crime Code, Act of December 6, 1972 18 Pa. C.S. 3126 (A)(1), as amended.

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/>	2	5301	1	of the TITLE 18	1	M2		
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number _____	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance): **OFFICIAL OPPRESSION**

Acts of the accused associated with this Offense:

The defendant, acting or purporting to act in an official capacity or taking advantage of such actual or purported capacity namely, as a State Constable, knowing that said conduct was illegal, the actor subjected another to arrest, detention, search, seizure, mistreatment, dispossession, assessment, lien or other infringement of personal or property rights of another, namely, the victim C.S., in violation of Section 5301 (1) of the Pennsylvania Crimes Code Act of December 6, 1972 18 Pa. C.S. 5301 (1), as amended.

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/>	3	5101		of the TITLE 18	1	M2		
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number _____	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance): **OBSTRUCTING THE ADMINISTRATION OF LAW OR OTHER GOVERNMENTAL FUNCTION**

Acts of the accused associated with this Offense: The defendant intentionally obstructed, impaired or perverted the administration of law or other governmental function by force, violence, physical interference, obstacle, breach of official duty, or any other unlawful act, in violation of Section 5101 of the Pennsylvania Crimes Code, Act of December 6, 1972 18 PA. C.S. 5101, as amended.



**POLICE CRIMINAL COMPLAINT**

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<b>Defendant Name:</b>	<b>First:</b> PAUL	<b>Middle:</b> JOSEPH	<b>Last:</b> PAPE

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.
- This complaint consists of the preceding page(s) numbered 1 through 3.
- I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.  
**(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)**

(Date)

*CAL K P. Mizerock* #569  
 (Signature of Affiant)

AND NOW, on this date September 30 2019 I certify that the complaint has been properly completed and verified.  
 An affidavit of probable cause must be completed before a warrant can be issued.

54-3-03  
 (Magisterial District Court Number)

*[Handwritten Signature]*  
 (Issuing Authority)



SEAL

 **POLICE CRIMINAL COMPLAINT**

<b>Docket Number:</b>	<b>Date Filed:</b> / /	<b>OTN/LiveScan Number</b>	<b>Complaint/Incident Number</b> 43 1633
<b>Defendant Name:</b>	<b>First:</b> PAUL	<b>Middle:</b> JOSEPH	<b>Last:</b> PAPE

**AFFIDAVIT of PROBABLE CAUSE**

Your Affiant, Cpl. Kevin KRICK, has been employed by the Pennsylvania State Police for approx. 15 years and is currently assigned as the Criminal Investigation Unit Supervisor, Troop C, Clarion Station. As such, your Affiant is empowered to investigate violations of Pennsylvania law and to initiate criminal prosecutions.

Your Affiant, Craig Senz, is a Special Agent with the Pennsylvania Office of Attorney General, currently assigned to the Bureau of Criminal Investigations (BCI), Western Region Office. Your Affiant has been a Special Agent with the Attorney General's Office since 2019. Prior to being assigned to BCI your affiant was assigned to the Bureau of Narcotics Investigation (BNI) since 2012. Prior to 2012 your Affiant was a member of the Edinboro Borough Police Department for since 1996. As such, your Affiant is empowered to conduct investigations into violations of the various laws of the Commonwealth of Pennsylvania including violations of both Act 64 (the Controlled Substances, Drug, Device and Cosmetic Act) and Title 18.

All of the information contained in this affidavit was learned directly by your affiants or related to your affiants by other agents, State Troopers or investigators involved in this investigation.

Information or statements contained herein and attributed to other members of the Pennsylvania State Police, involved professionals and victims/witnesses is/are believed to be true and correct to the best of Affiants' knowledge, information and belief.

On August 16, 2019 Cpl. Kevin Krick from PA State Police Clarion met and interviewed C.S., the Victim. C.S.'s identity is known by Cpl. Krick and C.S. will be available for any criminal proceedings. Cpl. Krick interviewed the victim, C.S., at the Jefferson County Jail. She related the following; On 08/09/19, her father contacted her and told her she had a warrant out for her arrest. In turn, she contacted Jefferson County Constable Paul PAPE, via text messages and phone calls, to see if there was a warrant for her arrest. The Defendant told her he wasn't able to find a warrant for her arrest. During their conversations, they planned for the defendant to travel to Butler, PA to pick her up and give her a ride to DuBois, PA. She advised she believed this arrangement was made as a friendly gesture and not as the defendant acting in his official capacity as Constable. On 08/10/2019, C.S. was picked up by the defendant, on his motorcycle, in Butler around 1800 hrs. The defendant then drove C.S. to his residence instead of taking her directly to DuBois. This was not preplanned and she had no idea he was taking her to his residence. After arriving at his house, he invited C.S. inside for something to eat. Once inside, the defendant handed C.S. papers and related there was an active warrant for her arrest. The defendant then told C.S. that if she would have sex with him, he would make her warrant disappear. During this time, the defendant kept touching her back and buttocks. C.S. made up an excuse and told the defendant she needed to leave to meet a friend to go to the fair. Before they left the defendant gave C.S. a kiss on the mouth. The defendant then drove C.S. to the Uni-Mart in the east end of Punxsutawney in his truck. Before the defendant dropped her off, they made plans to get together on Monday for the warrant and he told her he would be able to make it go away. She advised the defendant told her he didn't serve the warrant on her because he liked her. The defendant also said he didn't tell her about the warrant when they planned for him to pick her up in Butler because he figured she wouldn't come with him if she knew she had a warrant. The defendant then contacted her from his phone on 08/11/19 and they confirmed they would meet up the following day so he could take her to see the judge so he didn't get in trouble for not serving the warrant.

C.S. was hospitalized on 08/12/19 and couldn't contact the defendant. The defendant found out she was in the hospital and he visited her there. He was upset because he made arraignments for her to turn herself in and she didn't tell him she was in the hospital. He gave her the warrant for her to sign and proceeded to tell her how much he liked her. He gave her a kiss on the forehead and told her everything would be alright prior to him leaving the hospital. The defendant also made arrangements to pick her up when she was discharged.



**POLICE CRIMINAL COMPLAINT**

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On 08/07/19 Jefferson County Probation did obtain an arrest warrant for C.S. for absconding. On 08/15/19, when Probation was made aware of her location at the hospital, they took C.S. into custody and transported her to the Jefferson County Jail. During the transport, C.S. told Probation about her contact with the defendant.

On 08/20/2019 at about 1455hrs, the defendant was interviewed by Cpl. Krick at PSP Punxsutawney. The interview was recorded visually and audio with his permission. The defendant was read his Miranda Rights and Warnings before the interview. He signed the Rights and Warnings form.

When asked about the first time he meet C.S., the defendant related it was in Falls Creek when he was serving warrants. He did know who she was at that time. The defendant did not how he got her number. The defendant related that they didn't have much contact with her over the summer until a couple of weeks ago. The defendant then related that he screwed up. He didn't know who she was. A warrant came out for C.S. She was in Butler and needed a ride back. The defendant stated he was coming down that way and would bring her back on the motorcycle. He went to a Democratic meeting in New Bethlehem because he is running for Sheriff. Then went to Butler to get C.S.

The defendant admitted he brought C.S. back to his house in Punxsutawney and told her that she had a warrant. He dropped her off at the Uni-mart and told her that he would get a hold of her on Monday to take care of the warrant. She never called him on Monday. He started to look for her and found that she was in the hospital. He served the warrant/had her sign it. The defendant told the nurse to let him know when she would be release and that was it. On Thursday he got a call that she was going to be discharged, but probation picked her up.

The defendant related that he got the warrant on Friday (August 09, 2019) from his mailbox at the probation office. The defendant had contact with C.S. Friday when she called him about her warrant. The defendant related that on Friday he knew she had a warrant. He didn't tell her that she had a warrant and still didn't tell her that she had a warrant when he picked her up on Saturday in Butler. When he picked her up on Saturday in Butler, it was as a friend. He couldn't arrest her because he was on his bike.

When asked about where she wanted to go when he picked her up, he related that he thinks she wanted to go to Dubois, but he had no intentions on taking her to Dubois. He didn't tell her that he was going back to his house. He figured that she would get a ride from his house. The defendant related that they were only there for about 15 minutes. His son was the only other person at the house, but he doesn't think he saw her. His son heard her, because later his son asked him about C.S.. He took her to the East End Uni-Mart in Punxsutawney and dropped her off.

When they were at his house, the defendant showed her the warrant because she didn't believe she had a warrant. He got the warrant out of his car and showed her outside. He told her we will deal with it on Monday and she said fine. He told her not to screw him over because he could get in trouble since he had her warrant and didn't serve it. She got her stuff out of the bike, and he took her in his truck to Uni-mart. He called her Sunday to make sure he wouldn't stiff him. They talked and made plans on Monday for her to get a hold of him.

When asked if anything inappropriate happened at the house, he replied not really, he didn't make an advances on her. He rubbed her arm and back because she said she was sore, but she told him she doesn't like being touch. When asked if she asked him to rub her arm and back, the defendant related not really. When asked if he touched her anywhere else, the defendant related no. The defendant related the touching was before he showed her the warrant. When asked if he made the comment that if she would have sex with him, he would make the



# POLICE CRIMINAL COMPLAINT

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warrant go away, the defendant related no I didn't. When asked about a kiss, he related that he kissed her on the forehead. When asked again about the kiss, the defendant related that he turned, gave her a hug, and a kiss on the lips. It wasn't with tongue, it was just a peck. He wasn't looking to get anything. The defendant related that if C.S. thinks he was playing her that is her doings. He knows what he did is inappropriate.

When asked if he said anything to her in the hospital on Monday when he had her sign the warrant, he said nothing bad or anything. When asked if he gave her a kiss in the hospital, he related I don't know if I did or not. He told her it will be OK.

Based on the above information, your affiants believe that there is probable cause for the following charges; Indecent Assault, 18 Pa. C.S.A. 3126(a)(1); Official Oppression, 18 Pa. C.S.A. 5301; and Obstruction of the Administration of Law of Other Government Function, 18 Pa. C.S.A. 5101.

I, PSP CPL. KEVIN KRICK AND S.A. CRAIG SENZ, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAT NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

*CPL K. Krick / SA C. Senz*  
 (Signature of Affiant)

Sworn to me and subscribed before me this 30 day of September 2019  
 Date [Signature], Magisterial District Judge

My commission expires first Monday of January, 2024

