

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: WESTMORELAND



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA
VS.

Magisterial District Number: 10-2-01
MDJ Name: Hon. JAMES FALCON
Address: 500 ARMBURST ROAD
YOUNGWOOD, PA 15697
Telephone: 724-925-3888

DEFENDANT: (NAME and ADDRESS):
MICHAEL ROBERT KALP
First Name Middle Name Last Name Gen.
262 SOUTHWEST AVENUE
GREENSBURG, PA 15601
724-989-5604

NCIC EXTRADITION CODE TYPE

- 1-Felony Full 4-Felony No Ext. B-Misdemeanor Limited E-Misdemeanor Pending
 2-Felony Ltd. 5-Felony Pend. C-Misdemeanor Surrounding States Distance:
 3-Felony Surrounding States A-Misdemeanor Full D-Misdemeanor No Extradition

DEFENDANT IDENTIFICATION INFORMATION

Docket Number	Date Filed / /	OTN/LiveScan Number	Complaint/Incident Number A01-1771182	SID:	Request Lab Services? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
GENDER <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	DOB 08/24/70	POB PA	Add'l DOB	Co-Defendant(s) <input type="checkbox"/>	
AKA First Name:		Middle Name:		Last Name: Gen.	
RACE <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	ETHNICITY <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown				
HAIR COLOR <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> RED (Red / Auburn.) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> PLE (Purple) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> BLK (Black) <input type="checkbox"/> ONG (Orange) <input type="checkbox"/> WHI (White) <input type="checkbox"/> XXX (Unk. / Bald) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> BLN (Blonde / Strawberry)					
EYE COLOR <input type="checkbox"/> BLK (Black) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray) <input checked="" type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> BRN (Brown) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)					
Driver License	State PA	License Number 2235663	Expires: 08/25/12	WEIGHT (lbs.)	
DNA	<input type="checkbox"/> YES <input type="checkbox"/> NO	DNA Location			
FBI Number	MNI Number			Ft. HEIGHT In.	
Defendant Fingerprinted	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			5	11
Fingerprint Classification					

DEFENDANT VEHICLE INFORMATION

Plate #	State	Hazmat <input type="checkbox"/>	Registration Sticker (MM/YY)	Comm'l Veh. Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. same as Def. <input type="checkbox"/>
VIN	Year	Make	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. Pa. R. Crim. P. 507.)

(Name of Attorney for Commonwealth - Please Print or Type)

(Signature of Attorney for Commonwealth)

(Date)

I, TPR PAUL TONONI
(Name of Affiant - Please Print or Type)

00536339/08796
(PEP/MP/CEIC - Assigned Affiant ID Number & Badge #)

of the Pennsylvania State Police, Troop A, Greensburg
(Identify Department or Agency Represented and Political Subdivision)

PAPSP3400
(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 is 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: 209 OLD AIRPORT ROAD AT KINGS OF ARMS
(Subdivision Code) (Place-Political Subdivision)
DRIVE, HEMPFIELD TOWNSHIP

in WESTMORELAND County (County Code) 64 on or about SATURDAY, APRIL 14, 2012 AT 0306HRS





POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed / /	OTN/LiveScan Number	Complaint/Incident Number A01-1771182
Defendant Name	First: MICHAEL	Middle: ROBERT	Last: KALP

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.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input checked="" type="checkbox"/> Lead?	1	5101		of the	Title 18 , PA Crimes Code	1	M2		260
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Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)			Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone

Statute Description (include the name of statute or ordinance):
Obstructing administration of law or other governmental function

Acts of the accused associated with this Offense:
In that, on or about said date, the defendant did with the intent to obstruct, impair, or pervert the administration of law or other governmental function by force, violence, physical interference or obstacle, breach of official duty, or any other unlawful act, failed to notify police of a crash with injuries while performing his official duty as a Westmoreland County 911 Dispatcher, in violation of Section 5101 of the PA Crimes Code

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/> Lead?	2	5301	(1)	of the	Title 18 , PA Crimes Code	1	M2		260
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Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)			Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone

Statute Description (include the name of statute or ordinance):
Official oppression

Acts of the accused associated with this Offense:
In that, on or about said date, the defendant acting or purporting to act in an official capacity or taking advantage of such actual or purported capacity, knowing that his conduct is illegal, he denies or impedes another in the exercise or enjoyment of any right, privilege, power or immunity, did identify himself as a 911 Dispatcher to acquire information for a tow service after knowing a crash had occurred involving a relative who had been injured and failing to report the crash to the Pa State Police, in violation of Section 5301(1) of the PA Crimes Code.



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(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.)

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	3	2705		of the	Title 18 , PA Crimes Code	1	M2		04E/90Z
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):
Recklessly Endangering Another Person

Acts of the accused associated with this Offense:
IN THAT, on or about said date, THE DEFENDANT did recklessly engage in conduct which placed or may have placed Joseph KALP in danger of death or serious bodily injury, that is to say THE DEFENDANT did fail to notify Fire, EMS, and/or Police regarding a crash with injuries while performing his official duty as a Westmoreland County 911 Dispatcher, in violation of Section 2705 of the PA Crimes Code.

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	4	4910	(2)	of the	Title 18 , PA Crimes Code	1	M2		100/250
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):
Tampering With or Fabricating Physical Evidence

Acts of the accused associated with this Offense:
In that, on or about said date, the defendant believing that an official proceeding or investigation is pending or about to be instituted, did make, present, or use any record, document or thing knowing it to be false and with intent to mislead a public servant who is or may be engaged in such proceeding or investigation, in violation of Section 4910(2) of the PA Crimes Code.



POLICE CRIMINAL COMPLAINT

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Defendant Name	First: MICHAEL	Middle: ROBERT	Last: KALP

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.)

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	5	5105	(a)(5)	of the	Title 18, PA Crimes Code	1	M2	260/90Z	
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):
Hindering Apprehension or Prosecution
 Acts of the accused associated with this Offense:
 In that, on or about said date, the defendant did with the intent to hinder the apprehension, prosecution, conviction or punishment of another, Joseph KALP for crime or violation of the terms of probation, parole, intermediate punishment or Accelerated Rehabilitative Disposition; provide false information to a law enforcement officer, in violation of Section 5105(a)(5) of the PA Crimes Code

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	6	3748		of the	Title 75, PA Vehicle Code	1	S	/	
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):
False Reports
 Acts of the accused associated with this Offense:
 IN THAT, on or about said date, THE DEFENDANT did give information, namely (DESCRIBE FALSIFICATION), in an oral or written report required by Chapter 37, Subchapter C, of the PA Vehicle Code, knowing or having reason to believe that the information was false, in violation of Section 3748 of the PA Vehicle Code.



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Defendant Name	First: MICHAEL	Middle: ROBERT	Last: KALP

- 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 __ through __

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.)

MAY 11, 2012
(Date)

Copy

(Signature of Magistrate)

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

(Magisterial District Court Number)

(Issuing Authority)

SEAL



POLICE CRIMINAL COMPLAINT

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Defendant Name:	First: Michael	Middle: Robert	Last: KALP

AFFIDAVIT of PROBABLE CAUSE

This affiant is a Pennsylvania State Trooper and has been a trooper since January 2003. I am currently assigned to the Patrol Unit at the State Police Barracks, Greensburg PA.

This crime occurred when the Suspect, working as a 911 Dispatcher, called PSP Greensburg and identified himself as same. The Suspect, having knowledge of a vehicle crash with unknown injuries and unknown property damage involving his cousin, failed to report the crash to PSP. Instead, the Suspect requested information for a tow service for the West Point area due to a relative allegedly striking a deer with his vehicle. During the course of this investigation it was discovered that the Operator of the vehicle was injured and there was property damage however the Suspect, after having gained this knowledge while still acting as a 911 Dispatcher failed to notify the police as well as Fire and EMS. In fact, the vehicle never struck a deer but rather struck a utility pole causing the pole to crack in half. The operator was eventually flown to UPMC Presbyterian Hospital in Pittsburgh due to injuries which the Suspect had knowledge of but failed to disclose when asked by PSP Greensburg PCO'S. After interviewing several individuals it was determined that the operator was also suspected of Driving Under the Influence of alcohol.

Copy

I, TPR. PAUL TONONI, 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.

(Signature of Affiant)

Sworn to me and subscribed before me this _____ day of _____

Date

, Magisterial District Judge

My commission expires first Monday of January,

