

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. Esther Salas
	:	
v.	:	Crim. No. 22-31 (ES)
	:	
KEVIN PATINO	:	18 U.S.C. § 242

**SUPERSEDING INFORMATION**

The United States Attorney for the District of New Jersey charges:

**COUNT 1**  
**(Deprivation of Rights Under Color of Law)**

1. At all times relevant to this Superseding Information:

**The Defendant and the Paterson, New Jersey Police Department**

a. Defendant KEVIN PATINO (“defendant PATINO”) was a police officer employed by the Paterson, New Jersey Police Department (the “PPD”).

b. The PPD was a police department responsible for providing law enforcement services in and around Paterson, New Jersey. PPD officers were authorized by the State of New Jersey to make lawful arrests.

c. As a police officer, and while acting under color of law, defendant PATINO was required to comply with the United States Constitution and laws of the United States. Accordingly, defendant PATINO was required to respect the rights of others to be free from unreasonable search and seizure during an investigation and arrest, including the right to be free from the use of unreasonable force by law enforcement officers.

### **Relevant Individuals**

d. PPD Officers 1 and 2 were each police officers employed by the PPD and working in their official capacities on or about November 26, 2020.

e. PPD Officers 3 and 4 were each police officers employed by the PPD and working in their official capacities on or about December 14, 2020.

f. PPD Officer 5 was a police officer employed by the PPD and working in his official capacity on or about December 14, 2020.

g. Victim 1 was a resident of Paterson, New Jersey.

h. Victim 2 was a resident of Paterson, New Jersey.

### **The Assault of Victim 1**

2. On or about November 26, 2020, defendant PATINO and PPD Officer 1 responded to a call for backup from PPD Officer 2, who was attempting to disperse a crowd of people on Main Street in Paterson, New Jersey.

3. Defendant PATINO and PPD Officer 1 arrived at the scene on Main Street in a marked PPD vehicle. Upon exiting his vehicle, defendant PATINO observed PPD Officer 2 engaged in a verbal exchange with Victim 1.

4. Defendant PATINO directed Victim 1 to move away from PPD Officer 2, but Victim 1 initially declined to do so. Defendant PATINO then pushed Victim 1 away from PPD Officer 2 and Victim 1 walked away from defendant PATINO and PPD Officer 2.

5. Defendant PATINO began to walk back towards PPD Officer 2 but then did an about-face and returned to confront Victim 1. Defendant PATINO pushed Victim 1 into the street, grabbed Victim 1, and threw Victim 1 to the ground.

6. Defendant PATINO repeatedly struck Victim 1 while Victim 1 was on the ground.

7. PPD Officer 1 intervened while defendant PATINO was striking Victim 1, and PPD Officer 1 then handcuffed Victim 1.

8. Defendant PATINO used unreasonable and excessive force on Victim 1 because defendant PATINO assaulted Victim 1 unprompted by any of Victim 1's actions and while Victim 1 posed no danger to defendant PATINO or anyone else.

9. Defendant PATINO filed false reports with the PPD to cover up his unreasonable and excessive use of force against Victim 1.

10. On or about November 26, 2020, in Passaic County, in the District of New Jersey, and elsewhere, defendant

**KEVIN PATINO**

while acting under color of law, unlawfully assaulted Victim 1, thereby willfully depriving Victim 1 of the right, secured and protected by the United States Constitution and laws of the United States, to be free from unreasonable searches and seizures, which includes the right to be free from the use of unreasonable force by law enforcement officers.

In violation of Title 18, United States Code, Section 242.

**COUNT 2**  
**(Deprivation of Rights Under Color of Law)**

11. The allegations set forth in paragraphs 1(a)-(c), (e), (f), and (h) of this Superseding Information are realleged here.

**The Assault of Victim 2**

12. On the morning of on or about December 14, 2020, the PPD received a call regarding a “suspicious person” on Madison Avenue in Paterson, New Jersey. PPD Officers 3 and 4 responded to the call and encountered an individual who appeared to be the person described in the call (“Individual 1”).

13. Moments later, defendant PATINO and PPD Officer 5 arrived at the scene on Madison Avenue in an unmarked PPD vehicle (the “Unmarked Vehicle”). Defendant PATINO and PPD Officer 5 were wearing plain clothes and tactical vests with patches on the front and back marked “POLICE” and were displaying their respective PPD badges. Defendant PATINO and PPD Officer 5 parked and got out of the Unmarked Vehicle and were present while PPD Officers 3 and 4 spoke with Individual 1.

14. At or about this time, Victim 2 went into a nearby convenience store on Victim 2’s way to work. Victim 2 then left the convenience store and walked towards where the PPD Officers were parked, stood nearby, and observed the PPD Officers’ interaction with Individual 1. Victim 2 then walked away on Madison Avenue.

15. After their encounter with Individual 1 ended, PPD Officers 3 and 4 returned to their vehicle, and defendant PATINO and PPD Officer 5 returned to and entered the Unmarked Vehicle.

16. PPD Officer 5 drove the Unmarked Vehicle towards Victim 2 while Victim 2 was walking down Madison Avenue. PPD Officer 5 then made a sharp left turn with the Unmarked Vehicle towards Victim 2 and parked the Unmarked Vehicle.

17. Defendant PATINO and PPD Officer 5 then got out of the Unmarked Vehicle and approached Victim 2.

18. Defendant PATINO struck Victim 2 in the face and body several times. While defendant PATINO was striking Victim 2, PPD Officer 5 grabbed hold of Victim 2, picked Victim 2 up, and brought Victim 2 to the ground. Defendant PATINO then repeatedly struck Victim 2 while Victim 2 was on the ground.

19. Defendant PATINO used unreasonable and excessive on Victim 2 because defendant PATINO assaulted Victim 2 unprompted by any of Victim 2's actions and while Victim 2 posed no danger to defendant PATINO or anyone else.

20. Defendant PATINO filed false reports with the PPD to cover up his unreasonable and excessive use of force against Victim 2.

21. On or about December 14, 2020, in Passaic County, in the District of New Jersey, and elsewhere, defendant

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while acting under color of law, unlawfully assaulted Victim 2, thereby willfully depriving Victim 2 of the right, secured and protected by the United States Constitution and laws of the United States, to be free from unreasonable searches and seizures, which includes the right to be free from the use of unreasonable force by law enforcement officers.

In violation of Title 18, United States Code, Section 242.

*Philip R. Sellinger*

**PHILIP R. SELLINGER**  
United States Attorney