

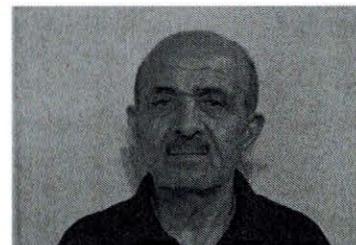


Exeter Police Department
Arrest Report

Page: 1
08/24/2018

Arrest #: 18-211-AR
Call #: 18-13886

Date/Time Reported: 08/10/2018 @ 2043
Arrest Date/Time: 08/10/2018 @ 2246
Booking Date/Time: 08/10/2018 @ 2246



TN #: I95057
Court: 10th.Cc.Brentwood.District Division
Court Date: 08/13/2018 @ 0800
Reporting Officer: Officer Joseph Saluto
Assisting Officer: Officer Devin West
Booking Officer: Officer Joseph Saluto
Approving Officer: Sergeant Justin Ranauro

Signature: _____

Bail For Court: 10th.Cc.Brentwood.District Division Set: 08/10/2018 @ 2330
Cash Bail Set 1000.00
Cash Bail Set
Bail Set By: KST Kevin St.James
Bail Unpaid:
Released To: Rockingham Cnty Jail
Released: 08/11/2018 @ 0030

Signature: _____

DEFENDANT(S) SEX RACE AGE SSN PHONE

1 MALKAWI, MOHAMMAD M U [REDACTED] NOT AVAIL [REDACTED]

Military Active Duty: N
HEIGHT: 505 - 506 WEIGHT: 150 - 151 HAIR: GRAY OR PARTIALLY GRAY EYES: BROWN
BODY: NOT AVAIL. COMPLEXION: NOT AVAIL.
DOB: [REDACTED] PLACE OF BIRTH: JORDAN
LICENSE NUMBER: NOT AVAIL. ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone (Primary) [REDACTED]

[APPEARANCE]

GLASSES WORN: NO

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: [REDACTED]
EMPLOYER/SCHOOL: [REDACTED]
OCCUPATION: [REDACTED]

**Exeter Police Department
Arrest Report**

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#	DEFENDANT (S)	SEX	RACE	AGE	SSN	PHONE
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[RIGHTS/BOOKING CHECKS]

PHONE USED: N
ARRESTEE SECURED: N

FINGERPRINTED: Y
PHOTOGRAPHED: Y
SUICIDE CHECK: Performed
PERSONS: State&Federal
NCIC VEHICLE CHECK: Not Performed
INJURY OR ILLNESS: N

#	OFFENSE (S)	ATTEMPTED	TYPE	CLASS
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LOCATION TYPE: Convenience Store Zone: High School zone
XTRA MART
72 MAIN ST
EXETER NH 03833

1	SIMPLE ASSAULT 631 2-A OCCURRED: 08/10/2018 2043 SUSPECTED OF USING: Not Applicable WEAPON/FORCED USED: None	N	A	Misdemeanor A
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2	SIMPLE ASSAULT 631 2-A OCCURRED: 08/10/2018 2043 WEAPON/FORCED USED: None	N	A	Misdemeanor A
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#	VICTIM (S)	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED] [REDACTED] [REDACTED] DOB: [REDACTED] INJURIES: None ETHNICITY: [REDACTED] RESIDENT STATUS: [REDACTED] VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2 RELATION TO: MALKAWI MOHAMMAD CONTACT INFORMATION: Home Phone (Primary) [REDACTED]	█	█	█	NOT AVAIL	[REDACTED]
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Stranger

#	PERSON (S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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1	ABUIRSHEID, SAMER J [REDACTED] [REDACTED] DOB: [REDACTED]	PARTICIPANT	M	U	█	NOT AVAIL	
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#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
2	AWAWDEH, BASHER [REDACTED] DOB: [REDACTED]	PARTICIPANT	M	U	[REDACTED]	NOT AVAIL	
3	PERRY, ASHLEY [REDACTED] DOB: [REDACTED]	OTHER	F	W	[REDACTED]	[REDACTED]	
4	VALERIO, ARTHUR J [REDACTED] DOB: [REDACTED]	OTHER	M	W	[REDACTED]	[REDACTED]	

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	PASSPORT AND PLANE TICKET QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 08/13/2018 OWNER: MALKAWI, MOHAMMAD	18-409-PR VALUE:	Held for Safe Keeping

GERSTEIN DETENTION HEARING PROBABLE CAUSE AFFIDAVIT

State of New Hampshire

V.

Mohammad ya Malkawi

Date of Arrest: 08/10/2018 Time of Arrest 2218 _

Arrest Date: 08/13/2018

I have information that a crime / offense has been committed by the Defendant as follows:

On August 10, 2018 at approximately 2043 hours, I responded to the Xtra Mart for a report of an assault that had occurred. When I arrived, I met with Sgt. Ranauro and he explained to me that the victim:

DOB [REDACTED]

told him that the clerk working at Xtra Mart, later identified as:

Mohammad ya Malkawi

DOB [REDACTED]

had grabbed her from behind and kissed her. She stated that she did not want to be grabbed or kissed.

2. Sgt Ranauro and I spoke with Malkawi through his translator:

Basher Awawdeh

DOB [REDACTED]

and Malkawi told us that he helped her bring something heavy to her car and then he hugged her from behind and kissed her on the cheek.

3) Immigration and Customs Enforcement, ICE responded to the scene and determined that the Defendant had violated his tourist VISA status and is due to return to his country of origin, Jordan on 9/9/18 and therefor was a flight risk. As a result Bail Commissioner, Kevin St. James set bail at \$1000.00. which can be converted to Personal Recognizance if ICE takes custody of the defendant.

Ref: 18-211-AR

Affiant

Then personally appeared the above named _____
and made oath that the foregoing sworn and subscribed by him/her is true.

August 10, 2018

Justice of the Peace

Ref: 18-211-AR

08-11-18
Officer Devin West
Supplemental #1
18-211-AR

1. On August 10, 2018 at approximately 2043 hours, Sgt. Ranauro, Officer Saluto, Officer Ryan, and I responded to the Xtra Mart for a report of an assault that had occurred. When I arrived, Sgt. Ranauro advised me to watch over two of the men involved, later identified as:

Mohammad Malkawi
DOB [REDACTED]
&
Basher Awawdeh
DOB [REDACTED]

Sgt. Ranauro and Officer Saluto were speaking to the victim:

[REDACTED]
DOB [REDACTED]

about what happened. While I was standing with Malkawi, I asked him what happened tonight. He advised me that a woman helped him carry something into the store and he then hugged her and kissed her cheek. It should be noted that when he stated this to me, his English was not spoken well and he was hard to understand.

2. Sgt. Ranauro came over to me and then asked Malkawi what happened. Malkawi stated that his English was not that well and that Awawdeh could translate. Through the translation of Awawdeh, Malkawi stated that he hugged [REDACTED] from behind and then kissed her face.

3. After speaking with Malkawi, Sgt. Ranauro advised me to call the 24 hour number for Immigration because Awawdeh stated that he had over stayed his tourist Visa and that he was in the United States illegally. Also, we could not identify Malkawi from the international driver's license that he gave us. The license did not have a date of birth or address on it. I called immigration and spoke with Officer Kevin Williams. He stated that he would be right out and meet us at Xtra Mart.

4. Shortly after, Williams arrived and was able to identify Malkawi and Awawdeh. He was also able to identify Xtra-Mart's manager:

Samer Abuirsheid
DOB [REDACTED]

He confirmed that Awawdeh and Abuirsheid were in the country illegally and Malkawi was legal but was not allowed to be working on his tourist visa. Malkawi was working at XtraMart and wearing the uniform shirt at the time.

5. After identifying Malkawi and Awawdeh, Williams asked Malkawi if he would take him into his apartment, located at [REDACTED] and get his passport. Malkawi walked Williams, Ofc. Ryan and myself to the

apartment and brought us inside. Williams asked Malkawi if he could look around and Malkawi was able to understand him and consented to him looking around. He was also able to produce his passport and an airline ticket to Jordan for September 9, 2018.

6. Based on the evidence and the fact that Malkawi has plans to fly back to Jordan before the next court date, Officer Saluto arrested Malkawi for simple assault. Officer Saluto transported Malkawi back to the Exeter Public Safety Complex. Officer Williams detained Awawdeh and Abuirsheid and I transported them back to the complex, where they were held until Strafford County arrived and transported them to the Strafford County House of Corrections. After Officer Saluto was done the booking process, I transported Malkawi to the Rockingham County House of Corrections where he was held until he could see a judge.

7. This ends my involvement in this case.

18-211-AR
SUPPLEMENTAL #1
OFFICER SALUTO
8/10/18

1) On Friday August 10, 2018 at approximately 2043 hours, I was dispatched to the Xtra Mart for a report of an assault. Upon arrival, I met the reporting party/victim identified as:

██████████
██████████

who stated that the employee with Xtra mart later identified as:

Mohammad Yahya Al-ahmad Malkawi

██████████

Country of Origin: Kingdom of Jordan

grabbed her shoulder and kissed her cheek. ██████ stated that she did not consent to any of the physical contact. ██████ also refused medical treatment stated that she was not injured. Later, I collected a recorded statement from her and she detailed in-part the following:

- That ██████ entered the Xtra Mart for the first time tonight at approximately 2020 hours
- That ██████ was purchasing some soft drinks, two gallons of milk and chocolate syrup
- That a cashier of the store, a middle eastern man, approximately 5'3", medium to slender build, approximately 40-50 years old, with dark eyes, and dark to gray balding hair, with some facial hair came over to her
- That Malkawi brought some of the items to the counter for her
- That ██████ asked about two liters of Sprite
- That ██████ then went to the back of the store near the Coke and Sprite end cap with Malkawi
- That Malkawi grabbed ██████ by the shoulder and kissed her cheek with multiple wet kisses
- That Malkawi stated "You give me positive energy" and asked ██████ if she had a husband
- That Malkawi then went to the counter and texted her boyfriend that Malkawi had kissed her
- That Malkawi assisted ██████ with transported the items to her car and Malkawi offered her free items from the store
- That ██████ returned home and spoke with her boyfriend and then called the police for help
- That ██████ did not consent in any way to Malkawi to touch her and there was no prior relationship with the suspect
- That ██████ did not notice if Malkawi had any sexual gratification during the encounter
- That ██████ and Malkawi were only two in the store
- That ██████ paid cash for the items totally approximately \$28.00
- That Malkawi gave ██████ a free York's Peppermint Patty
- That ██████ was very nervous, violated and scared after the encounter with Malkawi
- That ██████ felt Malkawi was in control of the situation
- That all the information is true and accurate to the best of her knowledge (**See recorded interview**)

I photographed ██████ phone with the text messages that she sent to her boyfriend detailing the

2) I then spoke with Sgt. Ranauro who was speaking with the suspect, Malkawi and his fellow employee identified as:

Basher Awawdeh

Country of Origin: Kingdom of Jordan

who assisted with speaking with Malkawi. Malkawi initially stated he did not speak English but later stated he did. While Sgt. Ranauro was speaking with Malkawi he admitted to grabbing and kissing the victim. He is also scheduled to return to Jordan soon. Sgt. Ranauro learned from Basher that he was in violation of his tourist VISA and he called ICE to assist. Sgt. Ranauro also requested Basher to call the supervisor of the store to assist.

3) A few moments later, the supervisor identified as:

Samer Jamal Hussien Abuirsheid

Country of origin: Kingdom of Jordan

arrived and we were able to review the security video for the store. The video confirms the victim's statement; however the location of the assault was located in a blind spot of the store for the rear security camera. Abuirsheid was unable to save the video to a disk.

4) When Special Agent Kevin Williams from ICE, Immigration and Customs Enforcement arrived, he conducted VISA status checks on all of the subjects listed above from the Kingdom of Jordan. Williams stated that both Awawdeh and Abuirsheid were both in violation of their tourist VISA and later would be placed into custody.

5) Through the field interview with the suspect, Malkawi presented a false identification detailing an international driver's license with a New Jersey address. Later Malkawi and I went to [REDACTED] and collected his official passport from the Kingdom of Jordan. I then determined that he did not have a legal address and was leaving the country on 9/8/18 before the 10 Circuit Court Brentwood District Division's scheduled court date of 10/9/18 and never to return. Due to these exigent circumstances, Malkawi was arrested without a warrant.

6) I returned to Xtra Mart with Malkawi and placed in handcuffs (double locking each one and checking for tightness) and searched his outer clothing. I placed him in the back of my cruiser and secured him with a seat belt. Upon arrival, Officer Ryan and West fingerprinted and photographed Malkawi. Bail Commissioner Kevin St. James set bail at \$1000.00 cash and to be converted to Personal Recognizance if ICE takes custody of Malkawi after his arraignment on Monday 8/13/18 at 0800 hours, at the 10 Circuit Court Brentwood District Division. Officers West and Ryan transported Malkawi to the Rockingham County Jail. **(See Officer West's report)**

7) Dispatch conducted a criminal history check for Malkawi with negative results.

8) Before returning to patrol, I conducted a check of the back seat of my cruiser for contraband with negative

SUPPLEMENTAL NARRATIVE #1 FOR OFFICER JOSEPH M SALUTO

Ref: 18-211-AR

results.

9) End of contact.

08/16/2018

Sgt. Justin Ranauro

18-211-AR

Supplemental #1

1. On August 10th, 2018 at 2043 hours, I heard Ofc. Saluto get dispatched to the Shell Gas Station (XtraMart) for a report of an assault. It was reported that the clerk working in the store wrapped his arms around a female and started kissing her inappropriately. Upon my arrival at the scene, I saw the female sitting outside with a male and her daughter. I also saw a male subject in the parking lot. I asked him if he saw anything and he said that he did not, but knew the clerk that was working. I asked him if he had any identification on him and he said that he did not. He stated that his Visa was in his apartment on Tremont Street. I asked him if his Visa was valid and he stated that it was not. I asked him if he was here legally and he said no. I asked him for his name and he identified himself as:

Bashar Awawdeh

DOB [REDACTED]

I asked Bashar to sit on the curb and he agreed to do. He stated that he has been in the United States since last year and his Visa had expired. Bashar advised me that he was married to a woman in Massachusetts and she dropped him off in Exeter so that he could work. I asked him if he was working at XtraMart and he said yes. He explained that he had been working there for three days and was to be paid under the table. Based on the fact Bashar admitted to being in the United States illegally, I asked Ofc. West to call the 24-hour I.C.E. number and advise them of the situation.

2. In the meantime, the store manager was contacted and asked to respond to the scene so that we could watch surveillance video to try and ascertain what happened. Also, while waiting for the store manager, I spoke to the victim in this case:

[REDACTED]
DOB [REDACTED]

and she stated that the clerk actually licked her face. [REDACTED] stated that the clerk then told her to take anything she wanted from the store. I advised [REDACTED] that she might have to come to EPD to give a recorded statement and she agreed to do so. I also asked her if she wanted to pursue charges and she said yes. [REDACTED] was with:

Ashley Perry

DOB [REDACTED]

&

Arthur Valerio

DOB [REDACTED]

I spoke to the clerk:

Mohammad ya Malkawi

DOB [REDACTED]

through Bashar. Mohammad admitted to hugging and kissing [REDACTED] He demonstrated what he did using Bashar.

3. Once the store manager arrived, he was identified as:

Samer Abuirsheid

DOB [REDACTED]

Samer and Ofc. Saluto viewed the video. Ofc. Saluto advised me that the incident occurred outside of camera angle. Throughout the course of this investigation, it was determined that Samer also had over stayed his Visa. Once I.C.E. arrived on scene, they took custody of Bashar and Samer and they were eventually brought to Strafford County Jail. Mohammad was subsequently arrested for Simple Assault by Ofc. Saluto.

4. XtraMart was secured by Samer and closed for the night.

5. End of involvement

SUPPLEMENTAL NARRATIVE #2 FOR OFFICER DEVIN R WEST

Ref: 18-211-AR

08-13-18

Officer Devin West

Supplemental #2

18-211-AR

1. On August 13, 2018 I responded to the Complex to where I met with Malkawi. Malkawi had a court order to turn over his passport, visa and plane ticket. I received these items and entered them into evidence.

2. This ends my involvement in this case.

SUPPLEMENTAL NARRATIVE#1 FOR DETECTIVE PATRICK T MULHOLLAND
Ref: 18-211-AR

Mulholland
08-23-18
Supplemental #1

1. On August 23, 2018 I returned a passport and airline ticket to Mohammad Malkawi. He provided an ID and a court order. He also signed a property receipt, which I attached.