

1 SUPERIOR COURT OF NEW JERSEY
2 LAW DIVISION: CRIMINAL PART
3 PASSAIC COUNTY
INDICTMENT NO: 14-02-0094-I
A.D. NO: A-001915-15-T2

4 THE STATE OF NEW JERSEY,)
5 vs.) TRANSCRIPT
6 ARCADIO J. NOVA,) OF
7 Defendant.) TRIAL

8 Place: Passaic County Courthouse
9 77 Hamilton Street
Paterson, NJ 07505

10 Date: July 22, 2015

11 BEFORE:

12 HONORABLE MARILYN C. CLARK, P.J.Cr., AND JURY

13 TRANSCRIPT ORDERED BY:

14 DEBORAH C. COLLINS, ESQ., (Deputy Public Defender,
15 Office of the Public Defender, Appellate Section)

16 APPEARANCES:

17 KELLY WALSH, ESQ., (Assistant Prosecutor)
Attorney for the State

18 LEIGH SALTIEL, ESQ., (Assistant Deputy Public
19 Defender)
Attorney for the Defendant

20 Transcriber, Jenny Power
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23 Audio Recorded
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25

I N D E X T O W I T N E S S E S

<u>NAME</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
Haydee Santana				
By Ms. Walsh	16			
By Ms. Saltiel		20		
Michael Johnson				
By Ms. Walsh	26		45	
By Ms. Saltiel		40		
Maria Tejada				
By Ms. Walsh	47			
By Ms. Saltiel		58		

1 BY MS. WALSH:

2 A 917-859-7208.

3 Q Okay. Now, Officer Santana, at any point,
4 did you contact the Passaic County Prosecutor's Office?

5 A Yes, I did.

6 Q Did they provide you with any information
7 about who would be investigating the case further?

8 A I spoke to a Detective McCoy, and they did advise
9 me they would be taking the case.

10 Q Okay. Thank you, Officer Santana. Officer
11 Santana, in the meantime, while you were taking this
12 information about this alleged assault, did any patrol
13 units respond to the alleged location?

14 A Yes, I was giving out the information to the units
15 in the area. And unit 105 responded to help.

16 Q Okay. And, officer, if you can just tell me
17 what address did you send the unit to?

18 A 43 Ellison Street.

19 Q Thank you.

20 MS. WALSH: Your Honor, I have no more
21 further questions of the witness at this time.

22 THE COURT: Cross examination?

23 CROSS EXAMINATION BY MS. SALTIER:

24 Q You were the first person Ms. DeLeon,
25 Scarlet, and Ms. Montoya saw when they came to the

1 Police Station?

2 A Yes.

3 Q And that was at 8:23 p.m.?

4 A Yes.

5 Q You've been a police officer for 21 years?

6 A Yes.

7 Q And you said you been at the main desk for
8 four years?

9 A Yes.

10 Q And sexual assault cases have come into you
11 before?

12 A Yes.

13 Q And there is certain protocol you that you
14 follow for sexual assault cases?

15 A Yes.

16 Q And that involves calling the Prosecutor's
17 Office?

18 A Yes.

19 Q And that's what you did here?

20 A Yes.

21 Q And they told you that they were going to
22 take the case?

23 A Yes.

24 Q It also involves sending CSI to the scene?

25 A Yes.

1 Q And you did that here?

2 A Yes.

3 Q And you sent CSI to 43 Ellison Street?

4 A Yes.

5 Q And 43 Ellison Street is where this allegedly
6 occurred?

7 A Yes.

8 Q And that's the protocol for every kind of
9 sexual assault case?

10 A Yes.

11 Q And that's the protocol if it's an adult
12 victim?

13 A No.

14 Q It's not the protocol for an adult victim?

15 A No. We don't call the Prosecutor's Office for
16 adult victims.

17 Q But, you do send CSI to the scene for adult
18 victims?

19 A Yes.

20 Q And because it was a child victim, you
21 followed this protocol?

22 A Yes..

23 Q And sexual assault also calls for sending the
24 victim to the emergency room?

25 A Yes.

1 Q And you did not send Scarlet to the emergency
2 room?

3 A It was not my determination to make at the desk at
4 that time.

5 Q You did not send Scarlet to the emergency
6 room?

7 A No.

8 Q And you did not collect any of the clothing
9 for evidence?

10 A No, that was not my job.

11 Q You did not collect any evidence from
12 Scarlet?

13 A Not at the desk, no.

14 Q And no physical exam was ever conducted of
15 Scarlet?

16 A Not that I know of. From -- not by me.

17 Q And you sent Scarlet home from the Police
18 Station?

19 A Yes.

20 MS. SALTIEL: I would -- Your Honor.

21 THE COURT: Any other redirect?

22 MS. WALSH: No, Your Honor.

23 THE COURT: All right. Officer Santana, you
24 are excused. The witnesses are sequestered and I'll
25 explain this for the jury that -- also. When I say

Certification

I, Jenny Power, the assigned transcriber, do hereby certify the foregoing transcript of proceedings on CourtSmart, from index number 11:30:01 to 11:31:46, and from index number 1:59:49 to 2:00:53, and from index number 2:01:04 to 3:10:30, is prepared in full compliance with the current Transcript Format for Judicial Proceedings and is a true and accurate non-compressed transcript of the proceedings as recorded.

/s/ *Jenny Power*

07-11-16

Jenny Power AOC #640

(Date)

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