

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF LUZERNE

Magisterial District Number: 11-1-05

MDJ Hon. **JAMES J. HAGGERTY**
Address: **57 RUSSELL ST**
EDWARDSVILLE, PA 18704

Telephone: (570)287-2800



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA

DEFENDANT:

VS.
(NAME and ADDRESS)

STEPHEN J URBAN
First Name Middle Name Last Name
315 N SPRAGUE AVE
KINGSTON, PA 18704 Gen.

NCIC Extradition Code Type

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

DEFENDANT IDENTIFICATION INFORMATION

Docket Number CR-105-23	Date Filed 9-11-23	OTN/LiveScan Number R542999-2	Complaint Number PA0400800-C000014471	Incident Number 082523-0190724	Request Lab Service? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
GENDER <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	DOB 11/03/1973	POB	Add'l. DOB	Co-Defendants? <input type="checkbox"/>	
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/Aubn) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> PLE (Purple) <input type="checkbox"/> BRO (Brown) <input checked="" type="checkbox"/> Bik (Black) <input type="checkbox"/> Ong (Orange) <input type="checkbox"/> WHI (White) <input type="checkbox"/> XXX (Ink./Bald) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> Bln (Blonde / Strawberry)					
EYE COLOR <input type="checkbox"/> Bik (Black) <input type="checkbox"/> Blu (Blue) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknow)					
DNA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA Location				
FBI Number	MNU Number			WEIGHT (lbs.) 160	
Defendant Fingerprinted <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	FINGERPRINT CLASSIFICATION 5 08				

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 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 - Please Print or Type) _____ (Signature of the attorney for the Commonwealth) _____ (Date) _____

I, **DETECTIVE STEPHEN GIBSON**
(Name of the Affiant)
KINGSTON MUNICIPAL POLICE DEPT
of (County, Department or Agency represented and popular subdivision)

4910/27436
PSP/MPDETIC - Assigned Affiant ID Number & badge #
PA0400800
(Police Agency ORJ Number)

do hereby state:

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 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 [**414**] **KINGSTON BOROUGH**
(Subdivision Code) (Place-Political Subdivision)

N SPRAGUE AVE KINGSTON
in **LUZERNE** County [**40**] on or about **08/25/2023 18:30 to 08/25/2023**
(County Code) (Offense Date)



POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed	OTN/LiveScan Number	Complaint Number PA0400800-C000014471	Incident Number 082523-0190724
Defendant Name	First STEPHEN	Middle J	Last URBAN	

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.

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 0
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<input checked="" type="checkbox"/> Lead?	1 Offense #	2701 Section	A1 Subsection	18 PA Statute (Title)	1 Counts	M2 Grade	NCIC Offense Code	UCR/NIBRS Code
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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):
Simple Assault

Acts of the accused associated with this Offense:

SIMPLE ASSAULT: Section 2701(a)(1) of Title 18 PA C.S., (The Pa Crimes Code):: IN THAT the DEFENDANT, Stephen J. Urban, did, on or about the date, time and place specified, attempted to cause or intentionally, knowingly or recklessly caused bodily injury to, 12-year-old S.L.

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 0
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<input type="checkbox"/> Lead?	2 Offense #	2701 Section	A3 Subsection	18 PA Statute (Title)	1 Counts	M2 Grade	NCIC Offense Code	UCR/NIBRS Code
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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):
Simple Assault

Acts of the accused associated with this Offense:

SIMPLE ASSAULT: Section 2701(a)(3) of Title 18 PA C.S. (The Pennsylvania Crimes Code):: IN THAT The defendant, Stephen J. Urban, did on or about the date, time and/or place specified, attempt by physical menace to put, 12 year old S.L., in fear of imminent serious bodily injury.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input checked="" type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older 0
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<input type="checkbox"/> Lead?	3 Offense #	4910 Section	1 Subsection	18 PA Statute (Title)	1 Counts	M2 Grade	NCIC Offense Code	UCR/NIBRS Code
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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):

Tamper With/Fabricate Physical Evidence

Acts of the accused associated with this Offense:

Criminal Solicitation to commit Tampering with or Fabricating Physical Evidence The Actor, Stephen J. Urban, on or about, 08/25/2023, in the County of Luzerne, believing that an official proceeding or investigation was pending or about to be instituted, did solicit someone to alter, destroy, conceal or remove any record, document or thing with the intent to impair its verity or availability in such proceeding or investigation, in violation of Section 4910(1) of the Pennsylvania Crimes Code, Act of December 6, 1972, as amended, 18 Pa. C.S. 4910(1)



POLICE CRIMINAL COMPLAINT

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Defendant Name	First STEPHEN	Middle J	Last URBAN	

- 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.C. 4904) relating to unsworn falsification to authorities.
- This complaint is comprised of the preceding page(s) numbered 1 through 2.
- 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 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.)**

9/8/2023

(Date)

Dkt Sgt M/L 490

(Signature of Affiant)

AND NOW, on this date 9-11-23 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.

11-1-05

(Magisterial District Court Number)

[Signature]
(Issuing Authority)

SEAL

COMMONWEALTH OF PENNSYLVANIA
DISTRICT COURT 11-1-05
JAMES J. HABBERTY, MAGISTERIAL DIST JUDGE
KINGSTON, PA LUZERNE COUNTY
MY COMMISSION EXPIRES DEC. 31, 2023



POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed	OTN/LiveScan Number	Complaint Number PA0400800-C000014471	Incident Number 082523-0190724
Defendant Name	First STEPHEN	Middle J	Last URBAN	

AFFIDAVIT of PROBABLE CAUSE

On Friday, August 25th, 2023, at approximately 18:48 hours Kingston Police were dispatched to an address on North Sprague Avenue. The reporting party reported to the Luzerne County 911 Center that while her son was playing basketball someone pulled a shotgun and chased her son and friends around with a baseball bat.

Upon arrival, officers made contact with the reporting party who reported when she got home, her 12-year-old son and his friends ran up to her and reported that the man across the street pulled a gun on them and chased them with a baseball bat. She reported that they appeared to be scared.

The juveniles stated that while they were playing basketball the neighbors started calling them names. They then began arguing and a man came out with a shotgun and racked it twice. The man then went back to the house got a baseball bat and chased them with it. The man eventually went back inside his house. The man was identified to be Stephen Urban (DOB:*/*/1973).

Officers then made contact with Kimberly Osterhout who resides with Mr. Urban. She reported that the juveniles called her son names and they started to argue with the juveniles. Osterhout stated that no gun was shown at any point during the incident.

Officers then spoke with Stephen Urban. He reported that the juveniles were harassing his family and that they were out of control. He was asked about having a shotgun and pulling it out on the juveniles. He reported that he did not show any guns to the kids playing basketball. Officers then asked about him chasing the juveniles with a baseball bat. He said that he did come out of the house with a

I, DETECTIVE STEPHEN GIBSON (4910), 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 THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

Det. St. Gibson 4910
(Signature of Affiant)

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

_____ Date _____, Magisterial District Judge

My commission expires first Monday of January, _____





POLICE CRIMINAL COMPLAINT

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AFFIDAVIT of PROBABLE CAUSE CONTINUATION

baseball bat but only to his front porch. Urban stated that he never left the front porch of his property and stated that he never said anything to the kids. He said that the reason for taking the bat out was to protect his family and property.

Officers were able to locate video cameras affixed to a residence across the street and also affixed to Stephen Urban's house. Officers asked Stephen about the camera and inquired about seeing the video footage of the incident. He reported that the cameras are only actively recording from the evening hours until the morning hours so there was no footage of the incident stored.

Investigators later made contact with a cooperating witness (CW) who owns the camera affixed to a house across the street. The CW reported that they witnessed the neighbor, later identified as Stephen Urban, go after minor juveniles with a baseball bat. According to the CW the juveniles were playing basketball outside on the street when Urban left the porch and pursued them with the baseball bat in his hand. The CW further stated that Urban specifically came close to 12-year-old (S.L.)

The CW stated that the police arrived on scene and appeared to have made contact with all parties involved. The CW told investigators that while police were on scene CW standing in the doorway watching. The CW stated that after the police left the scene, Urban come to their home asking to speak with the CW's spouse. They advised Urban that the spouse was not home at the time. Urban went on to say that he had an argument with the juveniles and chased them with a bat. Urban told the CW that he was on city council and did not need any trouble. The CW told investigators that Urban asked the CW to have their spouse delete the video of the incident.

Investigators were able to obtain a copy of the footage from the CW's spouse from August 25, 2023 which includes both audio and video footage. Upon reviewing the footage, I noticed the footage gave a view of the roadway and only the floor area of the porch making it impossible to see what someone would be doing on the porch at 351 N. Sprague Ave. At 06:31:38 P.M. 5 children playing basketball on the roadway when three individuals were walking to 315 N. Sprague Ave (one wearing white pants, one wearing jeans and the last wearing a dress) and one person on the porch where you could only see their shoes. There were words exchanged between the children on the street and the three individuals. I could hear someone say "Don't call me a retard", someone say something about retard being backwards, "Shut the fuck up don't talk to my mom like that, ya little bitch, get the fuck out of here, fuck you bitch" and other inaudible words. I then could hear the children yell "Oh" I could then hear "get the fuck out of here" two of them began to run away from the residence while another began to walk away. I then noticed a male, who was identified to be Stephen Urban, come off of the porch wielding a baseball bat. Urban then raised the bat over his head into a swinging position as he entered the roadway and began to run after one of the children, who was identified to be SL (age 12). SL began to run as Urban got closer and eventually was able to outrun Urban and escape. Urban stopped giving chase just before reaching the other side of the roadway, turned around and went back to his residence. As the children were running away you could hear someone yell "who's the pussy now." The video ends at 06:33:04 P.M.

I reviewed the other 2 videos and noticed on August 25, 2024 at 07:29:17 hours Stephen Urban can be seen walking across the street and ring the doorbell. The CW answered the door and Stephen identified himself as the neighbor across the street and asked if the CW's spouse was home. He then told the CW that he had another incident like before and the kids bounced the ball off the car. Urban told the CW he had some words with the kids before and brought a bat out. He told the CW that "somebody has to start (inaudible) and that they broke a \$2,000 window to get replaced and that one kid's brother might get cited." He then told the CW that that they are disrespectful, that



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AFFIDAVIT of PROBABLE CAUSE CONTINUATION

he is also a county councilman, that he is trying to help the neighbors out and that he is going to get Children and Youth involved . He then told the CW "You know I did chase them off the porch so If your camera (inaudible) take it off that's all I ask, nothing to see you know." Urban then left the porch and walks back toward his residence and the video ends at 07:31:23 P.M.

On Friday September 1, 2023 I made contact with Stephen Urban on the telephone and asked him to come to the police station to speak with me. Stephen later voluntarily came to Kingston Police Headquarters along with Kimberly Osterhaut and another witness.

During the interview Stephen reported that he moved in to his current residence in September of 2022 and since that time there have been numerous incidents and a lot of traffic at a neighboring residence on N. Sprague Ave. He described the adults at the residence as being "enablers." He stated that the problems he has had are with the children who live and visit the address. He stated that his problems include basketballs hitting his property and causing damage. Stephen advised me about an incident that occurred on 08/20/2023 where the window on his residence was smashed out. He stated that he was at work at a Burger King in Hazelton when he received a call from Kim about the window. Stephen reported that he works 4 jobs the one at Burger King, at US Foods during the day, he is a County Council member and as a DJ at the Woodlands. He stated that kids were yelling out front of the residence so Kim yelled out at them and by the time she got downstairs someone smashed the window out on his house. He stated that he reported this incident to the police and provided audio/video that he captured on his blink camera that is fixed to his residence of the incident. He stated that the glass from the window also damaged his television.

I then asked him about the incident on 08/25/2023. He stated that Kim, a social worker for Kim's adult son and Kim's son were walking to the store and and the kids were making fun of them. He stated that when they returned from the store they continued. He stated that they say things to him like "go back in your house old man." He stated that they agitate people and it "gets to the point where you want to chase them away to get them off of the property." Stephen stated that he had some words with the kids on that day but stated that Kim only records on the camera during the nighttime hours. He stated that he doesn't have access to the cameras and that "Kim controls the camera." I advised him that there was a report that someone had a gun. He stated that he was aware of the report but denied having a gun at that property. I then asked him if there is anything that could be mistaken as a gun and he stated that he has DJ equipment but denied even having that outside. Stephen stated that he did have a baseball bat with him on the porch and he chased them off of his property. He stated that 2 or 3 children were on the grass in the front of his property calling him names so he felt threatened. He stated that they told him "Don't speak his name out of your mouth, go back in your house old man." Stephen stated that he was holding the bat in an upright position, ran onto the sidewalk, stepped off of the curb just onto the roadway and then turned around and went back to his house. He stated that he didn't say anything while he chased them. He stated that the children ran away because he thinks they were scared. I advised him that he previously told the responding officers that he never left his front porch. He agreed and stated that things happened so fast, the kids were agitating and he was scaring them off his property to prevent any more damage because he is afraid for his own life and his family. I then asked him if he ever called the police about this incident and he stated that he didn't get a chance to. I asked him how long everything transpired until the police arrived and he stated that it was approximately 15 minutes. I asked him why he didn't call during that time. He stated that he has called in the past but the police don't do anything. I then asked him if anyone else has cameras in the area and he mentioned a house across the street. I then asked him if he ever asked them about their cameras and he stated no, but that he told him that it takes snapshots of his yard. I then asked him if he asked the neighbor about the video from the day he had the bat but he denied ever asking the



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AFFIDAVIT of PROBABLE CAUSE CONTINUATION

neighbor about it. Stephen then stated that the ball bounced off of his house several times before he chased them with the bat. I again asked Stephen if he ever asked the neighbor about getting a video or having a video. He stated that he only asked about video from the day his window was smashed. Stephen again stated that he never asked anyone at the CW's house about the video from the day he chased the children with the baseball bat. Stephen later admitted that he did ask the neighbor if there was any video because he wanted to make sure that everything that happened out in the street was recorded. Stephen then denied saying anything else about the video and denied telling anyone to get rid of the video. Only after confronting him and making him believe that there was evidence contrary did he finally admitted that he did ask the CW if they had a video and agreed that he told them to get rid of it. Stephen stated that what he did was "a little over the edge" and he "did step across a line." Stephen then stated "I don't want to be a vigilante, I have a reputation, I have a lot going for me, I don't want trouble." I then advised him that the children were not on his property before he chased them with the bat, he then agreed they were not and stated "I lost my cool that day, I did wrong."

I later spoke with Kimberly Osterhout who reported being harassed by the juveniles playing basketball in front of her residence. She denied seeing Stephen with a gun or a bat and denied witnessing any confrontation between Stephen and the juveniles. She reported that Stephen didn't leave the porch and only went to the bottom of the stairs.

[Handwritten Signature] 4910

 (Signature of Affiant)