

Hopkinton Police Department
74 Main Street
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Incident Report



Incident Number: 201600003708
File No: N/A
Dispatch Incident Number: 201600003743
Print Date: March 16, 2016
Printed By: jmoran

Narratives for Incident Number 201600003708 ? Yes

Other Narratives not authorized for print? None

Narratives this user authorized to print:

Narrative By: Police Officer John Moran (35JM) Division: Patrol Division

Date & Time	Narrative Description	Entered by	Status	Reviewed by	Last Edited by
03/16/2016 09:58	ARREST REPORT	Police Officer John Moran (35JM)	Open		03/16/2016

Commonwealth vs. Gary Kaye

Charge:

265/13 - Domestic Assault and Battery

Victim: Jacquelyn Elwell

On Wednesday, March 16, 2016, at approximately 0518 hrs, Hopkinton Police received a 911 call from Jacquelyn Elwell of 2 Stagecoach Way, Hopkinton. Elwell reported that she had been involved in a domestic dispute with her boyfriend and that he was currently in his truck at the end of her driveway in the Old De-Sec. Officer Campbell and I responded to the location.

Upon arrival, I observed the reporting female standing in her driveway and the suspect standing next to a SUV with the driver side door open. I directed Elwell to stay where she was and I made contact with the suspect later identified as Gary Kaye DOB 2/1/1986 of 202 Ruggles Street, Westborough. Kaye had a large laceration on above his right eye and was bleeding. I asked Kaye how he was cut and he stated that Elwell struck him with a Mag Light. I requested the ambulance to respond to evaluate Kaye. Kaye was disheveled and covered in dirt and blood and his clothes were wet. Kaye was slurring his words and seemed confused. He had a difficult time maintaining his balance normally and consistently worked to stay centered.

Officer Campbell arrived and began speaking with Kaye and I spoke with Elwell. Elwell was visibly upset and also seemed confused. I asked Elwell what had happened. Elwell explained that they had gone to Framingham and bought some Xanax on the street and ingested them. She stated they were driving home and Kaye crashed into something. She stated that she did not know what or where he collided, but that he continued driving to her home.

She stated that once he arrived, he accused her of being involved in a relationship with another male friend and they began fighting. Elwell stated that Kaye struck her in the face, pushed her down on the ground and kicked her. Elwell stated that she then struck Kaye in the head with a flashlight to stop the assault and then fled into the home and contacted our department. Kaye showed signs of drug impairment including confusion, difficulty maintaining balance, slurred speech and she was dirty and her clothes were wet. I asked Elwell if she was injured and she stated that she was hurt on her side. She raised her shirt and exposed a contusion on her side.

I then spoke with Kaye who stated that he could not remember exactly how the fight started. He stated that all he could remember was that it was a fight and they both hit each other. He stated he could not remember who started the assault and he also stated he did not remember kicking or hitting her. He stated all he remembered was getting his in the head with a flashlight.

I spoke with Officer Campbell and we felt that Kaye was the primary physical aggressor in the incident. Kaye and Elwell are involved in a substantial dating relationship. Based on the statements made by Elwell and Kaye,