

To: Common Council Alders

From: Paul Mozina

Re: Vote NO CC File 201585 – Resolution relative to acceptance and funding of the 2021 High-Intensity Drug Trafficking Area project awards

Please Alders, **do not** accept this grant and thereby commit the taxpayers of this city to spending another \$1.4 million in the 2022 budget to fund 12 MPD member's participation in 5 HIDTA Task Forces. The Common Council accepted its first HIDTA award way back in 1998 under the sponsorship of Alderman Murphy, and it has accepted a HIDTA award every year since but one¹. The total taxpayer contribution to these grants so far is \$26.3 million. What do we have to show for 22 of years partnering with HIDTA? The MPD has never been required to provide a report documenting the outcomes – good or bad – resulting from their participation with HIDTA.

This year's HIDTA Grant Summary and Analysis is just a repetition of the same old boilerplate language they use every year. It's so out of date, the word fentanyl doesn't even appear despite the fact that 408 of the 544 overdose deaths recorded in 2020 were from fentanyl alone or in combination*. With a return on investment at the retail level of 9,000%, per Alderman Murphy, and the social isolation, economic disruption, pain, suffering and trauma experienced by so many people in our community, there is no way that the MPD and HIDTA can stop the distribution and consumption of fentanyl or any other "controlled substance" for that matter.

Death type	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2021 est.
Total drug death	109	112	117	142	149	159	152	163	149	180	167	220	251	254	343	401	384	418	544	95	
Narcotic death*	83	73	84	94	115	121	121	131	123	139	144	181	220	231	294	337	305	343	461	80	
Heroin-related death	16	11	9	19	16	17	31	37	34	45	53	69	116	110	148	168	146	133	101	13	
Fentanyl alone or in combination	3	5	7	7	6	4	9	11	6	16	5	11	16	30	97	188	188	244	408	70	
Cocaine alone or in combination	52	59	50	64	76	65	43	43	38	57	39	51	58	63	85	142	165	181	225	47	
Gabapentin/Pregabalin	0	3	2	3	0	2	4	3	2	0	3	0	0	0	0	0	0	15	44	65	7
Methamphetamine	0	0	0	0	0	0	1	1	0	1	0	0	1	1	11	11	17	31	6		
Homicide	131	124	97	152	125	127	87	87	106	100	108	123	103	161	168	140	120	130	217	50	
Suicide	86	109	107	92	93	93	117	100	114	95	104	113	96	99	114	156	117	115	126	30	
Motor Vehicle Accident	37	68	72	47	72	56	45	44	61	63	72	51	67	93	82	94	74	80	107	23	
Infant death	43	43	47	46	51	55	35	36	30	34	22	34	24	24	32	45	38	30	29	8	
Autopsies (Milwaukee County)	1289	1413	1243	1276	1015	1057	938	957	981	977	967	971	951	988	1073	1086	1050	1181	1431	376	1307
Autopsies (referral, private)	1	0	0	0	0	0	13	93	76	179	314	323	367	360	347	466	686	604	619	170	531
Autopsies (total)	1290	1413	1243	1276	1015	1057	951	1050	1057	1156	1281	1294	1318	1348	1421	1558	1736	1786	2050	596	1860

*Narcotic drug deaths are any in which opioids (morphine, heroin, etc.) or synthetic opioids (oxycodone, fentanyl, etc.) are involved

Updated 4/27/2021 - drug-related totals lag by a few weeks.

*Dr. Brian Peterson, MCMEO

The HIDTA Grant promises to increase cooperation and coordination between law enforcement agencies with the goal of disrupting and dismantling drug trafficking networks, but have the outcomes of their efforts to date increased public safety? If so, how does the MPD measure that? By the number of drug-related homicides and non-fatal shootings? By the number of no-knock drug-related search warrants executed? By the number of overdose deaths? By the mobile drug dealing and reckless driving that accompanies it? How has the MPD's participation in HIDTA over the last 22 years increased public safety?

Indeed, the only HIDTA Program goal consistently achieved by the MPD is the continued allocation of financial resources to the fool's errand assigned to them by the politicians – that of attempting to coercively control what people choose to inoffensively put into their bodies.

The MPD and HIDTA refer to marijuana as a “persistent drug threat”, one which they are determined to reduce the prevalence and demand for. [Given that 18 states](#), including two that border Wisconsin, have legalized the recreational and medicinal use of cannabis, and 19 other states have legalized its medicinal use, it would be laughable if the consequences were not so tragic, for anyone to imagine that the MPD and HIDTA could stop the influx of cannabis into this state. Officer Matthew Rittner **died** executing a no-knock search warrant on a nickel and dime cannabis seller. To paraphrase John Kerry: ‘how do you ask a man to be the last man to die in the War on Drugs?’ What does HIDTA hope to accomplish by keeping cannabis out of Wisconsin?

MPD’s Grant Award Summary includes a table showing drug arrests that *explains absolutely nothing* about the impact on public safety of their partnership with HIDTA.

Office of Management, Analysis & Planning Grant & Community Development Coordination 749 W. State Street Milwaukee, Wisconsin 53233 Phone: 414.935.7835	MILWAUKEE POLICE DEPARTMENT Grant Award Summary 2021 High Intensity Drug Trafficking Area (HIDTA)	GRANT AWARD NUMBER GR0002100000 COUNCIL FILE NO:
		PREVIOUS COUNCIL FILE NO:

Data Summary

Table 1. displays drug arrests by the Milwaukee Police Department from January 1-December 31, 2015-2020

Drug Type	2015	2016	2017	2018	2019	2020	15-20% Change	19-20% Change
Cocaine	560	624	821	676	552	400	-29%	-28%
Heroin	198	217	269	245	183	108	-45%	-41%
Total Arrests	758	841	1090	921	735	508	-33%	-31%

What does the Data Summary tell us about what is really happening on the streets? How do we interpret the decline in Cocaine and Heroin arrest numbers in 2020? Does it mean that MPD has been doing such a great job over the years that there are fewer people to arrest? Does it mean they are doing a really crappy job and failing to arrest as many people as they could? With fentanyl being ubiquitous, where are the arrest numbers for it? What relationship does Total Arrests for Cocaine and Heroin have to public safety?

Is anyone paying attention to the collateral damage done by law enforcement in the prosecution of its so-called War on Drugs? The HIDTA Program *itself* is responsible for

generating a “high intensity” nexus of guns, drugs, money, violence and death. I’m sure you recall the death of Officer Charles Irvine Jr. after a high-speed chase, but did you know the person he was chasing had been under surveillance by the MPD and HIDTA for **6 months** prior?² Under the watchful eye of HIDTA, the MPD used a confidential informant to execute 4 controlled buys, including one of fentanyl, from this person. Yet, he was still on the street the day of the chase because the MPD and HIDTA thought it was a good strategy to allow someone to sell fentanyl with the hope of finding out who his supplier was. The death of Officer Irvine is a **direct result** of HIDTA playing its pathetically stupid drug war cat and mouse games. **Who knows** how many people overdosed from the fentanyl the MPD knew this person was selling?

The fact is that the Office of Nation Drug Control Policy’s flagship HIDTA Program is an utter failure. The metrics they use to measure “success” are akin to the body counts used to measure the success of the U.S. Military in the war in Vietnam, except that HIDTA doesn’t count the collateral civilian deaths as enemy combatants. Their use of Return on Investment, drugs and money, and their counts of the Drug Trafficking Organizations disrupted or dismantled, are meaningless as to the impact they are having on public safety. HIDTA does not acknowledge **any** collateral damage from the War on Drugs in their reports – it’s all about ROI and “body counts”. [HIDTA bragged](#) in its 2019 Program Summary that the combined value of illegal drugs seized, and the cash and assets taken from traffickers equated to a return on investment of \$158 for every HIDTA dollar budgeted in 2019 – a bureaucrat’s dream

What return on investment have we seen from the War on Drugs in Milwaukee over the last 50 years? The destruction of family units in our minority communities resulting from mass, concentrated, incarceration and the resulting negative impact on family wealth generation and accumulation; a street market flooded with substances of unknown dosage and purity adulterated with fentanyl, and the sadly predictable skyrocketing overdose deaths; a proliferation of guns and gangs attracted to the profits and dangers of an illegal market; mobile drug dealing and reckless driving; infringement of our civil liberties; and ultimately, violence, death and trauma. The MPD’s Equity Impact Statement claims that minority groups will not be negatively impacted by the grant, but we all know that the War on Drugs has been disproportionately devastating on people of color – **for the last 50 years.**

Please Alders, stop this madness. Do not accept this HIDTA Grant. \$26.3 million is enough money wasted. Do not commit the taxpayers of this city to spending another penny supporting HIDTA’s dubious goal of disrupting and dismantling drug trafficking organizations, which is like cutting off the head of a hydra. It is time to stop the War on Drugs in Milwaukee and develop a new strategy with measurable public safety goals.

¹ Total expenditures by the city on HIDTA Grant Awards as of 2020: \$26,338,169

2021?

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=4912354&GUID=3014D405-EBA2-4F57-9E06-EADD5AB5F47D&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department’s participation in the **HIDTA** project for the period of January 1, 2021 to December 31, 2022 would cost \$1,783,252 of which \$378,466 (21%)

would be provided by the grantor and \$1,404,786 (79%) would be provided by the City; now, therefore, be it

2020

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=4548657&GUID=46937A17-EEE2-4F0F-83C7-9748A9B37B39&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2020 to December 31, 2021 would cost \$1,792,189 of which \$422,602 (24%) would be provided by the grantor and \$1,369,587 (76%) would be provided by the City; now, therefore, be it

2019

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=3899793&GUID=8E064CA5-8D7B-4D73-9D69-BD20BF4C59E6&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2019 to December 31, 2020 would cost \$2,236,384 of which \$258,280 (12%) would be provided by the grantor and \$1,978,104 (88%) would be provided by the City; now, therefore, be it

2018

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=3498314&GUID=AB54D4F0-B18B-4A54-968F-12FDA32573C0&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2018 to December 31, 2019 would cost \$2,548,122 of which \$509,818 (20%) would be provided by the grantor and \$2,038,304 (80%) would be provided by the City; now, therefore, be it

2017

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=3025440&GUID=CDF984D9-93D0-41A2-958A-3AA264392C8B&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2017 to December 31, 2018 would cost \$2,361,053 of which \$510,381 (22%) would be provided by the grantor and \$1,850,672 (78%) would be provided by the City; now, therefore, be it

2016

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=2595506&GUID=37647EA6-DAC3-49D4-888F-13C5357AB761&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2016 to December 31, 2016 would cost \$2,303,105 of which \$539,881(24%) would be provided by the grantor and \$1,763,224 (76%) would be provided by the City; now, therefore, be it

2015

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=2234406&GUID=3469CF54-2834-4E57-8615-C3ED9A8E5D24&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2015 to December 31, 2015 would cost \$1,977,898 of which \$625,513 (31%) would be provided by the grantor and \$1,352,385 (69%) would be provided by the City; now, therefore, be it

2014

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=1693065&GUID=B5A041D4-5F4A-434B-B157-5F49DFC8EAAF&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2014 to December 31, 2014 would cost \$1,959,671 of which \$628,357 (32%) would be provided by the grantor and \$1,331,314 (68%) would be provided by the City; now, therefore, be it

2013

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=1306976&GUID=182A24EC-9E7C-4DC1-BF32-917224827219&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2013 to December 31, 2013 would cost \$2,048,629 of which \$773,691 (37%) would be provided by the grantor and \$1,274,938 (63%) would be provided by the City; now, therefore, be it

2012

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=1049628&GUID=973E8AD2-FB8C-4B2F-8696-1F21CDBF4762&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2012 to December 31, 2012 would cost \$1,993,014 of which \$807,023 (40%) would be provided by the grantor and \$1,185,991 (60%) would be provided by the City; now, therefore, be it

2011

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=840796&GUID=2E1F7F61-78CD-4EF8-AC59-24E70EE8CFB7&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2011 to December 31, 2011 would cost \$2,004,485 of which \$837,800 (42%) would be provided by the grantor and \$1,166,685 (58%) would be provided by the City; now, therefore, be it

2010

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=562477&GUID=8F6CAB30-6E71-4E6D-84BD-BE6267F81CEC&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2010 to December 31, 2010 would cost \$1,780,527 of which \$816,436 (46%)

would be provided by the grantor and \$964,091 (54%) would be provided by the City; now, therefore, be it

2009

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=328867&GUID=D21CC090-FDE7-45BC-B080-04A1B07DCC66&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2009 to December 31, 2009 would cost \$1,884,791 of which \$876,704 (47%) would be provided by the grantor and \$1,008,087 (53%) would be provided by the City; now, therefore, be it

2008

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=165549&GUID=BCD7852F-9955-4493-9629-9967B9B39047&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2008 to December 31, 2008 would cost \$1,913,184 of which \$944,326 (49%) would be provided by the grantor and \$968,858 (51%) would be provided by the City; now, therefore, be it

2007

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=164187&GUID=852DE267-27E7-4C5A-91AD-9945C8419B29&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2007 to December 31, 2007 would cost \$1,775,432 of which \$923,016 (52%) would be provided by the grantor and \$852,416 (48%) would be provided by the City; now, therefore, be it

2006

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=162285&GUID=E852EE6E-35D5-4024-B694-C0DD83C2D475&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2006 to December 31, 2006 would cost \$1,867,823 of which \$992,541 (53%) would be provided by the grantor and \$875,282 (47%) would be provided by the City; now, therefore, be it

2005

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=160149&GUID=8A70F4F6-858F-42EA-A0F3-F5919EBC6FB0&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2005 to December 31, 2005 would cost \$2,025,671 of which \$961,924 (48%) would be provided by the grantor and \$1,063,747 (52%) would be provided by the City; now, therefore, be it

2004

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=158519&GUID=594F8C82-8585-4497-B1B1-0210A5E88C77&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2004 to December 31, 2004 would cost \$2,087,690 of which \$843,289 (40%) would be provided by the grantor and \$1,244,401 (60%) would be provided by the City; now, therefore, be it

2003

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=156941&GUID=D022F01D-102E-4B8A-9F30-8A5835CF658D&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2003 to December 31, 2003 would cost \$1,877,338 of which \$803,929 (43%) would be provided by the grantor and \$1,073,409 (57%) would be provided by the City; now, therefore, be it

2002

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=154706&GUID=22D9FB9F-D586-43E9-B79A-6528113FB945&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for the period of January 1, 2002 to December 31, 2002 is expected to cost a total \$1,830,669 of which \$792,854 would be provided by the grantor and \$1,037,815 would be provided by the City; now, therefore, be it

2000

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=151178&GUID=18ABA2CD-3216-4390-B869-1939E2EA79A1&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for federal fiscal year 2000 from October 1, 1999 to September 30, 2000 is expected to cost a total \$1,906,352, of which \$954,201 would be provided by the grantor and \$952,151 would be provided by the City; now, therefore, be it

1999

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=149138&GUID=AFE77878-B70F-4C8F-B9E8-D5D9CD3AE94E&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for federal fiscal year 1999 is expected to total \$1,489,682, of which \$674,296 is the grantor share and \$815,386 is the in-kind city share; now, therefore, be it

1998

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=148398&GUID=BB9AD564-EEA5-43ED-9522-C2448DEF5D95&Options=ID|Text|Attachments|Other|&Search=HIDTA>

Whereas, The Milwaukee Police Department's participation in the HIDTA project for federal fiscal year 1998 is expected to total \$286,062, of which \$114,740 is the grantor share and \$171,322 is the in-kind city share; and

STATE OF WISCONSIN

CIRCUIT COURT MILWAUKEE COUNTY

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 2018ML015363

Court Case No.:

vs.

CRIMINAL COMPLAINT

HARRISON, LADELL WILLIAM
9530 WEST FOND DU LAC AVENUE
MILWAUKEE, WI 53225
DOB: 08/02/1989

Defendant(s).

For Official Use

THE BELOW NAMED COMPLAINANT BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: MANUFACTURE/DELIVERY OF CONTROLLED SUBSTANCE (HEROIN) (3 GRAMS OR LESS) - PTAC, AS A PARTY TO A CRIME

The above-named defendant on or about Friday, December 01, 2017, at or near 1205 West North Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, as a party to a crime, did knowingly deliver heroin, a controlled substance, in an amount 3 grams or less, contrary to sec. 961.41(1)(d)1, 939.50(3)(f), 939.05 Wis. Stats.

Upon conviction for this offense, a **Class F Felony**, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than **twelve (12) years and six (6) months**, or both.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 2: MANUFACTURE/DELIVERY OF CONTROLLED SUBSTANCE (COCAINE) (>1-5 GRAMS) - PTAC, AS A PARTY TO A CRIME

The above-named defendant on or about Friday, December 01, 2017, at or near 1205 West North Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, as a party to a crime, did knowingly deliver cocaine, a controlled substance, in an amount more than 1 gram but not 5 grams, contrary to sec. 961.41(1)(cm)1r, 939.50(3)(f), 939.05 Wis. Stats.

Upon conviction for this offense, a **Class F Felony**, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than **twelve (12) years and six (6) months**, or both.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 3: MANUFACTURE/DELIVERY OF CONTROLLED SUBSTANCE (COCAINE) (>1-5 GRAMS)

The above-named defendant on or about Monday, January 15, 2018, at or near 5812 West Lisbon Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did knowingly deliver cocaine, a controlled substance, in an amount more than 1 gram but not 5 grams, contrary to sec. 961.41(1)(cm)1r, 939.50(3)(f) Wis. Stats.

Upon conviction for this offense, a **Class F Felony**, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than **twelve (12) years and six (6) months**, or both.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 4: MANUFACTURE/DELIVERY OF CONTROLLED SUBSTANCE (HEROIN) (3 GRAMS OR LESS)

The above-named defendant on or about Monday, January 15, 2018, at or near 5812 West Lisbon Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did knowingly deliver heroin, a controlled substance, in an amount 3 grams or less, contrary to sec. 961.41(1)(d)1, 939.50(3)(f) Wis. Stats.

Upon conviction for this offense, a **Class F Felony**, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than **twelve (12) years and six (6) months**, or both.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 5: DELIVERY OF SCHEDULE I OR II NARCOTICS

The above-named defendant on or about Wednesday, February 07, 2018, at 5812 West Lisbon Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did deliver a controlled substance included in schedule II which is a narcotic drug, to-wit: Fentanyl, contrary to sec. 961.41(1)(a), 939.50(3)(e) Wis. Stats.

Upon conviction for this offense, a **Class E Felony**, the defendant may be fined not more than Fifty Thousand Dollars (\$50,000), or imprisoned not more than **fifteen (15) years**, or both.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 6: VEHICLE OPERATOR FLEE/ELUDE OFFICER RESULTING IN THE DEATH OF ANOTHER

The above-named defendant on or about Thursday, June 07, 2018, from the intersection of 91st and Silver Spring to the intersection of 76th and Silver Spring, in the City of Milwaukee, Milwaukee County, Wisconsin, while operating a motor vehicle on a highway, after having received a visual or audible signal from a traffic officer, federal law enforcement officer, or marked or unmarked police vehicle that the operator knew or reasonably should have known was being operated by a law enforcement officer, did knowingly flee or attempt to elude an officer by increasing the speed of the vehicle in an attempt to

flee and/or by willful disregard of the visual or audible signal so as to endanger other vehicles and/or the operation of the police vehicle, resulting in the death of City of Milwaukee Police Officer Charles Irvine Jr., contrary to sec. 346.04(3) and 346.17(3)(d), 939.50(3)(e) Wis. Stats.

Upon conviction for this offense, a **Class E Felony**, the defendant may be fined not more than Fifty Thousand Dollars (\$50,000), or imprisoned not more than **fifteen (15) years**, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(d)4, upon conviction the department shall revoke the defendant's operating privileges for 5 years.

Count 7: VEHICLE OPERATOR FLEE/ELUDE OFFICER RESULTING IN BODILY HARM

The above-named defendant on or about Thursday, June 07, 2018, from the intersection of 91st and Silver Spring to the intersection of 76th and Silver Spring, in the City of Milwaukee, Milwaukee County, Wisconsin, while operating a motor vehicle on a highway, after having received a visual or audible signal from a traffic officer, federal law enforcement officer, or marked or unmarked police vehicle that the operator knew or reasonably should have known was being operated by a law enforcement officer, did knowingly flee or attempt to elude an officer by increasing the speed of the vehicle in an attempt to flee and/or by willful disregard of the visual or audible signal so as to endanger other vehicles and/or the operation of the police vehicle , resulting in bodily harm to City of Milwaukee Police Officer Matthew Schulze, contrary to sec. 346.04(3) and 346.17(3)(b), 939.50(3)(h) Wis. Stats.

Upon conviction for this offense, a **Class H Felony**, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than **six (6) years**, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(d)2, upon conviction the department shall revoke the defendant's operating privileges for 1 year.

Count 8: KNOWINGLY OPERATE MOTOR VEHICLE WHILE REVOKED - CAUSE DEATH OF ANOTHER

The above-named defendant on or about Thursday, June 07, 2018, from the intersection of 91st and Silver Spring to the intersection of 76th and Silver Spring, in the City of Milwaukee, Milwaukee County, Wisconsin, while being a person whose operating privileges had been revoked pursuant to the laws of the State of Wisconsin, and as a person who knew his operating privilege had been revoked, did operate a motor vehicle on a highway during such revocation or thereafter, and in the course of the violation caused the death of another person, City of Milwaukee Police Officer Charles Irvine Jr., contrary to sec. 343.44(1)(b) and (2)(ar)4, 939.50(3)(h) Wis. Stats.

Upon conviction for this offense, a **Class H Felony**, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than **six (6) years**, or both.

Count 9: BAIL JUMPING (MISDEMEANOR)

The above-named defendant on or about Thursday, June 07, 2018, from the intersection of 91st and Silver Spring to the intersection of 76th and Silver Spring, in the City of Milwaukee, Milwaukee County, Wisconsin, having been charged with a misdemeanor and released from custody under Chapter 969 of the Wisconsin Statutes, did intentionally fail to comply with the terms of his bond, contrary to sec. 946.49(1)(a), 939.51(3)(a) Wis. Stats.

Upon conviction for this offense, a **Class A Misdemeanor**, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than **nine (9) months**, or both.

Count 10: FIRST DEGREE RECKLESSLY ENDANGERING SAFETY

The above-named defendant on or about Thursday, June 07, 2018, from the intersection of 91st and Silver Spring to the intersection of 76th and Silver Spring, in the City of Milwaukee, Milwaukee County, Wisconsin, did recklessly endanger the safety of WH (d.o.b. 5/9/13) , under circumstances which show utter disregard for human life, contrary to sec. 941.30(1), 939.50(3)(f) Wis. Stats.

Upon conviction for this offense, a **Class F Felony**, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than **twelve (12) years and six (6) months**, or both.

Count 11: FIRST DEGREE RECKLESSLY ENDANGERING SAFETY

The above-named defendant on or about Thursday, June 07, 2018, from the intersection of 91st and Silver Spring to the intersection of 76th and Silver Spring, in the City of Milwaukee, Milwaukee County, Wisconsin, did recklessly endanger the safety of other people on Silver Spring between 91st and 76th Street , under circumstances which show utter disregard for human life, contrary to sec. 941.30(1), 939.50(3)(f) Wis. Stats.

Upon conviction for this offense, a **Class F Felony**, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than **twelve (12) years and six (6) months**, or both.

Count 12: ATTEMPTING TO FLEE OR ELUDE AN OFFICER

The above-named defendant on or about Thursday, June 07, 2018, at or near 9435 West Bradley Road, in the City of Milwaukee, Milwaukee County, Wisconsin, while operating a motor vehicle on a highway, after having received a visual or audible signal from a traffic officer, federal law enforcement officer, or marked or unmarked police vehicle that the operator knew or reasonably should have known was being operated by a law enforcement officer, did knowingly flee or attempt to elude a traffic officer by increasing the speed of the vehicle in an attempt to flee, contrary to sec. 346.04(3), 939.50(3)(i) Wis. Stats.

Upon conviction for this offense, a **Class I Felony**, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than **three (3) years and six (6) months**, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(d)1, upon conviction the department shall revoke the defendant's operating privileges for 6 months.

Probable Cause:

Complainant is a City of Milwaukee police detective and bases this complaint upon his review of City of Milwaukee police reports, Milwaukee High Intensity Drug Trafficking Area (HIDTA) investigation reports, as well as reports by the Waukesha and Milwaukee County Medical Examiner's Offices, the Milwaukee and Waukesha County Sheriffs' Departments, and the Drug Enforcement Administration (DEA). Those reports and this investigation reveal the following:

HEROIN DISTRIBUTION INVESTIGATION INTO DEFENDANT**November 3, 2017 Overdose Death of MR**

On November 3, 2017, at approximately 5:30 p.m., Waukesha County Sheriff's Deputies were dispatched to a residence at Valley View Road in the town of Vernon and County of Waukesha for a fatal overdose of victim MR. Investigation revealed that in the early morning hours of November 3,

2017, MR and her brother KR had traveled to the Days Inn located at 1840 N. 6th Street in the City and County of Milwaukee, State of Wisconsin where they purchased what they believed was a \$60 amount of heroin. KR told Waukesha investigators that the heroin did not taste right and that it was sweet. KR indicated that previous to this incident he had overdosed on heroin. It was later determined that the heroin had in fact been cut or consisted of fentanyl. KR indicated that on that occasion the heroin tasted sweet like it did during this encounter.

KR further told Waukesha Sheriff's Investigators that he and MR had consumed parts of the believed heroin and that MR had the rest of the heroin. It is believed through this investigation that MR took this heroin home, consumed it and died as a result of an overdose. An autopsy conducted by the Waukesha County Medical Examiner's Office that the cause of death for MR **was fentanyl intoxication**. Waukesha County Sheriff's Investigators believed, pursuant to their investigation, that MR and KR, while believing they were purchasing heroin, had in fact been sold fentanyl. Complainant is aware that it is a common practice in the City of Milwaukee for fentanyl to be sold as a substitute for heroin.

During the investigation, Waukesha County Sheriff's Investigators became aware of the phone number used by the individual who sold the fentanyl, masquerading as heroin, to KR and MR. Investigation of that phone number and a related phone number showed a connection to the above mentioned defendant Ladell Harrison. Additionally, the investigation revealed that the nickname that KR knew the dealer by was the same nickname associated with the defendant.

The information developed during this overdose investigation was included in the eventual opening up of a heroin investigation into the above mentioned defendant by the Milwaukee High Intensity Drug Trafficking Area (HIDTA) task force.

December 1, 2017 Delivery of Heroin and Cocaine by Defendant (Counts 01 and 02)

On December 1, 2017, members of the Waukesha County Sheriff's Department and the Milwaukee HIDTA/DEA task force conducted a controlled buy of cocaine and heroin from the above mentioned defendant Ladell Harrison through the use of a confidential informant hereinafter referred to as CI1.

On December 1, 2017, CI1 was working with Waukesha County Sheriff's Investigator Nathan Plennes, assigned to the Milwaukee HIDTA-DEA Task Force, in setting up recorded phone calls to the above mentioned defendant, whom was identified through personal observation by investigators and through identification by CI1. During those phone calls an agreement was made in which the CI would meet the above mentioned defendant for the purposes of purchasing cocaine and heroin for \$240. Prior to the buy Investigator Plennes searched the CI for controlled substances, currency and weapons and found none. Investigator Plennes then searched the vehicle that was to be operated by the CI for controlled substances, large amounts of currency and weapons again with negative results. The CI was then handed \$240 as well as an audio video recording device.

CI1 eventually received an incoming call from the above mentioned defendant, and was directed to go to the Checkers located at 1205 West North Avenue in the City and County of Milwaukee, State of Wisconsin. Investigator Plennes and Waukesha Detective Loftus followed CI1 to Checkers where surveillance was set up by other officers assigned to HIDTA.

While CI1 was waiting in the Checkers parking lot, City of Wauwatosa Police Officer Isaacson, assigned to the HIDTA/DEA task force, observed the above mentioned defendant arrive in the parking lot while seated in the front passenger seat of a silver Honda CRV. The driver of the vehicle the defendant was in was an African American male with dreads and gold teeth.¹ The vehicle containing

¹ This driver was later identified by police and determined to be an associate of the defendant. Police records show the two had been arrested together in a vehicle in which indicators of drug dealing were discovered.

the above mentioned defendant remained in the parking lot, at which point CI1 walked over to the defendant's vehicle entered the rear driver's door of the defendant's vehicle. After approximately 2 minutes, CI1 exited the rear driver's door and walked back towards CI1's vehicle. Officer Isaacson observed the vehicle containing the above mentioned defendant leave the area.

CI1 was followed to an assigned meet area where CI1 turned over two folded pieces of paper containing suspected cocaine and one folded piece of paper containing suspected heroin. The suspected heroin was subjected to the Nark II Meckes Reagent field test, which tests for the presence of opiates and which Investigator Plennes is trained and experienced in, and it tested positive for the presence of opiates for a total weight of suspected heroin of **1.28 grams**. The suspected cocaine was tested to the Nark II Scott Reagent field test which tests for the presence of cocaine, and which Investigator Plennes is trained and experienced in and it tested positive for the presence of cocaine with a total weight of **2.15 grams**.

CI1 told Investigator Plennes that he entered the silver Honda and observed the above mentioned defendant, who he had previously identified in a photo, seated in the front passenger seat. CI1 stated that the defendant handed CI1 the suspected heroin and cocaine in three folded pieces of paper and that CI1 then handed Harrison the prerecorded US currency. **CI1 stated that the defendant Harrison had a handgun in his lap with an extended magazine during this transaction.**

January 15, 2018 Delivery of Heroin and Cocaine by Defendant (Counts 03 and 04)

The heroin investigation into the above mentioned defendant continued. On January 15, 2018, Investigator Plennes and the Milwaukee HIDTA again used CI1 to arrange the purchase of heroin and cocaine from the above mentioned defendant.

On January 15, 2018, CI1 placed a series of recorded phone calls to the above mentioned defendant in which an arrangement was made to purchase cocaine and heroin in the amount of \$500. Again CI1 and the vehicle in which CI1 was going to ride in were searched by Investigator Plennes for controlled substances, US currency and weapons all with negative results. CI1 was then provided with \$500 in pre-marked funds as well as an audio and video recording device. In this purchase, Investigator Plennes drove CI1 in the undercover vehicle while operating in an undercover capacity to conduct this transaction.

An arrangement was made with the above mentioned defendant that the deal would occur at Burger King located at 5812 West Lisbon Avenue in the City and County of Milwaukee, State of Wisconsin. Investigator Plennes and CI1 drove to that location in the same vehicle.

After CI1 and Investigator Plennes arrived at the Burger King parking lot, Greenfield Police Officer Aaron Busch, assigned to the HIDTA-DEA task force, observed the above mentioned defendant traveling northbound on N. 58th Street in a silver 4-door Infiniti. This is the same vehicle that Investigator Plennes had previously observed the above mentioned defendant driving during surveillance that occurred on January 12, 2017.

After the defendant arrived in the Burger King parking lot in a vehicle by himself, CI1 exited the front passenger seat of the undercover vehicle and walked to the front driver's window and met with the above mentioned defendant. This was all in view of Investigator Plennes. CI1 handed the defendant \$500 through a window and was handed then suspected heroin and crack cocaine through the driver's side window.

After the transaction occurred DCI Agent Bodo Gajevic, assigned to the HIDTA task force, conducted surveillance and followed the defendant from the Burger King parking lot through various locations until **the defendant arrived at 9510 West Fond du Lac Avenue** and parked in the northwest portion of the parking lot. While conducted surveillance, Agent Gajevic observed the defendant exit the silver Infiniti

and **then take a small child that had been seated in the rear of the vehicle.** At no point during surveillance did Agent Gajevic observe the defendant pick up a child, **thus being consistent with the defendant having a child in the back seat of his Infiniti while conducting the heroin and cocaine transaction with CI1.**

After the transaction CI1 and Investigator Plennes went to a location in which CI1 indicated that he walked up to the vehicle handed the defendant money and retrieved two folded pieces of paper containing heroin and cocaine. **CI1 indicated that the defendant had a handgun in his lap** as well as two separate plastic bags in the center console. CI1 indicated that one bag appeared to be heroin and the other bag appeared to be crack cocaine. CI1 estimated that each bag contained approximately an ounce of narcotics. CI1 further indicated that during the conversation the defendant told CI1 that he had just moved to the area of **95th and Fond du Lac in apartment #4.**

Investigator Plennes subjected the suspected heroin to the Nark II Meckes regent field test and retrieved a positive result for the presence of opiates showing that the suspected heroin had a total weight of **1.77 grams.** Investigator Plennes further tested the suspected cocaine to the Nark II Scott field test and retrieved a positive result for the presence of cocaine with a total weight of **2.18 grams.**

February 7, 2018 Delivery of Fentanyl by Defendant (Count 05)

On February 7, 2018, Investigator Plennes and CI1 again worked together with members of the HIDTA task force for the purpose of conducting a \$700 buy of heroin from the above mentioned defendant.

CI1 had a conversation with the defendant on February 6, 2018, in which he had indicated that he had purchased a new car. CI1 stated that the defendant told him that several of the defendant's "guys" had been arrested in West Allis previously. The defendant told CI1 that one of the guys that had been arrested told the defendant that police had pictures of the defendant's silver Infiniti and therefore he knew that the police knew about his silver Infiniti. **The defendant told CI1 that he got rid of his silver Infiniti and had just recently bought a black 4-door Volkswagen with temporary registration.**

On February 7, 2018, CI1 had a recorded conversation with the above mentioned defendant in which an arrangement was made to purchase heroin for a total amount of \$700. Investigator Plennes searched both the CI as well as the vehicle that the two of them were going to ride in for drugs, weapons and US currency and found none. During conversations over the phone CI1 and the defendant arranged to meet at a Burger King parking lot at 5812 West Lisbon Avenue in the City and County of Milwaukee and State of Wisconsin.

Approximately 5 minutes after Investigator Plennes and CI1 arrived in their vehicle to the Burger King parking lot, surveillance officers observed **a 4-door black Volkswagen** turn into the Burger King parking lot. Investigator Plennes was able to positively identify the driver of the Volkswagen as the above mentioned defendant Harrison. CI1 then exited the undercover vehicle, walked over to the Volkswagen and handed the defendant \$700 in return for suspected heroin. After conducting the transaction CI1 then reentered the front passenger side door of the undercover vehicle and turned over the suspected heroin to Investigator Plennes.

Investigator Plennes and CI1 then went to a predetermined location in which CI1 informed Investigator Plennes that when he had gone up to the driver's side window of the defendant's black Volkswagen he observed that the defendant had a plastic baggie containing approximately an ounce of a white in color substance, which he thought was cocaine, in his lap. CI1 observed the defendant hand the suspected heroin to CI1.

The suspected heroin sold to CI1 by the defendant was tested by Investigator Plennes and **tested negative for the presence of opiates.** Investigator Plennes then subjected a sample of the suspected heroin to the Narc 2 Fentanyl regent field test, which he is also trained and experienced in, and

received a positive result for the presence of fentanyl with a total weight of 5.14 grams. This selling of fentanyl as though it was heroin is consistent to the deal that led to the overdose death of Waukesha overdose victim MR.

Other Heroin and Fentanyl Deliveries by the Defendant

Complainant is further aware that on March 16, 2018, Investigator Plennes and CI1 organized a purchase of \$1,000 of heroin through phone calls with the above mentioned defendant. However, this deal which occurred in the area of 3507 West Wright Street in the City and County of Milwaukee, State of Wisconsin involved a third party handing over 10.3 grams of heroin after the deal had been negotiated with the above mentioned defendant.

Complainant is further aware that during the investigation of the above mentioned defendant on June 5, 2018, City of Milwaukee Police Officer Matt Cooper and City of Greenfield Police Officer Aaron Busch assigned to the Milwaukee HIDTA were conducting surveillance of the above mentioned defendant when they conducted a traffic stop of a vehicle in the area of 8918 West Hampton after having observed this vehicle engage in what appeared to be a transaction with the above mentioned defendant in a Taco Bell parking lot located at 4143 North 76th Street in the City and County of Milwaukee, State of Wisconsin. During this traffic stop .32 grams of heroin was recovered from a person who will be referred to as CW2 who positively identified the above mentioned defendant as the person that CW2 had purchased the heroin from and stated that CW2 had been purchasing heroin from the above mentioned defendant for over a year.

JUNE 7, 2018 FLEEING CAUSING DEATH INVESTIGATION (Counts 06-11)

Attempted Traffic Stop Of The Defendant By Officers Schulze and Irvine

On June 7, 2018, at approximately 4:58 p.m., City of Milwaukee Police Officers Matthew Schulze and Charles Irvine were attempting to conduct a traffic stop of a black Volkswagen bearing Wisconsin license plate ACM-9991. As this complaint will later show, this vehicle was driven by the above mentioned defendant.

A review of the squad camera footage begins with showing the squad car containing Officers Irvine and Schulze in the far right bicycle lane directly behind a black Volkswagen. Both vehicles are facing eastbound on W. Silver Spring and are at the North 91st intersection at a red light. The review of computer records show that Officers Schulze and Irvine ran the Wisconsin license plate ACM-9991 of the black Volkswagen that was directly in front of them. Video shows that at the time that this vehicle was stopped at the red stop light at the intersection of West Silver Spring and N. 91st there is one adult occupant in the driver's seat. **Additionally, the rear driver's area appears to have what appears to be a car seat in that area.** From that video it cannot be determined if there is a child in that car seat.

When the light turns green, the Volkswagen starts to travel eastbound on W. Silver Spring with Officers Schulze and Irvine following in their squad. The Volkswagen immediately changes lanes at the end of the intersection into the right lane at which point Officers Schulze and Irvine **activate their emergency lights and siren and attempted to pull the Volkswagen over.** There are three vehicles in front of the Volkswagen, one in the right lane and two in the left lane. The front vehicle in the left lane slows down and moves to the left at which point the vehicle in front of the Volkswagen quickly goes into the left lane. **The squad camera shows that the Volkswagen begins to flee at a high rate of speed and passes the vehicle that had just moved into the left lane.** The Volkswagen then changed lanes to the left lane with Officer Schulze and Officer Irvine pursuing in their squad car with lights and sirens activated. **The Volkswagen is driving recklessly and has now reached speeds of 68.8 miles per hour.** The passenger side wheels of the Volkswagen are now in the center line of both lanes as it changes into the right lane in order to pass a vehicle that is traveling in the left lane.

Within one minute of leaving the intersection, the Volkswagen is now obtaining speeds of **84.8 miles an hour** and is pulling away from the squad. The Volkswagen then changes into the bicycle lane and the squad which is pursing it is now traveling at **91.2 miles an hour** as they're about the reach West Fond du Lac Avenue intersection. The video shows that the Volkswagen is pulling away from the squads so the **Volkswagen is traveling at a higher rate of speed** than the MPD squad.

As the Volkswagen goes through the intersection of West Fond du Lac Avenue it decreases speeds to approximately **83.5 miles an hour**, changes lanes into the right lane and passes a red SUV. As the squad enters the intersection the **squad decreases to approximately 75.1 miles per hour** and then begins chasing the Volkswagen as the Volkswagen passes another vehicle recklessly in the left lane. The Volkswagen increases speed yet again, fleeing from Officers Schulze and Irvine in their marked squad car with lights and sirens activated.

The Volkswagen passes other vehicles at speeds of **91.2, 95.0** and **95.8 miles per hour**. As the Volkswagen approaches the bridge with N. 76th Street, the **Milwaukee squad car is traveling at 96.3 miles an hour and the Volkswagen is pulling away showing it is going at a faster rate of speed**. The squad cam shows that as the squad car is approaching the bridge, the squad loses control and crashes.

Complainant states that the speed limit for the area of this fleeing is 40 miles per hour.

Review of the transmission involving radio communications with Officers Irvine and Schulze show that the officers broadcast that they were in pursuit on Fond du Lac and Silver Spring eastbound on Silver Spring in pursuit of **a black Volkswagen Passat** for reckless driving with one occupant. The dispatch from Officers Schulze and Irvine begins to say license plate at which point the sounds of tires screeching can be heard. There is no further communication from the squad containing Officer Schulze and Officer Irvine.

Statement of DC

Complaint is further based upon the statement of DC a citizen witness that was traveling eastbound on West Silver Spring when he observed **a black Volkswagen Passat which he estimated to be traveling in excess of speeds of 90 miles an hour weaving through traffic as it approached** North 78th Street. DC indicated that seconds later he heard sirens coming from behind him and saw a squad pass him on the left at what he believed was approximately 70 miles an hour. DC indicated that the squad passed him and continued after the Volkswagen Passat and that when it reached the 7800 block of West Silver Spring Drive block it appeared that the squad car struck the median with its driver's side tires. DC indicated that it appeared that the officers were fighting to maintain control of the vehicle as it slid into the opposite side curb line, struck the opposite curb and then began flipping kicking dirt and debris as it tumbled. DC indicated that he believed the car flipped approximately 20 times before coming to a stop on its roof.

DC indicated that he parked his car along W. Silver Spring Drive and ran up to the vehicle in an attempt to assist the officers. DC indicated that while he was walking up he saw one of the officers helped by people from a vehicle and was walking away with blood covering his face. DC indicated that the other officer had been thrown from the vehicle and was face down in the dirt.

Injuries to Officer Matthew Schulze

Complaint is further based upon complainant's knowledge that Officer Matthew Schulze was taken to Froedtert Hospital and treated for a concussion, broken ribs, and a laceration above his eye that required stitches.

Autopsy of Officer Charles Irvine

The body of Officer Charles Irvine was taken to the Milwaukee County Medical Examiner's Office where an autopsy was performed by Dr. Douglas Kelley, an assistant medical examiner for the Milwaukee County Medical Examiner's Office who is trained and experienced in the field of forensic pathology and is duly licensed to practice medicine in the State of Wisconsin. Dr. Kelley determined that Officer Irvine sustained several lacerations and abrasions during the incident primarily to the right side of his head and body. His most serious injuries included two skull fractures, one on each side of his skull, a spinal fracture to the lower portion of his spine, bruising to his lungs and heart, a laceration to his liver, and numerous rib fractures. Dr. Kelley determined that Officer Irvine died as a result of multiple blunt force traumatic injuries that he received as a result of the vehicular crash the squad was involved in.

Defendant's Second Flight From Law Enforcement (Count 12)

Complaint is further based upon the statement of Detective Jason Rodriguez of the Milwaukee Police Department Special Investigation who states that on June 7, 2018, he and other members of the Milwaukee Police Department Special Investigations Unit assisted in the investigation into the vehicle pursuit that resulted in the death of Officer Irvine and the injuries to Officer Schulze.

Using the descriptions broadcast prior to the crash as well as information input into the Milwaukee Police Department computer from the squad, Detective Rodriguez determined that Officers Schulze and Irvine had been chasing a **black in color Volkswagen Passat with Wisconsin license plate ACM-9991**. This license plate was determined to list to a 2006 Volkswagen Passat that was owned by SS who lived at the **address of 9530 West Fond du Lac Avenue, #4**. This is the same address and apartment to which the drug investigation had followed the above mentioned defendant as mentioned previously. SS is involved in a romantic relationship with the above mentioned defendant.

Later that same day on June 7, 2018, Detective Rodriguez that Detectives Richard Ticconi, Detective Paul Martinez, and Officer Dan Keller were in plain clothes and operating in an undercover vehicle and went to the location of 9530 West Fond du Lac Avenue to search for the Volkswagen Passat that had fled from the officers. Upon arrival Detective Ticconi and other officers **observed the Volkswagen Passat** parked in the parking lot of 9530 W. Fond du Lac Avenue and saw a female, later identified as SS entering the driver door of the Volkswagen Passat. Detective Ticconi then observed a black male, later identified to be the above mentioned defendant Ladell Harrison, entering the driver door of a silver Lexus GS that was also parked in the parking lot of 9530 W. Fond du Lac Avenue. The defendant had two small children with him.

The two vehicles, the Volkswagen driven by SS and the Lexus now driven by the defendant, exited the parking lot and appeared to be following each other. After approximately 5 minutes of travel, Officers Ticconi, Martinez and Keller observed both vehicles they were following stop in the rear alley of 9435 West Bradley Road, in the City and County of Milwaukee, State of Wisconsin. The officers then observed the above mentioned defendant exit the driver's seat of the Lexus. They then observed the Volkswagen Passat park in a parking slab to the north of the Lexus.

Based on the urgency of the situation, Officers Martinez, Keller and Ticconi made the decision to exit their undercover vehicle in an attempt to apprehend the suspect that had fled from officers causing the death of Officer Irvine. The three officers exited their vehicle **and verbally identified themselves as police**. The defendant then ran to the driver's seat of the Lexus, jumped in the driver's seat and closed the door. **Officer Ticconi observed a small child in the back seat of the Lexus screaming**. The three officers fanned around the Lexus and ordered the defendant to exit the vehicle at gunpoint. Detective Martinez attempted to break the front door's side window to gain compliance, however, the defendant placed both hands in the air indicating a possible surrender. Instead of surrendering, the defendant then placed the Lexus in drive and sped away westbound in the alley. Officers Martinez,

Keller and Ticcioni are traffic officers as defined by statute. As the defendant had received an audible signal from three traffic officers to stop, and instead increased the speed of his vehicle by speeding away from a parked position, this is another crime of fleeing by the defendant.

Arrest of the Defendant

Complaint is further based upon the statement of City of Milwaukee Police Officer Andrew Molina, assigned to the Special Investigations Division, who was working with City of Milwaukee Police Officer Joseph Esqueda in assisting into the fleeing investigation. On June 7, 2018, in a plain clothes capacity and utilizing an official undercover vehicle, were assigned to conduct surveillance on the residence of 9530 North 95th Street in the City and County of Milwaukee, State of Wisconsin. Upon arrival Officer Molina and Officer Esqueda took up a stationary surveillance in the 9500 block of West Fond du Lac Avenue. Further investigation into the Department of Transportation records revealed a 2007 black Chevy Tahoe that was also associated with the above mentioned defendant.

Officers Molina and Esqueda observed this vehicle drive westbound in the 9500 block of West Fond du Lac Avenue. Officers Molina and Esqueda proceeded to follow the targeted vehicle, following closely behind it to confirm the license plate. As the target vehicle began to slow down, it pulled into the parking lot of the Fond du Lac Food and Liquor establishment at 10212 W. Fond du Lac Avenue, in the City and County of Milwaukee, State of Wisconsin. At this point, officers observed the above mentioned defendant at that location. They then observed the above mentioned defendant run across the street towards the vehicle they had been following and engage with the driver's side of the vehicle they had been following. They then saw the defendant walk away from this target vehicle.

Officer Esqueda and Officer Molina determined that it was the most opportune time to attempt to arrest the defendant on foot and safely away from a vehicle that he could again possibly flee in. Officer Esqueda drove in an angled fashion into the parking lot, at which time Officer Molina jumped out of the front passenger seat of the undercover vehicle, had his badge affixed to his outer plain clothes and yelled "Police stop" and ran towards the defendant.

The defendant looked directly at Officer Molina and began running towards the rear passenger side of a Chevy Impala that was in the area. Officer Molina observed the defendant reach the rear passenger door, at which point Officer Molina closed the distance and prevented the defendant from reaching the door of the Chevy Impala. The defendant tensed up and attempted to bring his arms down. Officer Molina was able to take the defendant into custody assisted by Officer Esqueda and eventually other City of Milwaukee police officers.

A search incident to arrest revealed the defendant to have three cell phones, a bag that contained a digital gram scale and \$1,892. All of these are indicators of drug dealing.

Statement of the Defendant

Complaint is further based upon the statement of the above mentioned defendant who admitted that he had been the driver of the Volkswagen Passat that had fled from officers on West Silver Spring Drive. **The defendant further stated that when he fled from officers he did so because he knew he should not be driving because his license was revoked, because he had a firearm in the car, and further admitted that his 5 year old son ,WH (d.o.b. 5/9/13), was in the vehicle with him.**

The defendant stated that he had driven SS's Volkswagen Passat to pick up his son WH (d.o.b. 5/9/13) from daycare. The defendant stated that after picking up his son, he was driving on to N. 91st and West Silver Spring while playing his music very loud. The defendant stated he was not paying attention and he noticed a police officer's marked squad that was stopped behind him at the light. The defendant stated that he turned the music down and waited for the light to turn green.

The defendant further stated that as he pulled away from the stop, he observed the officers turn on their lights and sirens attempting to pull him over. **The defendant stated that he was scared because he was carrying a semi-automatic pistol in the car and he was not supposed to be driving due to his revoked driver's license status.** The defendant stated that he had a case already for driving after revoked and did not want to get in trouble.

The defendant stated that he sped away from police by first driving into the left lane and then swerving back into the right lane where he had a clear opening to accelerate past all of the traffic. The defendant stated that he was going very fast as he pulled away from the police and estimated that he thought he was going approximately 70 miles an hour. The defendant stated he continued past W. Fond du Lac and under N. 76th Street when he stated that he lost sight of the police. The defendant stated he was so far ahead of the police that they were not in his rearview mirror but he believed that they had turned approximately at N. 74th Street and then down the street. The defendant stated that when he did not see them anymore he did not know where they were and he believed they had stopped pursuing him.

The defendant stated he then went home, walked into the house and talked to SS. The defendant stated that he had told her that he had fled from the police and that he had "fucked up." The defendant stated he then exchanged vehicles with SS and now left in his Lexus and was driving back towards his house when he observed a large crash with police tape at 76th and West Silver Spring. The defendant stated that he knew something bad had happened and then turned around immediately and drove home. Defendant stated he began texting SS and asking her about the Volkswagen and registration and that he believed the police had an opportunity to run the plate. The defendant stated he drove back to the house and put two of his daughters into the Lexus with WH who he now had in the Lexus. The defendant stated that he had SS drive the Volkswagen, and he drove the Lexus until they got to another location. The defendant stated that then he saw several men in vests from a blacked out van jump out with guns **and were yelling at them to stop.** The defendant stated he was scared because he still had a gun and he believed they would shoot him so he just pulled off **admitting that he fled from the police a second time.**

Complainant is aware that in this investigation a .40 caliber handgun with an extended magazine was in fact recovered and determined to be the firearm that the defendant had in his car at the time he fled from Officers Schulze and Irvine.

Towards the end of the interview the defendant turned to the detectives that were talking to him and stated, **I thought you guys couldn't pursue vehicles unless it was a felony.** Detectives responded that while that had once been the policy, it had been changed due to the increase of pursuits that had occurred. The defendant did not appear to be aware of the change in pursuit policy.

Statement of WH (d.o.b. 5/9/13)

Complaint is further based upon a forensic interview of WH (d.o.b. 5/9/13), the defendant's five year old son. WH (d.o.b. 5/9/13) stated that he had been in a vehicle driven by his dad, the defendant, when his dad was followed by the police and that his dad has a real gun and that his dad always carries this real gun. WH (d.o.b. 5/9/13) further stated that while the police were following his dad, **WH (d.o.b. 5/9/13) was not in a car seat.**

Defendant's Driver's License Status

Complaint is further based upon the review of the above mentioned defendant's driving record by the Wisconsin Department of Transportation which reveals that the defendant's driver's license status had been revoked as a result of an operating while intoxicated conviction.

A teletype from the Wisconsin Department of Transportation, which reflects that on the date and time of this incident, the defendant's driving privilege was revoked for Operating While Intoxicated, which is an offense specified in Sec. 343.307(2). The revocation was ordered effective 08-22-16, and was still active at the time of this violation. Notice of the revocation was sent to the defendant's last known address of record on 09-09-16.

Defendant's Open Case

Complaint is further based upon CCAP records in Milwaukee County case 17CT187 in which the above mentioned defendant Ladell Harrison had been charged with the misdemeanor offense of Operating While Revoked due to a previous OWI conviction. Those records show that the defendant had been released on a \$500 PR bond on May 30, 2018, with the condition of bail that he commit no new crimes. Those conditions were in effect as of the time of this offense.

The defendant had previously failed to appear to court during the pendency of that case. This charge shows that the defendant was aware that his driver's license status was revoked at the time he fled police and caused the death of Officer Irvine.

****End of Complaint****

Electronic Filing Notice:

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a \$ 20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Criminal Complaint prepared by Grant Huebner.

Subscribed and sworn to before me on 06/12/18

Electronically Signed By:

Grant I. Huebner

Assistant District Attorney

State Bar #: 1036890

Electronically Signed By:

Detective Jake Puschnig

Complainant