

STATE OF WISCONSIN - VS - TIMOTHY L JONES

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least one felony during the five year period immediately preceding the commission of this offense, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

Count 3: DISORDERLY CONDUCT, DOMESTIC ABUSE, REPEATER

The above-named defendant on or about Wednesday, May 6, 2020, in the City of Markesan, Green Lake County, Wisconsin, while in a private place, did engage in abusive, violent, unreasonably loud or otherwise disorderly conduct, under circumstances in which such conduct tended to cause a disturbance, contrary to sec. 947.01(1), 968.075(1)(a), 939.62(1)(a) Wis. Stats., a Class B Misdemeanor, and upon conviction may be fined not more than One Thousand Dollars (\$1,000), or imprisoned not more than ninety (90) days, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And further, invoking the provisions of sec. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of a felony, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased to not more than 2 years.

Count 4: CRIMINAL DAMAGE TO PROPERTY, DOMESTIC ABUSE, REPEATER

The above-named defendant on or about Wednesday, May 6, 2020, in the City of Markesan, Green Lake County, Wisconsin, did intentionally cause damage to the physical property of another, a window and personal items, belonging to Victim, without that person's consent, contrary to sec. 943.01(1), 968.075(1)(a), 939.62(1)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And further, invoking the provisions of sec. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of a felony, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased to not more than 2 years.

Count 5: CRIMINAL TRESPASS, DOMESTIC ABUSE, REPEATER

The above-named defendant on or about Wednesday, May 6, 2020, in the City of Markesan, Green Lake County, Wisconsin, did intentionally enter the dwelling of Victim, without the consent of some person lawfully upon the premises, under circumstances tending to create a breach of the peace, contrary to sec. 943.14(2), 968.075(1)(a), 939.62(1)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And further, invoking the provisions of sec. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of a felony, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased to not more than 2 years.

Count 6: FELONY BAIL JUMPING, REPEATER

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The above-named defendant on or about Wednesday, May 6, 2020, in the City of Markesan, Green Lake County, Wisconsin, having been charged with a felony and having been released from custody under Chapter 969 Wis. Stats., did intentionally fail to comply with the terms of his bond, contrary to sec. 946.49(1)(b), 939.62(1)(b) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least one felony during the five year period immediately preceding the commission of this offense, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

PROBABLE CAUSE:

I, William A. Pflum was assigned to patrol duties for the City of Markesan on Wednesday, May 6, 2020 from the hours of 7:00am to 3:30pm.

At approximately 11:00am, I was met at the Markesan Police Department by Victim who wished to report a domestic violence incident that occurred at victim's address, in the City of Markesan, Green Lake County, Wisconsin in the early hours of 05/06/2020.

Victim advised that last evening on 05/05/2020 she was at her house with her boyfriend and family. Victim said that her boyfriend, Timothy L. Jones began doing shots of Jack Daniels with her mother. Shortly after doing shots, Timothy began to drink Jack Daniels by the glass. Victim said that Timothy got intoxicated and went and laid down on her bed.

Victim said that a short time later, Victim went to wake up Timothy because they were supposed to head back to his place for the night. Victim said that she had to help walk him to the car because he was so intoxicated. Victim said that she began to drive back to Beaver Dam but only got 3-4 miles outside of Markesan when Timothy said that he was going to puke. Victim said that before she could get pulled over Timothy puked all over on the inside of the car and on himself. Victim said that she pulled over and attempted to clean Timothy up the best she could.

Victim said that she then traveled to Timothy's place at 103 E. Maple Ave #501 Beaver Dam, WI. Victim said that she had to help Timothy into his apartment, once in the apartment Timothy went to lay down on the bed right away. Victim knew that Timothy still had puke on his clothes so she attempted to get the dirty clothes off of Timothy and while doing that, Timothy sat up in the bed and back handed her so hard that she feel off the bed to the ground. Victim asked him why he did that but Timothy made no sense.

Victim decided she better leave for her safety but when she went to open the apartment door, Timothy ran over and slammed the door and grabbed Victim away from the door. Victim said that Timothy sat down in front of the door and wouldn't let Victim leave. Victim said that Timothy told her that he has a gun and isn't afraid to use it.

Victim said that about an hour later, Timothy had to use the bathroom and when he headed to the bathroom she grabbed her stuff and ran out of the apartment and drove home. Victim said that Timothy did call her several times while she was on her way home but she didn't answer the calls.

Victim said that once home in Markesan, she checked all the doors and windows to make sure they were locked. Victim said that about an hour or two later, she heard Timothy outside her bedroom window screaming and pounding on the glass. Victim said that a short time later she heard a window open and then Timothy crawled through the window and got into the house.

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Victim said that she kept telling Timothy "Get out of my fucking house" but that Timothy wouldn't leave and came towards her. Victim said that her mom and her roommate tried to get in between Timothy so he couldn't get to Victim but Timothy was able to get to Victim. Victim advised that Timothy grabbed her neck and attempted to choke her. Victim said that victim's mother grabbed Timothy's hand away after several seconds. Victim said that when Timothy grabbed her neck it did cause her pain and she didn't consent to being grabbed on the neck.

Victim said that she then headed to her bedroom to get away from Timothy.

Victim's mother called the neighbor to come over and help. Victim said that the neighbor arrived over a short time later and attempted to get Timothy out of the house.

Timothy then went to punch victim's neighbor but his punch struck Victim in the face/mouth. Victim said that when Timothy punched her in the mouth and face it caused pain and chipped a tooth. Victim said that it also caused her to bite the inside of her lip.

Victim said that a short time later, victim's neighbor was able to pick Timothy up and place him outside the house. Victim said that Timothy stood outside the house yelling and screaming for 15-20 minutes before eventually leaving.

William A. Pflum

I, Sergeant Cody McLean was assigned patrol duties for the Markesan Police Department on May 6, 2020, between the hours of 10:00am and 6:00pm, within the City of Markesan, County of Green Lake, State of Wisconsin.

I was assisting with the investigation regarding a domestic that occurred within the City of Markesan, Green Lake County, State of Wisconsin between Victim and Timothy L. Jones.

In speaking to Victim I took pictures of her hand, her face where it was bruised, the inside of her month where she bit through her lip, and her chipped tooth. Victim stated numerous times that this caused her a great deal of pain and she did not give him permission. Victim stated she was in fear for her life during this entire incident. Victim notified me that Timothy got into the house through the kitchen window behind the house where the screen is now ripped.

I went to victim's address and took pictures of the ripped screen and attached them to the case.

While at the residences I retrieved the following statements from victim's mother, victim's roommate[...]

Victim's mothers statement is as follows:

At 1130pm, on Tuesday evening(5/5/20), I victim's mother, mother of victim was at home when my daughter came in door and said her boyfriend TJ had hit her and she took off. 20 minutes later he was at the bedroom window, banging demanding to come in. We told him to go away. I grabbed a bat (roommate also present) next thing he went to kitchen window it was unlocked he ripped screen and jumped in. Again he was told to leave said he wanted to talk to victim he proceeded to bedroom pushing all us. I swung at him he pushed us girls swung between us striking victim in the mouth. I called a neighbor who came as we tried to get him out front door he hit me overhead with double electric burner. Victim's neighbor pushed him out door- throughout all chaos Victim got hit at least 3 times.

Also, during all of this he repeatedly said we will pay, he said "we" will be back to get you. If you call cops I will hurt you all. I told him I will lay him out with bat he has wrecked my daughters and my grand kids safety he said he did not care. He called leaving threats on roommates phone. Said hes not afraid of any consequences he will get what he wants which he meant my daughter. Victim told him she has family that can come help get him out he said his family nation wide.

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End of victims' mother's statement

The next statement I retrieved was from victim roommate and her statement is as follows:

May 5th 2020, victim came home around 1030pm and locked all the doors and windows telling me and her mom TJ has lost it and started getting physically violent with her. It was only about 30 minutes. TJ drove his car and parked in the driveway I met him at the front door and told him I can't let him in without victim's permission(her house). I told him at the front door and told him to wait there I would be back. Just as I got to victim's room and talking to her I hear a noise in the kitchen counter. I look and TJ has come through the screen he cut and window he forced open (now it wont lock anymore) I said I chance TJ better leave, you broke in and you can get a baseball bat to the head and you will still be in the wrong. He pushed past me and I am in no shape to stop anyone from anything. He pushed past victim's mother and victim stood up from sitting on her bed. Yelled he broke in screaming and yelling. Victim asked why the fuck are you even here? He said just give me my things and I will leave forever. Victim said you don't have anything here he pushed her to sit down and her bed than sat on a chair. Victim's mother jumped in between them screaming never put a finger on anyone in my family! I've seen your type before. One phone call due! He pushed everything off of the nightstand breaking every piece of glass. Victim said I have family I can call! TJ replied, "I have family Nation wide, you don't scare me!" That's when I spoke up and said TJ you don't want to get my family involved at all." He asked why I said "My family is the badge, Illinois, Florida, Ohio and Michigan." Then he threatened me with I'm not afraid to die and I know you are but I could make it happened faster for you! Victim stood up yelling and TJ hit her in the face, she instinctively hit (punched) back. I jumped in between told victim's mother to call someone. 1 minute later a friend of hers was here and just sight of him made TJ calm down.

End of roommate's statement

At 3:20pm, I, was notified that Beaver Dam Police Department had Timothy L. Jones in custody and would like to turn him over to Markesan Police. I notified the officer that I will be over there right away. At 3:51pm I arrived at Beaver Dam Police Department and took custody of Timothy.

I transported Timothy to the Green Lake County jail without incident.

At this time I read Timothy his MIRANDA WARNINGS and he waived his rights and stated that he would talk to me. At this time I asked if he would like me to write his statement as he says his statement to me. Timothy's statement is as follows:

On Monday, May 4th, 2020, victim spent the night at my apartment in Beaver Dam. I woke up Tuesday morning and I went onto my online banking account. I seen some charges I did not know where they came from. I asked her what these purchases. She denied. I went to my bank and showed the banker. The purchases were an online shopping store. I turned card over to the banker. I went back to apartment and asked Victim again. She denied. And when asked to look at the history on her phone, she stated she deleted. I requested her to pull it back up and I was able to confirm that she is the one that made the purchases on my card without permission. Victim stated that she thinks her 2 year old child did it and she stated her mother might have done it. On Tuesday we went to Markesan at victim's address. She started saying she can't believe she would do something like that. The fact that Victim deleted and had to get her to put the history back on the phone, that all points to Victim doing it. At this point, victim, victim's mother and victim's roommate all started drinking. The more and more Victim is drinking the more she started yelling and screaming. At this point we leave her house and we get back to my apartment. I told her I could not believe Victim would steal my money when she could've asked for it. I tried to get her to calm down. I kept telling her she did steal my money which caused her to get more and more upset. Victim went down to the car and I thought she left. She then texted me if I was coming. So I went down stairs and got in the car. We went back to Markesan together. We got to victim's address and she started drinking again. I said give me my stuff and take my back home. Victim punched me once while I was in her bedroom. I kept talking calm while she was screaming. I continued to tell

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her to give me my stuff back. We walked out of her bedroom walked to the front door. Victim did slap me again while in the living room while I was about to walk out the door. I sat in her car for about 10 minutes. She came out and drove me back to my place. I told her that she took my money and our relationship is over and she agreed. She went back home and I thought everything was over. I never struck her, never put my hands around her neck, and never entered the house through the window. I've always entered through the garage door or the front door. I was not drinking at all during this entire incident. I want to mention that victim's roommate, victim's mother and victim were all smoking weed. I was telling them it was wrong with the small kids in the house. Victim keeps it in a lock box that's silver next to her bed.

I want to make mention that victim and victim's mother both had a baseball bat in there hands swinging them around. I am unsure how her took got knocked out but that could be why.

End of Timothy's statement

At this time I walked away from Timothy and called victim and asked her about the 72 hour no contact order. Victim stated she wants it enforced.

I want to note during my conversations with Timothy he stated that he has not drove in weeks. He stated that he did not drive back to Markesan and the only way he has been getting around is when victim would drive him. He reemphasized to me that he never touched victim and entered through the front door with victim present. He stated that the only reason he got back into the car in Beaver Dam to come back to Markesan is victim texted Timothy saying the following, "Are you coming or what?" I did ask Timothy if he could show me the text message. He showed me all his text messages and none of them were from victim. He stated he must of deleted the text messages to victim and from victim.

Sergeant Cody McLean #32

On May 8, 2020, I, Sergeant Cody McLean went to victim's address to follow up with the domestic situation that took place. I met with the victim to asked her a few more questions regarding what took place.

I asked victim how long she has been with Timothy and she stated since he got out of prison until he was arrested. I asked victim if they have been living together and she stated, "Since we have been dating he has either been at my house or I have been at his house and yes I have things at his apartment." As mentioned victim stated that she has things at his apartment.

I than asked victim to show me the locations of where things took place inside the residences. She showed me the living room and that is where she stated he pushed her in the mouth. Victim then showed me her bedroom and she stated that is where he choked her. Victim showed me the kitchen window where Timothy climbed through and broke the screen. Victim stated that the window has a hard time locking.

I also took some follow up pictures which are attached to this case. Victim's face is clearly black and blue at this time and her right hand as well. I could also still see redness around her neck which is not clear in the pictures, but can confirm redness.

I asked to take pictures of anything that was broke and victim stated that everything is picked up but did not really locate anything that was broken.

I want to note that victim clearly appeared to be still in pain and was walking slowly. She stated she was in pain but did not want any medical treatment and stated she was not going to go to the doctor.

Sergeant Cody McLean #32

Furthermore, during his contact with Victim, Sgt. McClean and Victim completed a Strangulation/Suffocation Worksheet. A review of this document indicates that Defendant used one hand to apply pressure to the neck of victim. The victim indicated that the amount of pressure was "a lot" and for approximately 15 seconds until 05/12/2020

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Victim's mother "ripped" defendant's hand away. Victim indicated that after this, she experienced the following symptoms; pain, soreness or headache, felt light headed or dizzy, experienced "bits" of memory loss, experienced a change in her voice, and experienced nausea or actual vomiting.

According to information obtained from the Department of Corrections, the defendant entered the Wisconsin Prison System on March 17, 1992 and was released on March 3, 2020. These records are kept in the normal and ordinary course of business and have proven to be accurate and reliable in the past. The defendant had been found guilty in a jury trial of the following in Dane County Case Number 1991CF001169:

On 12-4-1991 he was convicted of 2 Counts Att. 1st-degree Intentional Homicide, Endanger Safety/Use/Dangerous Weapon and Possession Of Firearm By Felon

These convictions subject the defendant to the penalty enhancer for repeat/habitual criminality as the preceding five year requirement is tolled while a defendant is incarcerated.

According to the reports of the Dodge County Clerk of Courts office, kept in the normal and ordinary course of business, which have proven to be reliable in the past, on 4-7-20, the Defendant signed a \$1,000.00 Signature Bail/Bond Agreement in Case Number 20 CF 81 and was not to commit any crimes. This bond was for felony offense. Your complainant states that on 5-6-20 the defendant did commit the crimes of Strangulation/Suffocation, Substantial Battery, Disorderly Conduct, Criminal Damage to Property and Criminal Trespass to a Dwelling.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 05/18/20

Electronically Signed By:

Electronically Signed By:

Chief Deputy Matthew L. Vande Kolk

GERISE M LASPISA

Complainant

Assistant District Attorney

State Bar #: 1025212