

**FILED  
08-21-2024  
CIRCUIT COURT  
DANE COUNTY, WI  
2024CF001992**

JSL IC IA 8/21/24 130  
Assign to Branch

**STATE OF WISCONSIN                      CIRCUIT COURT                      DANE COUNTY**

STATE OF WISCONSIN  
Plaintiff,

vs.

**NELSON W MIJANGO SANTOS**

4006 Nakoosa Trl  
Madison, WI 53714

DOB: 01/30/1970

Sex/Race: M/W

Eye Color: Brown

Hair Color: Black

Height: 5 ft 5 in

Weight: 130 lbs

Alias: Also Known As Nelson

Wilfredo Mijango Santos

Also Known As Nelson Wilfredo  
Mijango

Also Known As Nelson Wilfredo  
MijangoSantos

Also Known As Nelson Wilfredo  
Santos

Defendant,

Ref. Agency: Madison (City) Police  
Department

DA Case No.: 2024DA008195

Assigned DA/ADA:

Agency Case No.: 2024-00359135

Court Case No.: **24CF**\_\_\_\_

ATN: 13016500909412

*For Official Use*

**CRIMINAL COMPLAINT**

**The below-named complaining witness being first duly sworn states the following:**

**Count 1: ATTEMPT FIRST DEGREE INTENTIONAL HOMICIDE**

The above-named defendant on or about Friday, August 16, 2024, in the City of Madison, Dane County, Wisconsin, attempted to cause the death of AJO, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a), 939.32 Wis. Stats., a Class B Felony, and upon conviction may be sentenced to a term of imprisonment not to exceed sixty (60) years.

**Count 2: ATTEMPTING TO FLEE OR ELUDE AN OFFICER**

The above-named defendant on or about Friday, August 16, 2024, in the City of Madison, Dane 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)(h) 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 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.

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### **Count 3: FAILURE TO COMPLY WITH OFFICER'S ATTEMPT TO TAKE PERSON INTO CUSTODY**

The above-named defendant on or about Friday, August 16, 2024, in the City of Madison, Dane County, Wisconsin, did intentionally refuse to comply with an officer's lawful attempt to take him into custody and retreated or remained in a building or place and, through action or threat, attempted to prevent the officer from taking him into custody and while doing each of the above, remained or became armed with a dangerous weapon or threatened to use a dangerous weapon regardless of whether he had a dangerous weapon, contrary to sec. 946.415(2), 939.50(3)(i) Wis. Stats., a Class I Felony, and upon conviction 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.

### **Count 4: MISDEMEANOR BAIL JUMPING**

The above-named defendant on or about Friday, August 16, 2024, in the City of Madison, Dane County, Wisconsin, having been charged with a misdemeanor and having been released from custody under Chapter 969 Wis. Stats., did intentionally fail to comply with the terms of his bond to wit: commit no new crimes, contrary to sec. 946.49(1)(a), 939.51(3)(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.

### **Count 5: MISDEMEANOR BAIL JUMPING**

The above-named defendant on or about Friday, August 16, 2024, in the City of Madison, Dane County, Wisconsin, having been charged with a misdemeanor and having been released from custody under Chapter 969 Wis. Stats., did intentionally fail to comply with the terms of his bond to wit: commit no new crimes, contrary to sec. 946.49(1)(a), 939.51(3)(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.

### **FACTS:**

Your complainant is a Court Officer with the City of Madison Police Department and for this complaint is relying on the written police report(s) submitted by City of Madison Police Officer(s) Chandler Firary, Alexander Gonzalez, Alexander Truman, Jonathan Mendoza and Detective(s) Jared La Porta and Bradley Frias.

#### **Initial Dispatch**

Officer Firary reports on August 16, 2024, at approximately 8:15pm, he was responded to a call for service at the Men's Shelter located in the 2000 block of Zeier Road, City of Madison, Dane County, Wisconsin.

At approximately 8:20pm, Officer Firary arrived at the Men's Shelter and immediately heard sounds of a disturbance coming from the parking lot of the Men's Shelter. Officer Firary then saw a silver SUV back out of a parking stall with what appeared to be an individual in the rear passenger seat, attempting to either get into the vehicle or get out of the vehicle as the door

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was open. Officer Firary saw the vehicle accelerate aggressively towards the southeast exit of the Men's Shelter parking lot, while the individual in the rear passenger seat was partially inside of the vehicle and partially outside of the vehicle with the door open. Officer Firary observed that silver SUV drive south in the parking lot, wrap around to the southwest side of the parking lot, face Officer Firary with its headlights. As Officer Firary was standing in front of the vehicle, which was approximately 15-20 feet away from him, the vehicle made another aggressive acceleration maneuver back towards the east side of the parking lot, driving through several vehicles. There were several other individuals on scene who were shouting in Spanish and pointing towards the vehicle.

The silver SUV then continued to accelerate aggressively out of the parking lot, attempting to leave out the southeast exit of the parking lot. Officer Firary ran after the vehicle in an attempt to get the vehicle to stop. The vehicle did not stop. Officer Firary attempted to acquire the license plate on the rear of the vehicle but due to it having a license plate cover over the top of it. At the time Officer Firary had a short foot pursuit with the vehicle, Officer Firary drew his department issued service pistol but had not pointed it at the vehicle. The vehicle then exited out the southeast entrance of the Men's Shelter parking lot at the stop lights. The vehicle aggressively accelerated southbound on Zeier Rd from the Men's Shelter parking lot. Officer Firary aired over city channel 1 that a silver SUV had fled from him and based on the observations the vehicle then continued southbound on Zeier Rd where Officer Firary lost sight of the vehicle.

Officer Firary attempted contact with one of the individuals, AJO, involved with the disturbance with the silver SUV. AJO lifted up the black T-shirt he was wearing at the time of Officer Firary's contact and showed a stomach wound with what appeared to be his intestines sticking out of his stomach. Officer Firary then requested EMS to his location to treat AJO for the potential stab wound on his stomach.

An individual on scene stated they spoke a little Spanish and informed Officer Firary that AJO claimed to have been stabbed in his stomach prior to police arrival.

Upon arriving at UW Hospital, Officer Firary stood by with AJO in the ER room while hospital staff rendered aid to him. A UW Police Officer, Officer Hernandez arrived on scene to assist in translation with AJO. AJO stated he was unable to talk to Officer Hernandez as he was in a lot of pain from the stab wound.

Officer Friary stood by with AJO and hospital staff as they went to the operating room to conduct surgery. Officer Firary was in the operating room with AJO while the surgery was being conducted. After the surgery was concluded, Officer Firary stood by with AJO in a recovery room where he was informed AJO would be sedated for a while and would most likely be unable to give a statement.

Detective La Porta reported he was informed that AJO was at least partially disemboweled, prompting the need for emergency surgery.

### **Fleeing/Eluding**

Officer Gonzalez reports at approximately 8:19 PM, he was dispatched as backup to Officer Firary for what was originally called in as an attempt to locate person at the Men's Shelter, in the 2000 block of Zeier Rd. Officer Gonzalez overheard Officer Firary call out over the radio

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that there was a silver SUV that was "peeling out of the lot." Officer Firary requested the radio air be held and advised the silver SUV fled his attempt at getting it to stop.

At the roundabout at Commercial Ave and N Thompson Dr, a couple miles south of the Men's Shelter, Officer Gonzalez observed an older silver SUV traveling south on N Thompson Dr, coming from the direction of the Men's Shelter. Officer Gonzalez observed Officer Truman had also observed this vehicle and began to tail it with Officer Gonzalez following behind. No traffic stop was attempted at this point. The silver SUV turned onto westbound HWY 30 and shortly thereafter exited to go southbound onto Stoughton Rd from westbound HWY 30. The silver SUV was now stopped at the red light and was the second vehicle from the front of the intersection. Officer Truman was parked behind it, and Officer Gonzalez was parked behind Officer Truman. Prior to engaging with the vehicle, Officer Gonzalez asked over the air if the suspect vehicle was involved in the stabbing to which Officer Gonzalez received the reply, "Yes."

Officer Truman reports after they ran to the vehicle and saw the driver exit the vehicle, Officer Truman recognized him from a previous call involving machetes and knives. The driver was **NELSON W MIJANGO SANTOS** (the defendant hereinafter, identified from past professional contacts). Again, Officer Truman recognized the defendant from a previous disturbance involving a machete and other knives at the Safe Haven located off Nakoosa. Officer Truman immediately exited his squad car and Officer Gonzalez and Officer Truman unholstered their weapons and gave the defendant commands to show them his hands and comply.

As Officer Truman exited the vehicle, he activated his emergency lights. The defendant went back to the driver's side of the vehicle and got back inside the vehicle as officers were giving the defendant commands to get out of the vehicle and show them his hands.

Officer Truman looked into the vehicle by walking around the passenger side of the vehicle. Officer Truman did not observe anyone else inside the vehicle. Officer Truman observed several sharp and shiny-like objects which were in the driver's side/front passenger side area of the vehicle. Officer Truman went back over to the driver's side of the vehicle to join Officer Gonzalez. Officers continued to stand there and give the defendant commands to exit the vehicle to which he refused to do so.

The defendant exiting the vehicle while in traffic, behaving abnormally, and not complying with officer's commands like an uninvolved innocent person would, provided Officer Gonzalez with the belief this was most likely the suspect vehicle from the Men's Shelter stabbing/dragging of a person. Officer Gonzalez approached on foot giving the defendant verbal commands to stop. The defendant did not comply with Officer Gonzalez's commands and re-entered the front driver's seat, closing the door, and locking it.

The defendant was now seated inside his running vehicle in the driver's seat. While standing immediately outside of the defendant's front driver's window, Officer Gonzalez was continuously giving the defendant verbal commands to open the door. Officer Gonzalez attempted to open it himself from the outside but was unable to due to it being locked. Officer Gonzalez observed the defendant grabbing an open container of Bud Light beer and was drinking it. The defendant was also pointing towards his throat and mouthing the words, "Shoot me." As Officer Gonzalez continued to give the defendant verbal commands he began to reach around and under his driver's seat, putting his hands in places which Officer Gonzalez was

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unable to observe what he was grabbing. Officer Gonzalez observed a sharp pointed tool lying immediately on his lap. The defendant had taken his foot off the brake and allowed his vehicle to jolt forward giving Officer Gonzalez the indication he would be attempting to flee again.

At this point Officer Gerstner arrived on scene and began attempting to break the defendant's window. Officer Gerstner deployed tire deflation devices under his vehicle as well. With all this happening immediately outside the defendant's driver's side window, as well as constant yelling of verbals in Spanish and English, the defendant continued to not comply with officer's orders and remained in his locked vehicle. Once the intersection light turned green and the front vehicle drove off. The defendant accelerated rapidly from his stopped position, and he drove away from Officer Gonzalez, Officer Gerstner and Officer Truman on foot. Officer Truman's squad was also immediately behind the defendant's vehicle with its emergency lights activated. Officer Gonzalez observed the defendant's rear tires drove over the tire deflation device.

Officer Gonzalez ran back to his squad car, activated his emergency lights and siren, and initiated a vehicle pursuit after the fleeing Santos. Officer Gonzalez was the third squad car behind Officer Truman and Officer Gerstner. The defendant began fleeing in his vehicle southbound on Stoughton Rd approaching Milwaukee St.

Officer Gonzalez observed officers slow down near the off ramp from southbound Stoughton Rd to Milwaukee St. Officer Gonzalez observed the silver SUV driven by the defendant was now stopped on the off ramp facing south and that its rear tires were completely deflated. Officer Gonzalez observed the defendant exit the vehicle and stand immediately outside his open front driver's door. The defendant was yelling, Officer Gonzalez could hear his speech was slurred, and he was sobbing. Officer Gonzalez observed the defendant retrieve a black metal firearm from his vehicle and hold it down towards the ground. Officer Gonzalez verbally called out the firearm to Officers Truman and Gerstner. Officer Gonzalez observed the defendant raised the firearm up pointing it towards the direction of Officer Truman, Officer Gerstner, and Officer Gonzalez. Officer Gonzalez observed that the tip of the firearm was colored orange. This indicated to Officer Gonzalez that the firearm was possibly a facsimile (fake) firearm. Officer Gonzalez verbally called out "orange tip orange tip."

The defendant brought the facsimile firearm down and began pointing it at his own head while crying and yelling out that officers should shoot him. The defendant then retrieved a long black machete style sword from inside the vehicle and was holding it in his left hand. Officer Gonzalez also observed the defendant reach his hand into the door pocket and retrieve the sharp pointed tool Officer Gonzalez observed sitting on his lap earlier. The defendant was continuously calling out to officers to kill him. The defendant was repeatedly moving in and out of his vehicle with officers unable to see his hands. The defendant began to stab himself in the chest area with the sharp pointed tool. Multiple less lethal 40mm projectile rounds were deployed at the defendant and he still continued to try and stab himself.

Still not complying with officer's directives, the defendant stabbed himself again in the chest area and Officer Gonzalez observed he fell limp on the pavement onto his face. The defendant was not moving and remained motionless on the ground. Officer Gonzalez joined a group of officers approaching the defendant behind a ballistic shield. Once at the defendant, the ballistic shield was pressed into the defendant's back, and Officer Gonzalez obtained control of his left arm and placed it behind his back.



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Officer Mendoza reports after other officers had taken the defendant into custody, he got assistance from Madison Fire/EMS. Officer Mendoza entered the ambulance to be with the defendant in transport to UW-Downtown.

At the emergency room while being with the defendant he made some statements out loud and on his own. The defendant stated out loud the other person was trying to kill him, and he was trying to defend himself. The defendant stated he was just sleeping in his car and was being hit. The defendant continued to state to just kill him. The defendant also stated he did not do anything wrong and asked multiple times what he did wrong and if he had killed someone. The defendant stated the other guy had hit him inside of his car and he had to defend himself with a knife.

The defendant stated he exited his vehicle after the other guy exited his vehicle and when he stabbed him with a machete, he said something to the effect of, "It felt like I had killed him." The defendant also stated this other guy was a "piece of shit" multiple times. At one point, the defendant made a stabbing motion with his hand as if he was showing Officer Mendoza how he stabbed the other guy. The defendant made these statements out loud and on his own while in police custody at the emergency room. The defendant stated all these statements in Spanish as well.

### **AJO's Statement**

On August 18, 2024, Detectives Frias and Graham contacted AJO at the UW Hospital. AJO reported he remembered the incident and that he was coming from the Kwik Trip on foot and he was in the parking lot of the men's shelter. He estimated it was approximately 8 p.m. when he was in the parking lot. He came up to two Hispanic males who were standing outside of a vehicle in the parking lot. He recognized both individuals as he has seen them from the shelter. One of them is his friend and the other was a Hispanic male he knows to be named Nelson (the defendant). AJO reported as soon as AJO started walking up to them, the defendant started arguing with him. AJO did not know what the defendant was arguing about and he tried to tell the defendant to calm down several times. AJO reported he has not had any prior issues with the defendant before.

AJO said the defendant was wearing jeans and a gray flannel shirt and he had a cap on. The defendant was standing outside of a gray SUV vehicle.

AJO did not remember exactly what the defendant was arguing about or why the defendant was upset. However, he stated the defendant used both hands to push him in the shoulders. AJO was concerned this was going to escalate into an argument and a fight. The defendant pushed AJO back. AJO did not want to get into a physical altercation with the defendant and so he began backing up.

AJO stated as he was backing up in the parking lot, he observed the defendant reach behind his right pocket and grab a silver folding knife. The defendant told him something to the effect of "Do you want me to cut you, bro?" As AJO was backing up, he fell down to the ground, and then, as he got up, the defendant lunged at him and stabbed him in the stomach, just below the belly button. AJO's friend was present during the physical altercation, however he does not recall the friend saying anything.

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AJO reported the defendant did not say anything to him after he was stabbed.

Detectives Frias asked AJO what he was thinking when the incident happened. AJO stated something to the effect of, when he was in the ambulance, "I thought I could die."

Detective Frias observed an injury approximately five inches in length vertically from below AJO's belly button going up. It appeared several staples were used to close the incisions.

On August 19, 2024, Detectives La Porta and Frias contacted AJO at UW Hospital. AJO stated he knew the defendant's first name was Nelson and he knew the defendant had stayed at the Men's Shelter before. Thus, he used "Nelson" to search for the defendant on the Dane County Sheriff's Office website. In doing so, AJO found the defendant on the current "residents" page and noted he recognized the defendant as the same individual who had stabbed him on August 16, 2024.

AJO provided additional details regarding the stabbing attack itself. In recounting the same, AJO recalled the defendant pushed him down, at which point the defendant proceeded to pull out a knife with his right hand from his backside. The defendant stabbed AJO after AJO got back up. He further recalled that the defendant made a statement to the effect of, "Do you want me to cut you, bro?" at the time he stabbed AJO.

### **Review of Surveillance Camera**

On August 19, 2024, Detectives La Porta and Frias reviewed security camera footage from the Men's Shelter in the 2000 block of Zeier Rd., which was also equipped with audio.

The footage was from a camera called "Outside Front Entrance" and began on August 16, 2024 at approximately 8:18:34 PM. In reviewing the footage Detectives observed what appeared to be three male individuals walking and interacting with each other near a row of parked cars. During this interaction, Detective La Porta also observed what appeared to be one of the individuals, wearing pants, a dark shirt, and a dark hat, the defendant, attempting to follow and confront another individual, AJO, who appeared to be trying to avoid the defendant.

At one point in the footage, Detective La Porta observed the defendant appear to blade his stance and reach behind his right side as if to retrieve something from his back pocket. The defendant and AJO continue to interact with each other near the parked vehicles and at one point it appears the third male subject tries to stop or distract the defendant from continuing to follow and confront the AJO.

The defendant continues to follow the AJO, causing the AJO to walk backwards on a raised curb of the parking lot. While backing away from the defendant, Detective La Porta observed the defendant to be waiving and/or pointing his hand towards the AJO. The AJO eventually falls backwards in trying to avoid the defendant and takes off his backpack/bags after getting up. The defendant continues to follow the AJO and gets within close proximity of the AJO, shortly after which the AJO appears to briefly wince forward as if he was hit with something, prior to being kicked at and briefly chased further by the defendant.

Following the brief chase, the defendant walks away from AJO towards his vehicle, at which point the AJO can be seen looking down at his abdomen. AJO can eventually be seen approaching the defendant's vehicle, after which the defendant backs up his vehicle, at which

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point the AJO can be seen holding on to an open rear passenger door in an apparent attempt to stop the vehicle from leaving.

Additionally, in listening to the audio of the footage, Detective Frias advised Detective La Porta prior to the stabbing, he could hear the defendant ask AJO (in Spanish), "Do you want to die?" (twice), as well as "Do you want to see the devil with me?"

### **Bail Jumping**

Your complainant has reviewed the computerized record in reference to Dane County Circuit Court case, State of Wisconsin v. Nelson W Mijango Santos, Case No. 24CT369. The record reveals the above-named defendant was charged on May 23, 2024, with Operating While Revoked (Rev due to alc/contr subst/refusal), contrary to Section(s) 343.44(1)(b) of the Wisconsin Statutes, misdemeanor(s), and these charges have not been dismissed and are pending on the date of this violation. The record further reveals the above-named defendant was released from custody pursuant to Chapter 969 of the Wisconsin Statutes, and failed to comply with the terms of bond. The record reveals as a condition of release, the above-named defendant was ordered not to operate a motor vehicle without a valid license. Your complainant is further aware Section 969.02(4) of the Wisconsin Statutes provides as a condition of release in all misdemeanor cases, a person so released shall not commit any crime.

Your complainant has reviewed the computerized record in reference to Dane County Circuit Court case, State of Wisconsin v. Nelson W Mijango Santos, Case No. 24CT438. The record reveals the above-named defendant was charged on June 27, 2024, with OWI (2<sup>nd</sup>), contrary to Section(s) 346.63(1)(a) of the Wisconsin Statutes, misdemeanor(s), and these charges have not been dismissed and are pending on the date of this violation. The record further reveals the above-named defendant was released from custody pursuant to Chapter 969 of the Wisconsin Statutes, and failed to comply with the terms of bond. The record reveals as a condition of release, the above-named defendant was ordered not to operate a motor vehicle without a valid license. Your complainant is further aware Section 969.02(4) of the Wisconsin Statutes provides as a condition of release in all misdemeanor cases, a person so released shall not commit any crime.

Your complainant believes the records of the Dane County Circuit Court to be accurate and reliable inasmuch as they are records kept and maintained in the ordinary course of business of the Dane County Circuit Court and has relied upon such records in the past and has found them to be accurate and reliable.

**\*\*THIS COMPLAINT IS BASED ON** the information and belief of your complainant, who is a Court Officer for the City of Madison Police Department, and who learned of the above offense from the reports of City of Madison Police Officer(s) Chandler Firary, Alexander Gonzalez, Alexander Truman, Jonathan Mendoza and Detective(s) Jared La Porta and Bradley Frias, which report your complainant believes to be truthful and reliable inasmuch as they were prepared during the course of the officer(s) official duties.

Further, your complainant believes the information furnished by witness(es) to be truthful and reliable inasmuch as they are citizen informant(s) and witnessed the events described.



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Your complainant believes the statements of the Defendant(s) to be truthful and reliable insofar as they are admissions against penal interest.

Subscribed and sworn to before me on  
08/21/24

Electronically Signed By:  
Timothy J. Helmberger  
Assistant District Attorney  
State Bar #: 1031909

Electronically Signed By:  
Detective Cornelius Smith  
Complainant