

STATE OF WISCONSIN

-vs-

Plaintiff,

DA Case No.: 2017BR001895
Assigned DA/ADA: Bryant M Dorsey
Agency Case No.: 16-000189
Court Case No.: 2017CF _____
ATN:

Charles Julius Howard
1332 Sunray Lane
Green Bay, WI 54313
DOB: 02/01/1978
Sex/Race: M/B
Eye Color: Brown
Hair Color: Black
Height: 6 ft 0 in
Weight: 245 lbs

CRIMINAL COMPLAINT

Defendant,

Complainant, an Assistant District Attorney, being first duly sworn on oath, deposes and says that:

Count 1: MANUFACTURE/DELIVER COCAINE (>1G BUT <=5G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Monday, June 27, 2016, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than one gram but not more than 5 grams, contrary to sec. 961.41(1)(cm)1r, 961.48(1)(b) Wis. Stats., a Class F Felony, and upon conviction 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 further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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/DELIVER COCAINE (>5 - 15G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Thursday, July 14, 2016, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than 5 grams but not more than 15 grams, contrary to sec. 961.41(1)(cm)2, 961.48(1)(b) Wis. Stats., a Class E Felony, and upon conviction may be fined not more than Fifty Thousand Dollars (\$50,000), or imprisoned not more than fifteen (15) years, or both.

And further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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/DELIVER COCAINE (>1G BUT <=5G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Friday, July 22, 2016, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than one gram but not more than 5 grams, contrary to sec. 961.41(1)(cm)1r, 961.48(1)(b) Wis. Stats., a Class F Felony, and upon conviction 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 further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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/DELIVER COCAINE (>1G BUT <=5G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Wednesday, August 03, 2016, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than one gram but not more than 5 grams, contrary to sec. 961.41(1)(cm)1r, 961.48(1)(b) Wis. Stats., a Class F Felony, and upon conviction 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 further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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: MANUFACTURE/DELIVER COCAINE (>1G BUT <=5G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Friday, September 30, 2016, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than one gram but not more than 5 grams, contrary to sec. 961.41(1)(cm)1r, 961.48(1)(b) Wis. Stats., a Class F Felony, and upon conviction 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 further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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: MANUFACTURE/DELIVER COCAINE (>1G BUT <=5G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Monday, October 10, 2016, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than one gram but not more than 5 grams, contrary to sec. 961.41(1)(cm)1r, 961.48(1)(b) Wis. Stats., a Class F Felony, and upon conviction 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 further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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 7: MANUFACTURE/DELIVER COCAINE (>1G BUT <=5G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Wednesday, October 19, 2016, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than one gram but not more than 5 grams, contrary to sec. 961.41(1)(cm)1r, 961.48(1)(b) Wis. Stats., a Class F Felony, and upon conviction 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 further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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 8: MANUFACTURE/DELIVER COCAINE (>1G BUT <=5G) - PTAC, AS A PARTY TO A CRIME, SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Tuesday, November 22, 2016, in the City of Green Bay, Brown County, Wisconsin, as a party to a crime, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than one gram but not more than 5 grams, contrary to sec. 961.41(1)(cm)1r, 939.05, 961.48(1)(b) Wis. Stats., a Class F Felony, and upon conviction 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 further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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 9: MANUFACTURE/DELIVER COCAINE (>5 - 15G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Wednesday, December 07, 2016, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than 5 grams but not more than 15 grams, contrary to sec. 961.41(1)(cm)2, 961.48(1)(b) Wis. Stats., a Class E Felony, and upon conviction may be fined not more than Fifty Thousand Dollars (\$50,000), or imprisoned not more than fifteen (15) years, or both.

And further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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 10: MANUFACTURE/DELIVER COCAINE (>1G BUT <=5G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Thursday, December 15, 2016, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than one gram but not more than 5 grams, contrary to sec. 961.41(1)(cm)1r, 961.48(1)(b) Wis. Stats., a Class F Felony, and upon conviction 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 further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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 11: MANUFACTURE/DELIVER COCAINE (>1G BUT <=5G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Thursday, January 05, 2017, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than one gram but not more than 5 grams, contrary to sec. 961.41(1)(cm)1r, 961.48(1)(b) Wis. Stats., a Class F Felony, and upon conviction 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 further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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 12: MANUFACTURE/DELIVER COCAINE (>5 - 15G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Monday, January 23, 2017, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than 5 grams but not more than 15 grams, contrary to sec. 961.41(1)(cm)2, 961.48(1)(b) Wis. Stats., a Class E Felony, and upon conviction may be fined not more than Fifty Thousand Dollars (\$50,000), or imprisoned not more than fifteen (15) years, or both.

And further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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 13: MANUFACTURE/DELIVER COCAINE (>15 - 40G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Saturday, January 28, 2017, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than 15 grams but not more than 40 grams, contrary to sec. 961.41(1)(cm)3, 961.48(1)(b) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Delivery of Cocaine in an amount less than 5 grams, contrary to Wis. Stat. § 161.41(1)(cm)1 on December 1, 1995 in Brown County case number 1995CF417 and Manufacture/Deliver Cocaine in an amount of more than 15 grams but less than 40 grams, contrary to Wis. Stat. § 961.41(1)(cm)3, on February 12, 2010 in Brown County Case Number 2010CF41, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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.

Complainant is an Assistant District Attorney with the Brown County District Attorney's Office and knows of the above offense on information and belief based upon:

PROBABLE CAUSE

The complainant, being duly sworn on oath, swears that he has had the opportunity to review the police reports from Narcotics Investigators assigned to the Brown County Drug Task Force, and other documents supporting this complaint, which are the types of reports and documents kept in the ordinary course of business, which complainant believes to be truthful and reliable because they have proven to be truthful and reliable on numerous occasions in the past.

The complainant further asserts that based upon his review of the reports and/or supporting documents, the incidents alleged occurred in Brown County, Wisconsin.

Your complainant has reviewed the reports from Narcotics Investigators assigned to the Brown County Drug Task Force and other state and local law enforcement agencies. Your complainant believes the information contained in the reports is truthful and reliable as the state and local law enforcement officers who conducted the investigation and drafted the reports have specialized training and knowledge in narcotics investigations, have participated in numerous narcotics investigations, and were acting in the course of their official duties. The information contained in the reports indicates the following information:

1. On or about June 27, 2016, Narcotics Investigators (N/I) Messerschmidt and Katers met with a confidential informant (CI) who was going to attempt to purchase an 8-ball, or approximately 3.5 grams of cocaine base (crack cocaine) from Charles J. Howard for \$250. The CI and CI's vehicle were searched with no contraband or currency being located. The CI was provided \$250 in U.S. currency and a wireless recording device. The CI placed numerous phone calls and met with two individuals but was unable to obtain the cocaine base. While meeting again with N/I Messerschmidt and Katers, the CI received a phone call from Charles J. Howard who directed the CI to the residence located at 2021 Deckner Avenue, #312, in the City of Green Bay, Brown County, Wisconsin where he agreed to provide the cocaine base to the CI. N/I Messerschmidt and Katers surveilled the CI to the location. The CI could be heard on the wire device speaking with a female and then a male, whom the CI later identified as Charles J. Howard. The CI was then observed exiting the apartment and returning to the CI's vehicle by N/I Messerschmidt and Katers. The CI was followed to a location where N/I Messerschmidt and Katers met with the CI, and the CI provided a plastic corner baggie containing a cream colored rock-like substance, which was later weighed by N/I Katers, who observed the weight of the substance to be 2.16 grams. The CI and the CI's vehicle were searched again with no contraband or currency being found. N/I Katers used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine base. The CI informed N/I Katers that when the CI arrived at the apartment, the CI provided Charles J. Howard with the \$250 and that Howard then provided the CI with the corner baggie that the CI provided to N/I Katers.

2. On or about July 14, 2016, N/I Messerschmidt and Katers met with a CI who was going to attempt to purchase \$300 worth of cocaine base (crack cocaine) from

Charles J. Howard. The CI placed four phone calls to Charles J. Howard and received voicemail each time. A short time later, Charles J. Howard called the CI and Howard stated that he didn't have any crack cocaine but agreed to sell the CI "soft" or powder cocaine. Howard told the CI to meet him at the residence located near the corner of 5th Avenue and South Maple Avenue in the City of Green Bay. The CI and the CI's vehicle were searched with no contraband or currency being located. The CI was provided \$300 in U.S. currency and a wireless recording device. Various officers provided surveillance of the CI's movements and the CI confirmed the address the CI arrived at was 919 South Maple Avenue. The CI could be heard on the wire device speaking with a male and the CI later informed N/I Katers that Howard called and said he was not at the meet location and the CI was driving to the area of 3rd Avenue and 12th Street to pick Howard up. The CI picked Howard up and drove him to 919 South Maple Avenue and they entered the residence together. The CI can then be heard having a short conversation with Howard before exiting the residence and returning to the CI's vehicle. The CI was followed to a location where N/I Messerschmidt and Katers met with the CI, and the CI provided a plastic corner baggie containing a white powdery substance, which was later weighed by N/I Katers, who observed the weight of the substance to be 5.43 grams. N/I Katers used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine. The CI and the CI's vehicle were searched again with no contraband or currency being found. The CI informed N/I Katers that when the CI arrived back at the Maple Avenue residence after picking Charles J. Howard up and giving him a ride there, Howard had handed the CI the baggie containing the substance that the CI provided to N/I Katers, and the CI had handed Howard the \$300 and departed after Howard had counted the money.

3. On or about July 22, 2016, N/I Messerschmidt and Clark met with a CI who was going to attempt to purchase 3.5 grams of cocaine base (crack cocaine) from Charles J. Howard for \$250. The CI placed a phone call to Charles J. Howard who told the CI to meet him at the Subway at the intersection of East Mason Street and Roosevelt Street. The CI and the CI's vehicle were searched with no contraband or currency being located. The CI was provided \$250 in U.S. currency and a wireless recording device. Various officers provided surveillance of the CI to the location of the meet. A male matching the description of Charles J. Howard was seen entering the passenger side of the CI's vehicle. Charles J. Howard could then be heard over the wire device discussing money with the CI. Charles J. Howard was then seen by N/I Atlas exiting the CI's vehicle and entering a silver Chevrolet Trailblazer. The CI was followed to a location where N/I Messerschmidt and Katers met with the CI, and the CI provided a clear sandwich style baggie containing a white rock-like substance, which was later weighed by N/I Messerschmidt who observed the weight of the substance to be 3.11 grams. N/I Messerschmidt used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine base. The CI and the CI's vehicle were searched again with no contraband or currency being found. The CI informed N/I Messerschmidt that when the CI arrived at Subway, Charles J. Howard was already there seated in a Trailblazer with his wife, Jeanette Jorgensen. The CI stated that Howard entered the CI's vehicle, provided the CI with the clear baggie containing the substance the CI provided to N/I Messerschmidt and told the CI the bag was "heavy" and next time a bag like that would cost the CI \$275. The CI stated that the CI then handed Howard the \$250 and then they parted ways.

4. On or about August 3, 2016, N/I Messerschmidt and Roush met with a CI who was going to attempt to purchase cocaine base (crack cocaine) from Christopher J. Howard, Charles J. Howard, or a black male known to the CI as "World" (James W. Allen) for \$250. The CI placed a phone call to Charles J. Howard who told the CI to meet him near the intersection of Nicolet Drive and Peterson Road in the city of Green Bay. The CI and the CI's vehicle were searched with no contraband or currency being located. The CI was provided \$250 in U.S. currency and a wireless recording device. Various officers provided surveillance of the CI to the location of the meet. The CI could be heard on the wire device getting directions to the residence of the meet location by Charles J. Howard. N/I Brann then observed Charles J. Howard in the vehicle being driven by the CI at the Communiversity Park located at 2531 Nicolet Drive in the City of Green Bay. The vehicle driven by the CI later arrived at the Shell gas station located at 2590 University Avenue in the City of Green Bay. N/I Olmsted then observed Charles J. Howard exit the CI's vehicle and enter a Chrysler Sebring. The CI was followed to a location where N/I Messerschmidt and Roush met with the CI, and the CI provided a chunk of white rock-like substance with no packaging material that the CI received from Charles J. Howard in exchange for \$250. The rock-like substance was later weighed by N/I Messerschmidt, who observed the weight of the substance to be 2.17 grams. N/I Messerschmidt used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine base. The CI and the CI's vehicle were searched again with no contraband or currency being found. The CI informed N/I Messerschmidt that Charles J. Howard pulled out approximately an ounce of crack cocaine when they were in the CI's vehicle at Communiversity Park and broke off a chunk handing it to the CI, which the CI provided to the investigators. The CI stated the CI then handed Charles J. Howard the \$250 of U.S. currency provided by the investigators.

5. On or about September 30, 2016, N/I Messerschmidt and Katers met with a CI who was going to attempt to purchase cocaine base (crack cocaine) from Charles J. Howard for \$200. The CI placed a phone call to Charles J. Howard who told the CI to go to 11th and Clinton to complete the deal. The CI and the CI's vehicle were searched with no contraband or currency being located. The CI was provided \$200 in U.S. currency and a wireless recording device. Various officers provided surveillance of the CI to the location of the meet. Special Agent (S/A) Winscher observed the CI arrive at the meet location and saw the CI enter the passenger side of a Lincoln being operated by Charles J. Howard. N/I Messerschmidt heard over the wire device Charles J. Howard and the CI talking about "product" or crack cocaine. The CI was followed to a location where N/I Messerschmidt and Katers met with the CI, and the CI provided a clear plastic bag tied at the top containing a white rock-like substance that the CI received from Charles J. Howard in exchange for \$200. The rock-like substance was later weighed by N/I Katers, who observed the weight of the substance to be 1.63 grams. N/I Messerschmidt used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine base. The CI and the CI's vehicle were searched again with no contraband or currency being found. The CI informed N/I Messerschmidt that the CI got in Charles J. Howard's vehicle after arriving at the meet location, that Charles J. Howard took crack cocaine out of a larger bag on the center console of his vehicle, placed it in another bag he had in his pocket, tied it off and handed it to the CI. The CI stated that the CI provided Charles J. Howard with \$200 in exchange for the crack cocaine.

6. On or about October 10, 2016, N/I Katers and Clark met with a CI who was going to attempt to purchase cocaine base (crack cocaine) from Charles J. Howard for \$200. The CI placed a phone call to Charles J. Howard who told the CI to go to the area of Chicago Street and Bellevue Street in the City of Green Bay. The CI and the CI's vehicle were searched with no contraband or currency being located. The CI was provided \$200 in U.S. currency and a wireless recording device. Various officers provided surveillance of the CI to the location of the meet. When the CI arrived in the area of the meet, the CI observed Howard in a BMW. Howard directed the CI to follow his vehicle. The CI followed Howard's vehicle to his residence at 2423 Deckner Avenue in the City of Green Bay. The CI was heard over the wire device making contact with Howard. The CI departed shortly after making contact and was followed to a location where N/I Katers and Clark met with the CI, and the CI provided a plastic corner baggie containing an off white chunky material. The chunky material was later weighed by N/I Katers, who observed the weight of the substance to be 1.17 grams. N/I Katers used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine base. The CI and the CI's vehicle were searched again. During this second search, a plastic corner baggie containing an off white residue was found on the driver's side floor of the CI's vehicle. N/I Messerschmidt questioned the CI about the baggie and the CI admitted to taking some cocaine purchased from Howard and attempting to conceal it in the CI's underwear. A clear plastic corner baggie was recovered containing .82 grams of cocaine base which later tested positive for cocaine base. The CI informed N/I Katers that after following Charles J. Howard for a while in the CI's vehicle, Howard stopped on a side street past his house and the CI walked up to the driver's side window of Howard's vehicle. The CI stated Howard was the only occupant of the vehicle. The CI handed Howard the \$200 and Howard handed the CI a plastic baggie which contained cocaine base that the CI later turned over to investigators.

7. On or about October 19, 2016, N/I Messerschmidt and Clark met with a CI who was going to attempt to purchase cocaine base (crack cocaine) from Charles J. Howard for \$200. The CI placed a phone call to Charles J. Howard and received voicemail. A short time later, Charles J. Howard called the CI and told the CI to meet him at a residence on the corner of 3rd and Maple. The CI and the CI's vehicle were searched with no contraband or currency being located. The CI was provided \$200 in U.S. currency and a wireless recording device. Various officers provided surveillance of the CI to the location of the meet. The CI was observed arriving at the meet location, approaching the residence, and knocking on the door. After getting no answer, the CI was seen returning to the CI's vehicle. A short time later, the CI is heard on the wire receiving a phone call from Charles J. Howard. Howard told the CI he would be at the meet location in two minutes. A short time later, S/A Winscher observed a tan Cadillac pull up near the CI. The CI then approached Charles J. Howard in the Cadillac and contact was heard over the wire device. The CI was observed entering the residence and contact was again heard over the wire device. The CI was then seen exiting the residence and leaving in the CI's vehicle. The CI was followed to a location where N/I Clark, Messerschmidt and S/A Winscher met with the CI, and the CI provided a cellophane wrapper containing a white rock-like substance that the CI received from Charles J. Howard in exchange for \$200. The rock-like substance was later weighed by N/I Messerschmidt who observed the weight of the substance to be 2.91 grams. N/I Messerschmidt used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine base. The CI

and the CI's vehicle were searched again with no contraband or currency being found. The CI stated that once they entered the residence after Charles J. Howard arrived, Howard sat at the kitchen table, pulled out a bag of crack cocaine containing approximately 1-2 ounces, broke off a chunk for the CI and put it on the scale. The CI believed the scale said 3.7. The CI handed Howard the \$200 and left with the chunk provided by Howard. The CI stated Howard did not package it in anything so the CI placed it in a cellophane cigarette wrapper the CI found in the CI's car.

8. On or about November 22, 2016, N/I Katers and Shield met with a CI who was going to attempt to purchase cocaine base (crack cocaine) from Charles J. Howard for \$200. The CI placed a series of phone calls to Charles J. Howard and upon reaching Howard, the CI was told Howard would call the CI back with a meet location. After approximately ten minutes, the CI called Howard back and Howard asked the CI if Cook had called the CI. The CI stated Cook had not called and Howard told the CI to contact Cook, who would complete the transaction. The CI then placed a call to Cook who answered and told the CI to meet at Allouez Liquor located at 1255 South Monroe Avenue in the Village of Allouez. The CI and the CI's vehicle were searched with no contraband or currency being located. The CI was provided \$200 in U.S. currency and a wireless recording device. Various officers provided surveillance of the CI to the location of the meet. The CI was observed arriving at the meet location and parking in front of the business. The CI was then heard on the wire device making a call to Cook who instructed the CI to pick him up at his residence at 1270 South Quincy Street. N/I Katers observed the CI park in front of Cook's residence and Cook was seen exiting the residence and entering the passenger seat of CI's vehicle. The CI departed the area and drove to 1113 Webster Avenue in the City of Green Bay. Cook could be heard exiting the vehicle over the wire. A short time later, Cook could be heard over the wire reentering the CI's vehicle and the CI was observed a short time later arriving back at Cook's residence on South Quincy Street. The CI was followed to a location where N/I Katers and Shield met with the CI, and the CI provided a baggie containing an off-white chunky material that the CI received from Joshua T. Cook in exchange for \$200. The chunky material was later weighed by N/I Katers, who observed the weight of the substance to be 2.54 grams. N/I Katers used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine base. The CI and the CI's vehicle were searched again with no contraband or currency being found. The CI stated that he was directed to drive to Cook's residence and once the CI arrived, Cook exited the residence and got into the CI's vehicle. The CI observed Cook to have a plastic bag containing crack cocaine. Cook handed the CI the bag and the CI handed Cook the \$200 provided by the investigators. Cook then asked the CI to drive him to the area of Webster Avenue and Reber Street. The CI stated that upon arriving, Cook entered an upper apartment at the residence they went to then exited, reentered the CI's vehicle and the CI took Cook back to his residence and dropped him off.

9. On or about December 7, 2016, N/I Katers and Messerschmidt met with a CI who was going to attempt to purchase cocaine base (crack cocaine) from Charles J. Howard for \$400. The CI placed a phone call to Charles J. Howard, who told the CI to go to the house on Maple to complete the deal. The CI and the CI's vehicle were searched with no contraband or currency being located. The CI was provided \$400 in U.S. currency and a wireless recording device. Various officers provided surveillance of the CI to the

location of the meet and during the buy. Contact with Howard was heard over the wire device. Shortly thereafter, the CI re-entered the CI's vehicle and departed the residence. The CI was followed to a location where N/I Katers and Messerschmidt met with the CI, and the CI provided a clear plastic bag, tied at the top, that contained a white rock-like substance that the CI received from Charles J. Howard in exchange for \$400. The rock-like substance was later weighed by N/I Messerschmidt who observed the weight of the substance to be 5.85 grams. N/I Messerschmidt used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine base. The CI and the CI's vehicle were searched again with no contraband or currency being found. The CI stated when the CI arrived at the meet location, the CI approached the front door, knocked, and Charles J. Howard answered the door and handed the CI a clear plastic bag containing crack cocaine. The CI then stated that the CI handed Howard the \$400 and Howard said "its 4" and the CI responded yes. The CI stated Howard put the money in his pocket without counting it and the CI left the residence.

10. On or about December 15, 2016, N/I Katers and Messerschmidt met with a CI who was going to attempt to purchase cocaine base (crack cocaine) from Charles J. Howard for \$100. The CI placed a phone call to Charles J. Howard and asked about purchasing a "100" to which Howard replied "you know where I live." The CI informed N/I's that the CI knew Howard lived on Deckner Avenue near Preble High School. The CI and the CI's vehicle were searched with no contraband or currency being located. The CI was provided \$100 in U.S. currency and a wireless recording device. Various officers provided surveillance of the CI to the location of the meet and during the buy. The CI was observed arriving at 2423 Deckner Avenue, parking on the street, and approaching the front door. The CI knocked on the front door and moments later the door opened and the CI could be heard on the wire device speaking with a male party. Approximately four minutes later, the CI was seen exiting the front door of 2423 Deckner Avenue and returning to the CI's vehicle. The CI was followed to a location where N/I Katers and Messerschmidt met with the CI, and the CI provided a plastic baggie containing an off white chunky material that the CI received from Charles J. Howard in exchange for \$100. The chunky material was later weighed by N/I Messerschmidt who observed the weight of the substance to be 1.7 grams. N/I Messerschmidt used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine base. The CI and the CI's vehicle were searched again with no contraband or currency being found. The CI stated that upon arriving at Charles J. Howard's residence, the CI was let into the residence by Charles J. Howard. The CI stated that Howard had a plastic baggie containing crack cocaine in his hand which he gave to the CI and the CI handed Howard the \$100 provided by investigators.

11. On or about January 5, 2017, N/I Katers and Messerschmidt met with a CI who was going to attempt to purchase cocaine base (crack cocaine) from Charles J. Howard for \$400. The CI placed a call to Charles J. Howard who instructed the CI to meet him near the intersection of 11th Avenue and Clinton Street in the City of Green Bay. The CI and the CI's vehicle were searched with no contraband or currency being located. The CI was provided \$400 in U.S. currency and a wireless recording device. Various officers provided surveillance of the CI to the location of the meet and during the buy. The CI was observed following a vehicle, operated by Howard, onto 11th Avenue from Clinton Street. Howard then parked his vehicle in the driveway of 604 11th Avenue and the CI exited the

CI's vehicle and got in the front passenger seat of Howard's vehicle. The CI and Howard could be heard speaking over the wire device referring to "400" or the \$400 provided for the buy. The CI was then observed exiting Howard's vehicle and departing in the CI's vehicle. The CI was followed to a location where N/I Katers and Messerschmidt met with the CI, and the CI provided a yellow piece of paper which contained an off white chunky material that the CI received from Charles J. Howard in exchange for \$400. The chunky material was later weighed by N/I Katers who observed the weight of the substance to be 4.99 grams. S/A Winscher used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine base. The CI and the CI's vehicle were searched again with no contraband or currency being found. The CI stated that the CI entered Howard's vehicle parked at 604 11th Avenue, had a short discussion about recent events involving Howard's children with Howard, who was the only occupant of the vehicle, and then observed Howard remove a plastic bag containing crack cocaine, hand the CI a piece of paper into which Howard dumped some of the crack cocaine. Howard told the CI that should weigh about 7 grams and the CI then handed Howard the \$400 provided by investigators.

12. On or about January 23, 2017, N/I Katers and Messerschmidt met with a CI who was going to attempt to purchase cocaine base (crack cocaine) from Charles J. Howard for \$800. The CI placed a call to Charles J. Howard and asked Howard if he wanted to play four games of basketball to which Howard replied "absolutely". Howard then asked if the CI wanted hard or soft and CI stated hard. Howard told the CI he would call the CI back because he had to cook the product. A short time later, after the CI placed two more calls to Howard, Howard directed the CI to come to 2423 Deckner Avenue to complete the deal. The CI and the CI's vehicle were searched with no contraband or currency being located. The CI was provided \$800 in U.S. currency and a wireless recording device. Various officers provided surveillance of the CI to the location of the meet and during the buy. The CI arrived at the address on Deckner and Howard and the CI could be heard over the wire. The CI then left the address and was followed to a location where N/I Katers and Messerschmidt met with the CI, and the CI provided two clear sandwich style baggies that contained a white rock-like substance that the CI received from Charles J. Howard in exchange for \$800. The white rock-like substance was later weighed by N/I Messerschmidt, who observed the weight of the substance to be 11.93 grams. N/I Messerschmidt used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine base. The CI and the CI's vehicle were searched again with no contraband or currency being found. The CI informed N/I Messerschmidt that the CI entered the house at 2423 Deckner Avenue with Charles J. Howard. The CI stated that the CI observed Howard cooking the cocaine going between the stove and microwave and cutting it with baking soda. The CI observed Charles J. Howard weigh the crack cocaine he had cooked on the scale and package it and provided it to the CI. The CI provided Howard with the \$800 given to the CI by investigators.

13. On or about January 28, 2017, N/I Katers and Messerschmidt met with a CI who was going to attempt to purchase cocaine base (crack cocaine) from Charles J. Howard for \$1600. The CI placed a call to Charles J. Howard and arranged to purchase one ounce of crack cocaine for \$1600 and was instructed by Howard to come to his residence at 2423 Deckner Avenue for the deal. The CI and the CI's vehicle were searched with no contraband or currency being located. The CI was provided \$1600 in

U.S. currency and a wireless recording device. Various officers provided surveillance of the CI to the location of the meet and during the buy. The CI was observed parking in the driveway at 2423 Deckner Avenue and walking up to the door. The CI entered and conversation between the CI and Howard could be heard on the wire. The CI was then seen exiting and departing in the CI's vehicle. The CI was followed to a location where N/I Katers and Messerschmidt met with the CI, and the CI provided a plastic baggie, knotted at the top, which contained a white rock-like substance that the CI received from Charles J. Howard in exchange for \$1600. The white rock-like substance was later weighed by N/I Katers who observed the weight of the substance to be 20.71 grams. N/I Katers used the Modified Scott Reagent test on a sample of the substance and observed a positive result for cocaine base. The CI and the CI's vehicle were searched again with no contraband or currency being found. The CI informed N/I Katers that upon arriving and entering the residence at 2423 Deckner Avenue, the CI entered the residence and was met by Charles J. Howard in the living room where the CI handed Howard the \$1600 provided by investigators. The CI stated that Howard went upstairs and returned with the plastic baggie containing crack cocaine that the CI later provided to investigators.

14. Your complainant has reviewed the records of the Wisconsin Circuit Court Access Program (CCAP) website, which records are believed to be truthful and reliable as they are records kept in the ordinary course of departmental business. Said records indicate that on February 12, 2010, the defendant was convicted of Manufacture/Deliver Cocaine (>15-40g), contrary to Wis. Stat. § 961.41(1)(cm)3 in Brown County Case number 2010CF41. Said conviction remains of record and unreversed making the defendant a subsequent offender.

Complainant believes the records of CCAP to be true and accurate in that they are records kept in the ordinary course of business and it is within the ordinary course of business to keep said records.

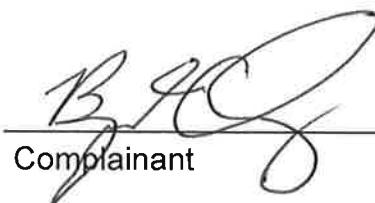
Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me,
and approved for filing on:

This 28th day of March, 2017.



(Assistant)District Attorney



Complainant