

FILED
06-02-2022
Clerk of Courts
Fond du Lac County WI
2022CF000369

STATE OF WISCONSIN	CIRCUIT COURT	FOND DU LAC COUNTY
STATE OF WISCONSIN	Plaintiff,	DA Case No.: 2022FL001452 Assigned DA/ADA: Tessa Button Agency Case No.: 22-4935 Court Case No.: ATN:
vs.		
JAMES R STEARNS N8218 Ashberry Ave Fond du Lac, WI 54935 DOB: 07/08/1949 Sex/Race: M/ Alias:		CRIMINAL COMPLAINT
Defendant.		

For Official Use

The undersigned law enforcement officer of the Fond du Lac Sheriff's Department, being first duly sworn, states that:

Count 1: TERRORIST THREATS - INTERRUPTION OF OPERATIONS

The above-named defendant on or about Wednesday, May 25, 2022 through Friday, May 27, 2022, in Fond du Lac County, Wisconsin, as an actor who intended to cause an interruption or impairment of governmental operations or public communication, of transportation, or of a supply of water, gas, or other public service, did threaten to cause the death of or bodily harm to any person or to damage any person's property, contrary to sec. 947.019(1)(d), 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.

PROBABLE CAUSE:

Complainant is a Law Enforcement officer with the Fond du Lac County Sheriff's Office and bases this complaint upon the report and investigation of Deputy Jason Bruggink and Deputy Nathan Birkholz of the same agency with whom your complainant has worked with and knows to be competent and reliable. Deputy Bruggink's and Birkholz's official police report states, in part, that:

On Friday, 05/27/2022, Deputy Bruggink was notified by Sgt. Will, the on-shift supervisor, to take a threats complaint involving an individual that lives at N8218 Ashberry Avenue in the Township of Taycheedah in Fond du Lac County Wisconsin. It was reported that this individual was sending emails to a local news outlet and to contact a Milwaukee in regards to an email submission.

Deputy Bruggink made phone contact with Detective Osmanski of the Southeastern Wisconsin Threat Analysis Center and Milwaukee Police Department in regards to a threat. Detective Osmanski sent a copy of the offending email to Deputy Bruggink and also informed Deputy Bruggink that he made contact with the Madison Police Department to make them aware of the threatening email sent to Jeff Wagner of TMJ4 news. The subject line of this email is "Arming of teachers at public schools" dated on Wednesday 05/25/2022 and sent at 1:46 pm from an email associated with James R. Stearns. The email reads "Jeff, I just need to let you and anyone else you want to tell the following1 Should the lawmakers of the State of Wisconsin ever vote to arm the public school teachers and/or administrators in Wisconsin, the following will happen! James R. Stearns at N8218 Ashberry Avenue in FDL, WI. Will purchase a gun, the most powerful I can purchase, and go to Madison and shoot as many of the people who vote for this law as I can before someone shoots me. Arming the teachers and administrators would be the worst possible thing our country/state would ever see, and I am more than willing to go down in a blaze of glory. Check me out to see that presently, and the first 72 years of my life, I have never broken a law, or been involved in the legal system in virtually any way. Outside of a few traffic tickets, my record is as clean as anyone walking the street of Wisconsin. Do Not consider this a THREAT, but rather a PROMISE !!! Sincerely, James R. Stearns"

Deputy Bruggink located James R. Stearns, DOB: 07/08/1949 residing at N8218 Ashberry Avenue, Town of Taycheedah in Fond du Lac County, Wisconsin and went to his residence. Deputy Bruggink asked Deputy Birkholz to assist, for officer safety, because of the concern over firearms and the accompanying threats.

Deputies arrived at STEARNS'S residence at approximately 7:00 PM. Upon walking up to the residence and knocking on the door Deputy Bruggink observed a male and female sitting on the couch. The male answered the door and confirmed he was James STEARNS. STEARNS gave deputies permission to enter the residence. Deputy Bruggink asked STEARNS if he wanted somewhere go to and talk such as the kitchen and right away STEARNS said, "did you have a problem with that email?" Deputy Bruggink observed that at first STEARNS appeared to be very standoffish, believing that the emails he sent, that he was in the right and did nothing wrong. When Deputy Bruggink asked about the email STEARNS said that he was the one who sent it and that he did nothing wrong. STEARNS was informed that this was a terroristic threat due to its nature of shooting up individuals as he referenced in his email. STEARNS then asked when it became illegal and Deputy Bruggink advised STEARNS about the criteria and statute for terrorist threats, 947.019.

STEARNS then tried to defend himself stating that he doesn't even own a gun to justify just sending an email and that there was nothing wrong with that. When STEARNS was asked why he sent the email, he said it was because he was upset. STEARNS then explained that he does not believe that school administrators or staff should be armed and that there would be so many deaths due to that. STEARNS was very adamant and confident that that it is going to happen if more guns are in schools. STEARNS then tried to articulate that all the teachers and friends that are teachers that he knows would not go for being armed while in school and would not appreciate that. STEARNS continued to show that he was not for school administrators or staff to be armed.

When STEARNS was asked if he believed that there was anything wrong with what he did, he hesitated, shrugged his shoulders and said yea but he did not understand the seriousness of his threat and the way it was being taken.

Deputy Birkholz also spoke with STEARNS and in conversation, STEARNS stated he was not currently on any medications for anything serious but later STEARNS said he was on a medication, Alprazolam, for anxiety.

Deputy Bruggink continued speaking with STEARNS and STEARNS brought up a second email that he sent to VICTIM 1, a Wisconsin legislator. Deputy Bruggink observed an office area with a Dell computer sitting on the desk. Deputy Bruggink asked if this was the computer that STEARNS used and if that was his computer he said yes. This is when he mentioned the email to VICTIM 1. Deputy Bruggink asked if this was a similar type of email. STEARNS stated no but it did contain similar information. Deputies asked STEARNS to open up the computer and his email and asked if he would be willing to show deputies the VICTIM 1 email. STEARNS walked over to the computer, opened it up and accessed his Gmail account. Logging in, he show deputies an email that he sent to VICTIM 1's work email. The email is titled "Arming teachers and administrators and administrator staffers". This was sent to VICTIM 1's legislative email. It was sent on 05/27/2022 at 2:57 pm and reads "[VICTIM 1] do you not value the lives of your family, yourself and your fellow legislators. If you pass legislation to arm teachers administrators and other staff people in the Wisconsin public schools, you'll be a dead man in 60 days of passing that legislation. Does this make sense to you. People will hunt you down and your family like animals. This would be the worst and the last legislation you get passed in Wisconsin VICTIM 1. Do you understand what I am saying. Please pass some legislation that makes guns harder to get for the deranged criminals felons mentally deranged and unstable individuals of Wisconsin. We need no more AR15's in Wisconsin since they are assault weapons not weapons of protection or hunting weapons. It is one thing to have hand guns and rifles for hunting but assault weapons. You do what you need to but if you do not listen to the citizens of Wisconsin your life will certainly be lost to those Wisconsin citizens. People will hunt you and your family down like an animal. VICTIM 1 do the right thing for Wisconsin citizens. Giving teachers guns is a very bad idea. James R. Stearns N8218 Ashberry Avenue, Fond du Lac Wisconsin 54937".

While deputies were speaking with STEARNS and asking why he would send these types of emails. He stated that he was just trying to get their attention to not do something that he didn't believe was right. Deputy Bruggink asked STEARNS if he did not think that the United States or Wisconsin did not take threats like this seriously. STEARNS replied that he just believed it would go into a file folder and left as is and not addressed and that threats would not be taken seriously at all. Deputy Bruggink asked STEARNS, if while sending these emails, he had been under the influence of any drugs or intoxicants, or had mental health issues to help determine his state of mind and STEARNS advised that he was not under the influence of anything while writing the emails or thinking about the emails.

Deputy Bruggink asked STEARNS what he thought should happen to an individual who sends emails like this, if it was jail or prison or to be arrested for it. STEARNS advised that he has never been to jail before but when given the example of someone sending the same email to a school or legislature or capital with the same type of message what should happen to them and if they should go to jail, STERNS advised definitely and that people need to be responsible for their actions. STEARNS was arrested and transported to the Fond du Lac County Jail.

On May 30, 2022 Deputy Bruggink went to the jail to interview STEARNS regarding the day he sent the email, what triggered him or why he decided to send the emails. STEARNS advised he sent the email to JEFF WAGNER because he was listening to his radio show and with the incidents that occurred in Texas and talking about it on his radio show, STEARNS did become very upset and frustrated along with hearing news of legislation and passing legislation to allow school administrators and school staff to be armed. STEARNS was very distraught over this information and due to listening to the radio decided to send the email to JEFF WAGNER. In terms of VICTIM 1, STEARNS advised that he recently read a Journal/Sentinel article on the matter of legislation also looking at arming school staff members or administrators and was very upset and frustrated with this to where he became physically ill and decided to send these emails.

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

Subscribed and sworn to before me on 06/02/22

Electronically Signed By:

Catherine Block

Assistant District Attorney

State Bar #: 1053966

Electronically Signed By:

Lt. Chris Randall

Complainant