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Clerk of Circuit Court
Brown County, WI
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Honorable Beau G
Liegeois
Branch 8

STATE OF WISCONSIN CIRCUIT COURT BROWN COUNTY
GROUP A
BRANCH

STATE OF WISCONSIN DA Case No.: 2020BR002240
 Plaintiff, Assigned DA/ADA: David L. Lasee
 vs. Agency Case No.: 20-003661
 Court Case No.: 2020CF

SAGAL ABDIRSHID HUSSEIN

xxxx xxxxxxxxxxxx xxxxx xx
Green Bay, WI 54303
DOB: xx/xx/1994
Sex/Race: F/B
Eye Color: Brown
Hair Color: Brown
Height: 5 ft 04 in
Weight: 165 lbs

CRIMINAL COMPLAINT

Defendant.

For Official Use

Complainant, David L. Lasee, District Attorney for Brown County, being first duly sworn on oath, deposes and says that:

Count 1: CHRONIC NEGLECT OF A CHILD - CONSEQUENCE IS DEATH

The above-named defendant, between October 12, 2018 and January 26, 2020, in the Village of Howard, Brown County, Wisconsin, being a person responsible for the welfare of a child, JJM, DOB 10/18/2014, through her failure to take action, for reasons other than poverty, did negligently fail to provide necessary care, necessary medical care and necessary food so as to seriously endanger the physical, mental, or emotional health of the child, and the child suffered death as a consequence, and the actor is guilty of chronic neglect as she committed 3 or more violations under s. 948.21 (2) within a specified period of time involving the same child, contrary to sec. 948.215(1)&(2)(a) 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: MOVE/HIDE/BURY CORPSE OF CHILD

The above-named defendant, on or about Monday, March 30, 2020, in the City of Green Bay, Brown County, Wisconsin, did without authorization under s. 69.18 or other legal authority to move a corpse, hides or buries the corpse of a child, contrary to sec. 948.23(2) 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.

Count 3: NEGLECTING A CHILD - SPECIFIED HARM DID NOT OCCUR AND CHILD UNDER 6 YEARS OF AGE

The above-named defendant, on or about Sunday, January 26, 2020, in the Village of Howard, Brown County, Wisconsin, being a person responsible for the welfare of a child, AJM, DOB 02/27/2017, through her action, for reasons other than poverty, did negligently fail to provide necessary care so as to seriously endanger the physical, mental, or emotional health of the child, and the natural and probable consequences of this violation would be harm under 948.21(3) par (a), (b), (c) or (d), Wis. Stats., although the harm did not actually occur, and the child had not attained the age of six years when the violation was committed, contrary to sec. 948.21(2)&(3)(e) 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: NEGLECTING A CHILD - SPECIFIED HARM DID NOT OCCUR

The above-named defendant, on or about Sunday, January 26, 2020, in the Village of Howard, Brown County, Wisconsin, being a person responsible for the welfare of a child, J, DOB 09/22/2013, through her action, for reasons other than poverty, did negligently fail to provide necessary care so as to seriously endanger the physical, mental, or emotional health of the child, and the natural and probable consequences of this violation would be harm under 948.21(3) par (a), (b), (c) or (d), Wis. Stats., although the harm did not actually occur, contrary to sec. 948.21(2)&(3)(f) 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: OBSTRUCTING AN OFFICER

The above-named defendant, on or about Sunday, January 26, 2020, in the Village of Howard, Brown County, Wisconsin, did knowingly obstruct an officer, while such officer was doing an act in an official capacity and with lawful authority, contrary to sec. 946.41(1) 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 6: OBSTRUCTING AN OFFICER

The above-named defendant, on or about Tuesday, January 28, 2020, in the Village of Howard, Brown County, Wisconsin, did knowingly obstruct an officer, while such officer was doing an act in an official capacity and with lawful authority, contrary to sec. 946.41(1) 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 7: OBSTRUCTING AN OFFICER

The above-named defendant, on or about Wednesday, March 25, 2020, in the Village of Howard, Brown County, Wisconsin, did knowingly obstruct an officer, while such officer was doing an act in an official capacity and with lawful authority, contrary to sec. 946.41(1) 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 8: OBSTRUCTING AN OFFICER

The above-named defendant, on or about Friday, March 27, 2020, in the Village of Howard, Brown County, Wisconsin, did knowingly obstruct an officer, while such officer was doing an act in an official capacity and with lawful authority, contrary to sec. 946.41(1) 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 9: OBSTRUCTING AN OFFICER

The above-named defendant, on or about Monday, March 30, 2020, in the City of Green Bay, Brown County, Wisconsin, did knowingly obstruct an officer, while such officer was doing an act in an official capacity and with lawful authority, contrary to sec. 946.41(1) 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.

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

PROBABLE CAUSE:

The complainant, being duly sworn on oath, swears that he has had the opportunity to review information provided by Sergeants Brian Slinger, Matt Wilson, Michael Calmes, Randy Lind, Michael Horst and Richard Loppnow, Investigator Jody Breider and Deputies Brooklyn Vandehei and Ryan Werner of the Brown County Sheriff's Office, CPS Case Worker Roselynn Griesbach, Forensic Scientist John Ertl from the Wisconsin State Crime Lab and any and all associated police reports and CPS records referenced herein, 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 referenced reports and/or supporting documents, the incidents alleged occurred in the City of Green Bay and the Village of Howard, Brown County, Wisconsin.

1. On or about March 27, 2020, Complainant and other attorneys from the Brown County District Attorney's Office became aware that investigators with the Brown County Sheriff's Office were investigating Brown County case #20-3661. Complaint was briefed on the

investigation and was aware that the case involved child neglect and the investigation into a missing five (5) year old child identified as JJM (DOB: 10-18-2014).

2. Your complainant reviewed a sworn affidavit of Investigative Sergeant Brian Slinger of the Brown County Sheriff's Office which was done in order to obtain a search warrant for the residence located at 2060 Riverview Dr. #4 in the Village of Howard, Brown County, WI on 03-30-20. Said affidavit consists of the following information:

a. Sgt. Slinger reviewed the initial incident report completed by Brown County Sheriff's Deputy Brooklyn VanDeHei #1345, which was from the initial incident on 01-26-20 at approximately 1:30 p.m. Deputy VanDeHei reported that on 01-26-20 she was dispatched to 2060 Riverview Drive #4 in the Village of Howard, Brown County, WI 54303 for a welfare check of two children that were out in the parking lot without adult supervision. The children were identified as J (DOB 09-22-13) and AJM (DOB 02-27-17).

b. Deputy VanDeHei reported that on her arrival she met with the complainant (Alyssa Smith) who stated that around 11:00 a.m. on 01-26-20 a neighbor kid she knew as J came to her apartment and gave her some items. Smith stated that J left her apartment and then came back about 30 minutes later with some hot chocolate for her to drink. Smith said that she told J to come back in 10 minutes so that he could get the cup back from her. Smith then said that J left and came back a short time later to retrieve the cup and to give her some more items. Smith reported that J then left her residence, only to come back again about 30 minutes later with his younger sister. Smith reported that J's younger sister was only wearing a sweater around her waist along with a pair of shoes. Smith said that she told J and his younger sister to go home as it was cold outside and the younger sister was crying. Smith said that J and his sister left, but then a short time later J returned to her door and rang the doorbell. Smith said that she didn't answer the door at that time and the children eventually left and went back home.

c. Smith reported that around 1:30 p.m., J and his sister returned to her residence and it was at this time that J told Smith that J's mom wasn't home. Smith said that J didn't know where his mom was and that J told Smith that his mom left the night before and had not been home since. Smith advised Deputy VanDeHei that she is familiar with the vehicle that J's mother drives and that Smith noted the vehicle is never parked in the garage. Smith said that she noted that J's mother's vehicle wasn't at the apartment since 11:00 p.m. the night before. Deputy VanDeHei obtained a written statement from Smith with the information provided above and proceeded to investigate the incident.

d. Deputy VanDeHei reported that she was advised the children were from 2070 Riverview Drive #8 and found a recent call at that residence involving a similar situation where J was left home alone for approximately 30 minutes. Deputy VanDeHei stated in her report that she went to 2070 Riverview Drive #8 and made contact with **SAGAL ABDIRSHID HUSSEIN, (DOB: 12-09-94)**, who is the mother of the children. According to the statement obtained from Smith, HUSSEIN had arrived home sometime between the time when she first called law enforcement and when law enforcement arrived at the scene.

e. Deputy VanDeHei stated that upon making contact with HUSSEIN she was able to verify the identity and ages of the two children, J (6), and A (2). Deputy VanDeHei reported

that HUSSEIN admitted that she left her children home alone for approximately 10 minutes as she ran some errands to Walgreens and Kwik Trip. HUSSEIN advised Deputy VanDeHei that she left the children home alone, as she didn't want to put the children in the vehicle.

f. Deputy VanDeHei reported that she contacted Brown County Child Protective Services (CPS) and was told that they would be following up with HUSSEIN. Deputy VanDeHei then went to Walgreens located at 464 Cardinal Lane and spoke to the staff there about HUSSEIN coming into the store. HUSSEIN had advised Deputy VanDeHei that this was the store that she went to as it is just down the road from her residence. Deputy VanDeHei took a photo of HUSSEIN into the store and showed it to employees who stated that they were familiar with HUSSEIN and were confident that HUSSEIN wasn't in the store that day. Deputy VanDeHei also observed video surveillance from Walgreens from 12:00 p.m. until 1:40 p.m. and noted that she didn't observe HUSSEIN at the store during those times.

g. Deputy VanDeHei stated that she then went back to the residence to meet with Amanda Woldt from Brown County CPS. Deputy VanDeHei reported that Woldt meet with HUSSEIN and the two children and spoke with them about what happened that day. During this contact at the residence, it was learned that the biological father to J and A is JAMES A. MARQUEZ, and that JAMES was in the State of California. Deputy VanDeHei reported that it was learned that HUSSEIN also has a third child (JJM DOB: 10-18-14) who was not present at the residence on the day of this incident.

h. Upon completion of the CPS interview process Deputy VanDeHei reported that she continued to question HUSSEIN about where she was when the children were left alone. Deputy VanDeHei advised HUSSEIN that she checked Walgreens and that HUSSEIN was not being truthful about where she was. HUSSEIN continued to insist that she was shopping, but eventually admitted to Deputy VanDeHei that she was gone for more like 40 minutes as she also drove past her boyfriend's house. Deputy VanDeHei asked HUSSEIN where her boyfriend lived and HUSSEIN said that she didn't know the address and only knew that it was somewhere off of Ashland in the City of Green Bay. HUSSEIN would only identify her boyfriend as J. EDWARDS and refused to cooperate any further as to her whereabouts while the children were left alone.

i. Upon completion of Deputy VanDeHei's interview, it was determined by CPS that the children would be temporarily placed with HUSSEIN's mother (AMAL ISHMAEL) until the incident could be investigated further.

j. On 01-27-20, Sgt. Randy Lind was assigned to follow-up on the investigation along with Brown County CPS caseworker Roselynn Griesbach. Sgt. Lind reported that on 01-27-20, he attended the forensic interview of J at the Willow Tree Child Advocacy Center. Megan Hackl, who met the requirements for the use of the recorded interview, completed the interview with J. Sgt. Lind reported that J told Hackl that when he got up from a nap him and his sister A began looking for their mom. J said that he and his sister looked inside and outside and that they eventually went to their neighbor's house to give away old pictures that they didn't need anymore. J said that they looked in the backyard for their mom and went to the neighbors to give them some hot chocolate.

k. On 01-28-20 at approximately 6:15 p.m., Sgt. Lind and CPS caseworker Griesbach met with HUSSEIN at her residence to speak with her further about the investigation. Sgt. Lind reported that during the interview with HUSSEIN, they asked her about the whereabouts of her third child JJM. HUSSEIN stated that JJM has a different father than J and A, and identified JJM's father as MIGUEL MARCELO. HUSSEIN said that MIGUEL lives in Escanaba, Michigan and that she doesn't have a current address or phone number for him. HUSSEIN advised Sgt. Lind that JJM is living with MIGUEL in Michigan and it was later stated by HUSSEIN that JJM has been with MIGUEL since January 9th, 2020.

l. On 03-25-20, Sgt. Lind continued follow-up on the investigation and began focusing on the whereabouts of JJM. CPS caseworker Griesbach had been continuing the investigation since the beginning and made numerous attempts to identify and locate JJM's father MIGUEL so that she could verify JJM was safe. Griesbach advised Sgt. Slinger that she contacted the State of Michigan to check on any school and medical records for either MIGUEL or JJM and she was advised that there were no records for either. Griesbach stated that she also contacted JJM's school (Bay Harbor Elementary) and they advised her that they haven't had JJM in school since Christmas break in December of 2019. Griesbach advised Sgt. Slinger that JJM had substantial medical issues and utilizes a wheelchair for transportation and is dependent on others for feeding.

m. Griesbach advised Sgt. Slinger that she also maintained contact with HUSSEIN from the end of January until the present time and HUSSEIN hasn't been able to follow through with showing where JJM is located or getting contact information for MIGUEL. Griesbach stated that HUSSEIN is and has been receiving SSI assistance for JJM and there is no indication that status has been changed. Griesbach also advised your affiant that she spoke with JAMES MARQUEZ, who is the known father to J and A and he advised Griesbach that he is also the father to JJM and doesn't believe that there is another father to JJM. JAMES told Griesbach that during a recent phone call with HUSSEIN, HUSSEIN told JAMES that she fucked up and needed to run away as the police were trying to build a case on her.

n. Griesbach advised Sgt. Slinger that through the course of her investigations she learned that although JJM has significant medical issues there are no medical records for him since 2018. It was reported that JJM was confined to a wheelchair/stroller and needed assistance with feeding.

o. Sgt. Slinger reviewed Sgt. Lind's supplemental report and found that Sgt. Lind and Griesbach have had numerous contacts with HUSSEIN and explained to her that all they wanted to do was verify the safety and well-being of JJM. Sgt. Lind stated that throughout the investigation HUSSEIN has been uncooperative with the investigation and not truthful with information she has provided. In addition HUSSEIN has not been able to give credible information as to the whereabouts of JJM.

p. On 03-27-20 at approximately 1:00 p.m., Sgt. Lind and Griesbach made contact with HUSSEIN again at her residence about the whereabouts of her son JJM. Sgt. Lind reported that during this interview they asked HUSSEIN about JJM's medical conditions and the fact that he hasn't been taking his seizure medications or been back to the doctor's office. HUSSEIN admitted to Sgt. Lind and Griesbach that she took JJM off the medications and began giving him CBD oil instead of the prescribed medication. HUSSEIN has been given

ample time to get into contact with whoever currently has physical custody of JJM and hasn't done so. HUSSEIN has no way to show that JJM is safe and even alive for that matter. As far as law enforcement and CPS are aware HUSSEIN is the only legal guardian assigned to JJM as there is no father listed on the birth certificate.

q. During the execution of a search warrant on HUSSEIN'S residence, prescription medication bottles were found with the name JJM. Dr. Terence Edgar and Dr. John Taylor were listed as the authorized physicians prescribing the medications. According to CPS worker Rose Griesbach JJM was also seen by Dr. Thomas Huffer.

r. On 03-30-20 Investigators with the Brown County Sheriff's Office located HUSSEIN'S vehicle parked at her friend's house, 1401 Smith St. Your affiant prepared a search warrant to seize and search HUSSEIN'S vehicle which was identified as a black Nissan Murano with license plate 502-YKT. Investigator Slinger checked with DOT records and confirmed this vehicle was registered to Sagal Hussein. HUSSEIN's vehicle was transported to the Brown County Sheriff's Office and stored in the secure evidence garage pursuant to the warrant.

s. On 03-31-20 HUSSEIN's vehicle was transported to the State Crime Lab in Madison, WI. Deputy Jon Dzekute followed the tow truck to the Crime Lab in Madison, WI.

t. On 03-31-20 at Approximately 3:00 PM John Ertl, a forensic scientist with the WI State Crime Lab, contacted Lt. Valley of the Brown County Sheriff's Office and informed him while searching HUSSEIN'S vehicle they found the decomposed remains of a child in a duffle bag which was located in the cargo area of HUSSEIN'S vehicle.

u. On March 31, 2020, at approximately 5:49PM, Sgt Slinger spoke to Sagal Hussein about her vehicle and Hussein admitted she initially lied to police when she gave a statement that her vehicle was in Milwaukee. She now admitted that she woke up early on Monday March 30, 2020 and drove her vehicle to her friend's house. She admitted that the vehicle was hers and that she was the one who drove it primarily and she couldn't think of anyone else that would have ever driven her car. When officers went to Hussein's friend's house on Smith Street, and the friend identified the black Nissan Murano in her driveway as not belonging to her but belonging to her friend, Hussein.

3. The supplemental report of Sergeant Brian Slinger indicates the following:

03-31-20 at approximately 1:00 p.m., I travelled to the Brown County Jail to serve a search warrant for the Buccal/DNA of SAGAL A. HUSSEIN and to try to speak with her further about the investigation. Brown County Investigative Sgt. Randy Lind advised me that when HUSSEIN was initially arrested she didn't request an attorney and was never read her Miranda Rights, as she wasn't initially questioned after her arrest. Prior to making contact with HUSSEIN I activated an audio/video recording device to record the interview and search warrant execution process.

Upon meeting with HUSSEIN, I identified myself to HUSSEIN again as I had previously spoken with her at the residence during the search warrant at her residence. HUSSEIN advised me that she remembered me from her residence (the one that grabbed her phone) and understood

that I was a law enforcement officer. I advised HUSSEIN that I was there for a few different reasons and that I would explain to her each item as I went along. I began with HUSSEIN by providing her copies of search warrants that were completed after the one at her residence (vehicle, cellular phone, three other electronic devices, and buccal/DNA warrant). It should be noted that when I told HUSSEIN about the warrants and provided her with the copies of the warrants she had no emotional change at all.

I then proceeded to explain the process of the DNA collection search warrant and then collected samples of her saliva from each cheek. The samples were collected and placed into an evidence envelope and sealed. The samples were maintained in my possession until they were later placed into evidence at the Brown County Sheriff's Office.

I then went on to talk to HUSSEIN about her speaking to me about the investigation and confirmed with her that she was never read her Miranda Rights for this case. HUSSEIN said that she is aware of her rights and that she has had them read to her before so she was familiar with them. I then went through a standard Brown County Sheriff's Office Miranda Rights form with HUSSEIN and she advised me that she understood her rights and that she was willing to speak with me. Due to the current medical situation, I didn't have HUSSEIN sign the document as the interview was recorded and verified that way. HUSSEIN said that she would answer what she felt like answering and that she was willing to listen to me and speak with me.

I told HUSSEIN that all I cared about at that time was finding her son JJM and that was my number 1 goal of our conversation. I explained to HUSSEIN that we have done a long thorough investigation and that there was information that wasn't consistent with information and stories she has provided. I explained to HUSSEIN that I had a fear inside of me that something bad happened to JJM and that she panicked and did something that she regrets doing. I told HUSSEIN that I wanted to find out where her baby is and that I was looking for answers to some of those questions. HUSSEIN was rubbing her left eye and face area, and proceeded to tell me that she already told Sgt. Lind everything that she knows. HUSSEIN said that she already told Roselyn (CPS) everything as well and that she really didn't have anything else to talk about with regards to that. I then asked HUSSEIN to go over with me what she had already told Sgt. Lind and Roselyn, and HUSSEIN said that she would. HUSSEIN went on to say JJM was with his dad MIGUEL MARCELLO. I then told HUSSEIN that law enforcement was having problems verifying that MIGUEL exists and who he actually is. I asked HUSSEIN how she knows MIGUEL and she stated that they were childhood friends from San Jose, California. HUSSEIN went on to say she conceived JJM with MIGUEL when she was living back in California and that she was certain that MIGUEL is the father because she wasn't sexually active with JAMES in January or February of 2014 prior to the birth of JJM later that year.

I explained to HUSSEIN that many resources were being put into finding her child and asked her about wanting to know where he was. HUSSEIN said "yeah" when I asked her if she cared about where he was located; however she didn't show any different emotion as I asked her that question. I explained to HUSSEIN that it didn't seem that she cared that much as to the whereabouts and/or safety of her child. HUSSEIN replied with an elaborate story and description of her relationship with MIGUEL and stating that MIGUEL was JJM's father and explained why MIGUEL was on the run from law enforcement.

I then asked HUSSEIN about the times when JAMES was around and how JAMES would act as the father to JJM. HUSSEIN acknowledged that when JAMES was around Green Bay he would act as JJM's father and set up JJM's appointments and schooling. HUSSEIN said that JAMES knew in the beginning that JJM wasn't his child, but said that JAMES told her he didn't care if he was the actual father or not that he would take care of JJM as his own. HUSSEIN said that there was never a paternity test completed and that based on the conversations she had with JAMES, JAMES was acting as if he was the father to JJM. HUSSEIN again proceeded with an elaborate description of why she hadn't been able to make contact with JJM while he was in MIGUEL's care.

I then asked HUSSEIN about JJM's schooling and what caused her to stop bringing him to school this past year. HUSSEIN said that she was having many issues with the transportation of JJM and then went on to talk about her sister (identified as SULEYQA HUSSEIN). HUSSEIN explained that SULEYQA lives in South Carolina and that SULEYQA had come to Green Bay for a few months to visit and hang out. HUSSEIN then went back to talking about the bus service for the school and said that since the bus service was only through the Village of Howard she had problems with the drop off of JJM. SULEYQA explained that her sister didn't like being alone and that even though her sister was willing to watch and care for JJM she wanted to do it from her house. HUSSEIN was indicating that the reason JJM missed out on school is that he was staying with SULEYQA and that she wasn't living in an area where the bus service would operate.

I then went on to ask HUSSEIN about MIGUEL coming back to Green Bay the last time as she had stated to Sgt. Lind earlier that MIGUEL came during January and picked up JJM. HUSSEIN said that MIGUEL just showed up at her residence unannounced on January 9th, 2020 and the reason she knew it was the 9th was because her other son J was sick that day and she had to hold him out of school. HUSSEIN said that she was able to recall that day after CPS got involved as she looked back and remembered calling in to work that day as J had a fever and was home from school. I asked HUSSEIN if MIGUEL just showed up at her residence out of the blue and she said that is what he always does. HUSSEIN said that MIGUEL always knows when she is home and that he will just randomly stop in and see her.

I then asked HUSSEIN if it bothered her at all that she didn't get to see her child and she said that it did and that the last time she spoke to MIGUEL she could hear JJM in the background. I asked HUSSEIN when that was and she said that it wasn't too long ago and said that it was maybe about a month ago. HUSSEIN said that JJM doesn't talk, but that she could hear him in the background making the noises that he would typically make. I asked HUSSEIN if she had any idea at all where MIGUEL was with JJM and she said that he told her he was in Michigan. HUSSEIN said that MIGUEL was supposed to be bringing JJM for her daughter's birthday on the 29th of February or March 1st and that he never came. HUSSEIN said that MIGUEL's excuse for not bringing JJM to the party was that it was too far to drive. HUSSEIN said that she put the location that MIGUEL gave to her in a map and that it said it was only a 2-hour drive from where he was in Escanaba, Michigan. I asked HUSSEIN about how MIGUEL would support having a child and HUSSEIN said that MIGUEL has money and that she even offered to send him money through Wal-Mart. HUSSEIN said that MIGUEL told her that he had everything under control and wasn't sure if maybe MIGUEL was using someone else's identity

or not. HUSSEIN said that she is not aware of any other identities that MIGUEL would be using and only knows that his nickname is "mousey". I asked HUSSEIN if she knew anything else about MIGUEL or had any pictures of MIGUEL and she said that she thought he was around her age and that she didn't have any photographs of MIGUEL.

I explained again to HUSSEIN that all I wanted to do was locate JJM and make sure that he was safe. HUSSEIN didn't seem concerned at all about his safety and didn't show any emotion when speaking about JJM. HUSSEIN said that she understood that and that she has been waiting for MIGUEL to call her ever since this investigation started with Sgt. Lind. HUSSEIN indicated that all the friends and family that she knows of that MIGUEL has have told her that they don't know where he is and that they haven't heard from him.

I told HUSSEIN that my initial thought about the situation was that it was very suspicious and that all the information that she has been providing has not been making sense and proving accurate. I explained to HUSSEIN that her stories have not been consistent and that I was very concerned that something was wrong. I advised HUSSEIN that her son J was being interviewed again and asked her what she told him about where his brother was. HUSSEIN said that she told J that JJM was gone with his dad.

I then began talking to HUSSEIN about JJM being on seizure medications and why she decided to stop giving him that treatment. HUSSEIN said that they had already gone through multiple medications and that none of them were working for JJM. HUSSEIN said that the side effects were horrendous on JJM and that he would either be sleeping all the time or up and very irritable. HUSSEIN said that when JJM would be up the medications would cause him to do self-harm and kick walls and that it was not worth the amount of seizures that the medications were actually controlling. I asked HUSSEIN if that was something that she discussed with her doctors and she said that it was something that she did on her own after she did some research. HUSSEIN said that she joined multiple epilepsy groups on Facebook and did her own research on the proper care for JJM. I asked HUSSEIN what JJM's diagnosis was and she said that he was diagnosed with cerebral palsy and epilepsy.

I told HUSSEIN that one of the things that I was thinking about was if JJM had a medical condition that may have caused him to die and then HUSSEIN "freaked out". I then said hypothetically that she would have went and got rid of his body somewhere, to which HUSSEIN mumbled uh-huh or something along those lines. I explained to HUSSEIN that those were the types of things that I was considering in the investigation and HUSSEIN said she understood. HUSSEIN didn't show any emotion or change in behavior during this conversation and then proceeded to ask me what the charges were that she was being held on. I explained to her that charges were referred on her regarding child neglect from the incident where her children were left alone and were walking in the parking lot unattended. HUSSEIN then asked why there were four counts, which leads me to believe that she was advised why she was being held as she had previously said she didn't even know what her charges were and why she was in jail. I told HUSSEIN that I wasn't there to talk to her about that part of the investigation and if she he had questions on those charges she could ask her attorney. I again explained to HUSSEIN that I was there to speak to her about JJM and where he was. I explained to HUSSEIN that if she was able to produce JJM or any evidence that he was safe the scrutiny of the case would not be this high. I told HUSSEIN how important it was for me to find JJM and make sure that he was safe and that it was my job to look out of those that can't

look out for themselves like JJM. I asked HUSSEIN if she could think of anything on her phones or computers that may be of concern to law enforcement, to which HUSSEIN said no.

I ended the interview by asking HUSSEIN if she had anything else for me that she thought could help us find JJM. HUSSEIN continued looking through the search warrants and said "not at the moment".

Upon completion of the interview, I created a DVD copy of the interview and placed it into evidence at the Brown County Sheriff's Office.

4. Complainant has reviewed the report of Sgt. Michael Calmes of the Brown County Sheriff's Department, who indicates:

I, SGT Calmes, am assigned to the Investigative Division of the Brown County Sheriff's Office. On 03/31/2020, I was assigned to get copies of recorded phone calls for James A. Marquez. I received those recorded calls on 03/31/2020. I reviewed the following phone conversation: The phone call was placed by James on 03/26/2020 at 8:47pm (PST) to (920) xxx-xxxx. This phone number was later associated to a phone recovered from Sagal A. Hussein. Sgt Slinger verified the number (920) 664-1983 was the number assigned to that recovered phone. The call lasted 14 minutes and 8 seconds.

The above call was between James and a female who James referenced as Sagal. James was agitated during the phone call. James began the conversation by asking where his kids were. Sagal claimed the kids were "here". James asked where "JJM" was. Sagal stated, "that is a different story". Sagal asked James who he talked to that he is asking. Sagal asked if James talked with "them". James explained that he did talk with a "worker" about Sagal leaving the kids at home alone for an hour. Sagal responded by saying, "I fucked up." Sagal continued to say, "I'm in a hell of trouble." James asked clarification questions. Sagal stated "they" are probably going to file charges against her for neglect for leaving them alone. James told Sagal, "The worker just wants to know where JJM is." Sagal asked James what he was telling "them". James asked why Sagal told the worker that JJM was not his son. Sagal stated, "because he's not your son". James told Sagal that the worker was going to talk with her on Monday. James again asked if he was ok. Sagal stated, "He is very much ok." James asked Sagal why she is lying and why she doesn't just tell the worker where JJM is. Sagal stated, "They ask for too much. I feel like I want to leave to get away from them." Sagal asked again what "they" were asking him. Sagal told James that JJM is "fine", that he is in Michigan with his dad. James argued with Sagal about being JJM's father. James told Sagal to stop lying to him and tell him what is going on. Sagal stated, "I can't tell you about this over the phone. He is fine." James pressed Sagal about who JJM was with in Michigan. Sagal told him it didn't matter. Sagal explained that the "father" in Michigan is on the run. Sagal stated she knows where he is but isn't going to tell "them" where he is. During the phone call, Sagal's demeanor was calm and matter of fact. Sagal attempted to divert James' questions with questions about his conversation with the "worker".

5. Complainant has reviewed information from Sgt Matt Wilson of the Brown County Sheriff's Office who, states that he reviewed a telephone call, recorded at the Brown County Jail, from Sagal Hussein to her boyfriend, Jaylene Edwards, on March 30, 2020 at 2:52PM and directs him to come to the jail and get her stuff and her "car key" from her property at the

Brown County Jail. She tells him he needs to go move her car from D's house. He then reviews a second phone call from 2:58PM where Jaylene states that he is in Milwaukee and questions whether he can do this the following day and she states "this needs to happen today" and "they are probably looking for my car to go and search it" meaning the police. He questions what are they searching for and she indicates she will tell him when she gets out. She reiterates that it must happen right away that day.

6. Complainant has reviewed a report of Sgt. Randy Lind of the Brown County Sheriff's Office who indicates that:

On 03-27-20, at 1:00 p.m., [Rose] Griesbach and I went to Sagal's apartment. A new CPS report had been screened in for JJM by James' fiancé. Our patrol officer was sent on a welfare check and Griesbach and I met Deputy Van De Hei at Sagal's. We spoke outside the front door with Sagal. James' mother had called this in to CPS. She said James was not the father and he knew that, but she had not told anyone about the first case and she was stressed out. She was not ready to discuss this yet with James, but he had called last night after speaking with Griesbach.

I asked about her comments to James, and she said it was a neglect case and she might go to jail. She said he is not missing, he is with his father. Miguel has not called her. He calls private and called last week. She does not know his number or address. He stated he was not involved in this CPS case, and the last time he called she could hear JJM in the background. She talked about leaving to get away from her problems and the stress. She was not with Edwards overnight or at all. I told her she has not done much to help herself out since January and it was clear what we had requested. Even James had told her to produce JJM to us. Sagal was asked about JJM's seizure medication, and Sagal stated they took him off it and used CBD oil. He has not had his meds since 2018, she agreed. The CBD oil is working better than seizure meds. He had problems with the meds and it was not working, he was still having seizures. She told the doctor the meds were not working, but she made the decision to stop giving the meds. JJM is wheelchair-bound and high needs, Sagal agreed. He is not enrolled in any school. She has not seen JJM since January 9th. She gets money, but she has not cashed any. Sagal, at the beginning of the month, updated with SSI the Brookwood address, but the checks come to Riverview. She didn't talk to anyone about her address at all in March. She has not cashed any checks and doesn't have any here. She has not checked her mailbox since February. She had February's check and cashed it. This was the end of January's check. She has not received February's check or March yet. Economic Support has the Brookwood address.

We all walked to Sagal's mailbox, which is near the road, south of both apartment buildings. Sagal said she had not checked the mail for almost a month. Wells Fargo was dated March 4th. There was one check from welfare. SSI is \$817.17. The welfare was not a check. Her sister's name was c/o on the check/food stamps. Sagal then put all the mail back in the box. She really doesn't check her mail. She would get the mail later with her car. She knows what is there now. She cashed January's check, JJM was still there. She had no pictures of JJM. Per Sagal, January 9th was when JJM left. All of his personal items went with him, nothing of his is left here.

7. Complainant has reviewed the report of Investigator Jody Breider of the Brown County Sheriff's Office, which indicates the following:

On 04-08-20 at approximately 11:00am I met with Janelle Vande Walle at her residence. She had reached out to Sgt. Slinger because she felt that she had information that was relevant to this case. Janelle provided the following statement:

I am currently employed by the CESA 7 Headstart Program. I have worked for them since August of 2018. I am the Family Advocate for the Howard Suamico classroom. I am based out of Suamico Elementary. Part of my job is to conduct home visits.

The first time I met Sagal Hussein was for a home visit on 08-27-18 at the Riverview Dr. Apartment. They had just moved back from Ashwaubenon, sometime that past summer. Sagal shared that she had started working. I was in training and was with a co-worker named Terry. I believe Sagal, J, and A were present. If JJM was present I did not see him. Terry did most of the work on this one I interacted with J and A.

My second visit to the home was on November 15th, 2018. Dad (James), J, and A were present, Sagal was not there. She arrived half way through our meeting. I thought this was odd because I had set up the time with Sagal. We talked a lot about J making a physical appointment with their doctor because he was overdue and this physical is required for the program. I even offered to drive because they only had one car. Eventually this physical was taken care of by family. During this meeting James seemed to care more about our conversation and Sagal spent more time with A and seemed to not be as interested in scheduling this physical appointment. Most of my communication reference this appointment was with James. We also require dental cleanings. For the time J was in the program, since September of 2017, he never received a reported dental cleaning. On this second visit I believe I heard crying or mumbling from a different room, which led me to believe JJM was in that room. I thought this was odd that he wasn't out with us because I was there for about 1 1/2 hours and never saw JJM.

We are supposed to do four home visits a year. They are voluntary but we encourage them. The other two home visits never happened. I made many attempts to schedule these visits with Sagal. At some point James left for California so all my communication for these meetings was with Sagal.

For one of them in March of 2019, we were supposed to meet in public near her work but she cancelled because she had a different appointment. J stopped attending school the week of April 29, 2019. Sagal told our agency that dad was in town spending time with J. We had a field trip planned for May 7th. J was not on the bus to go. Sagal was called and she told us that J was going to California with his dad. J did not return to school after this. On another scheduled visit on May 22, 2019 I went to her house in the evening and nobody answered the door and Sagal did not respond back to me. Sagal never contacted me back after this.

I have never seen or met JJM. In fall of 2018 I made a CPS report because of my concerns about JJM being left home alone. On November 6, 2018 we had a family event at Suamico Elementary where Sagal, James, J, and A were present but JJM was not. Somebody asked

them where JJM was and I believe the family did not have a good answer and both Sagal and James had different versions which concerned us.

Rachel and I met after and discussed our concerns about JJM and the possibility he was left home alone. I am not sure when, but I was concerned enough that I contacted Child Protective Services. I believe I contacted this agency between November 6 and early December of 2018. This family event lasted for an hour and a half. Plus drive time would make the total time at least two hours. Myself and staff had concerns that JJM had been left home alone this entire time, plus it still bothered me that at this point I had never seen or met JJM, even on my home visits.

8. Complainant has reviewed the report of Deputy Ryan Werner of the Brown County Sheriff's Office who indicates the following:

I, Deputy Ryan Werner and Deputy Mark Hackett are the School Resource Officers for the Howard-Suamico School District. On 03/31/20 We were asked to assist in this case with anything school related that might be of value. We were asked to obtain information regarding the following students that were enrolled in the district; J (DOB 09/22/13) (Kindergarten) and his brother JJM (D.O.B. 10/18/14)(4K Student).

Deputy Hackett wrote a Subpoena for records on the two students which was signed and later presented to the School District on 04/01/20. We also reached out to Howard-Suamico School Social Worker Bobbi J Nowaczyk to see if she had any information on J, JJM, or their parents who are believed to be James Marquez (father) and Sagal Hussein (mother). The information about the parents were listed in the Howard-Suamico School District records under the two above students. Bobbi informed us she had contact with JJM and both of his parents. Bobbi agreed to meet with us to provide us with details at the Howard-Suamico District Office.

At approximately 10:45 a.m., I met with Bobbi at the Howard-Suamico Schools District Office. Bobbi provided me with the following statement:

I, Bobbi J. Nowaczyk am a Social Worker for the Howard-Suamico School District. I have been employed with the district for approximately 14yrs. As of this year I oversee Suamico Elementary, Lineville Intermediate and the 4K program.

I've been asked to meet with Deputy Ryan Werner in regards to a student by the name of JJM. I first got involved with JJM in January of 2019 due to his special education and evaluation team meeting. Dad; James Marquez and JJM attended the meeting along with other staff from the district. I provided dad with a couple of community resources and I printed out information from the Children's long term support waiver and children with special health care needs website, including their contact information.

In January of 2019, I sent a message to both mom and dad of JJM regarding the initial special education start up services and logistics. I was provided mom's name through school records. Mom was identified through those records as Sagal Hussein. I shared about JJM's special bus transportation logistics and procedures, and offered school supply support. Mom provided me the details and informed me JJM was still in diapers.

In the Spring of 2019 I reached out to the family of JJM several times offering support for medical or resource follow up and school regulation documental needs and communication engagement. I received a messages from Sagal regarding school documentation and registration updates, her work times, and connection options back to myself, the School District Office or with medical and community resource agencies.

May 6th, 2019, Sagal replied back to me saying, "We are actually in California right now. Our flight lands tomorrow so no one will be home. I do have his immunization records. Do I just drop it off at the district?" I replied back to the message informing her of a couple different delivery/collection options.

Through school staff communications, I was made aware that JJM's father was now living in California. On May 15, 2009, I messaged Sagal that I didn't realize dad was in California and hasn't been here for a while. I additionally noted how we could get the school work documentation completed through a variety of means yet. JJM's registration did get completed and provided to our District Registrar in May 2019. I then started communication back up in October of 2019 regarding school attendance concerns and to continue to offer medical and community resource support or engagement help. This communication was just with mom.

In November I text to help connect with parent teacher conferences. I never heard back from mom from either of my October or November 2019 communications. In December I helped remind mom of the IEP meeting. The IEP is an Individual Education Plan.

On December 10, 2019 I stopped at the home of JJM to meet with mom before she left for work. She was warning up the car. There was one child in the backseat. Mom reported that she would be at the IEP meeting. I'm not sure who the child was but I know it wasn't JJM. Mom confirmed she would be at the IEP meeting.

The day of the IEP meeting I asked mom how she would participate. She replied back saying the snow would delay her drive time which would prompt her to be late back from her lunch break. She later replied back indicating it was snowing and she would have to do a phone conference.

In January 2020, the School Nurse and I went to mom's residence. I was instructed to provide Mom with District withdrawal paperwork due to JJM's lack of attendance. The Howard School Nurse went with me on the visit as Howard School office also needed to connect with Mom regarding JJM's sibling, J. When we arrived at the residence (2070 Riverview Dr #8, Howard) I knocked on the door and Sagal came to the door. Sagal opened the door and we could see inside the apartment. We did not see any kids at the residence during this visit. Mom was home on her lunch break.

I never had any interaction with JJM besides the initial meeting with Dad in January of 2019. I mainly had contact with mom to provide assistance with school and community information and connections, to assist the teachers in communication with mom when they couldn't reach her, and to continue to connect with her regarding medical or community resources. When I asked mom about attendance in the past she would indicate JJM was either going to a doctor's appointment, was sick, he missed the bus, that the bus didn't show, or that he was at grandmother's residence.

9. Complainant has reviewed a report of Sergeant Breider which indicates the following:

On 04-06-20 at approximately 10:35am I met with Molly Mayer at the Brown County Sheriff's Office. She reached out to Sgt. Slinger this past weekend after reading some articles about this case on social media.

Molly provided the following statement:

I work as a teacher for the Howard Suamico School District I teach 4K at Big Apple Daycare. I have worked at this location since October of 2019. Prior to Big Apple I worked at Kindercare from May of 2012 until September of 2019 as a daycare teacher.

This past Friday night I left a message on Sgt. Slinger and Lind's phone. I spoke to Sgt. Slinger on Saturday morning (04-04-20). The reason I reached out to Sgt. Slinger is because I saw a picture of Sagal Hussein on Green Bay Crime Reports. I then conducted some research and read some articles about a child being found in the trunk of Sagal's vehicle. I reached out to police because I have some information that might be relevant.

Last year I taught JJM from January of 2019- June of 2019. He was in my transitional kindergarten class at Kindercare which is located on Cardinal Ln in Howard. I worked as a daycare teacher so my hours fluctuated anytime between 6a-6p. It all depended on the schedule.

As a daycare teacher I did basic teaching, provided meals, reading activities, monitored nap times, outside time, and basic bathroom duties.

Whenever JJM was in the center he was in my classroom. JJM was supposed to be on a Monday through Friday schedule for 8 hours. He did not have a set time to arrive, but when he got there he stayed for 8 hours. He typically arrived around 8am and left at 6pm. JJM's attendance went in spurts. He would be there for a couple weeks straight, but then would miss a few days. The communication from Sagal about why he missed was always very vague.

Sagal was the only person who I saw pick up JJM and drop him off. I do not remember exactly what vehicle she drove. My classroom was downstairs so I did not often see her vehicle but I would see her. She was very non-verbal and rarely talked to me. Typically if we did communicate it would be me asking questions. I would ask if JJM ate, or how his night was before. Her answers were always very short and non-informative. The same would happen at pick up. I would share information with her about his day and she seemed not interested and would sometimes just leave as I was talking to her.

JJM was non-verbal. He never spoke and was in a stroller. He would babble and make noises but would not use words. He was much like an infant. He would cry when something was wrong or if he needed something. He would laugh and giggle if the kids played with him or if I read to him.

He knew when it was time to eat. He would hear the bottle being shook and he would cry. He sometimes held his own bottle but because his stroller was so upright, I would have to tip the

stroller back so he could be in a position to hold the bottle. Also he would drink the bottle very fast. Sagal would provide Pediasure for his meals along with applesauce packets. That is all she would provide for him to eat, if she remembered to bring it. We contacted her many times to bring in more of these items. He would go through about three bottles of this a day. His typical meal was one bottle of Pediasure and one packet of a fruit or veggie pouch. There were times where we would call her in the middle of the day to bring more in because we would run out.

JJM could not be fed table food. He had to have something that could be mashed up.

JJM was always very thin when he was with us. He had no muscle mass and he had little strength. He was in a very basic baby stroller. We felt this was very inadequate because it provided very little support for him. If he would get mad he would move his head back and forth and he would hit the sides of his head on metal bars on each side of the stroller.

At one point my director contacted Child Protective Services. Our director and others were concerned about JJM's lack of food, malnutrition, his lack of communication with us and the other kids. We were bothered that Sagal would just drop him off and leave without any communication with us. Primarily we worried about the inadequate stroller and him being so thin.

Child Protective Services talked to me about my concerns. I am not sure what the outcome of their inquiry was.

I have never seen JJM's father.

I also had J in transitional kindergarten. I had him for sure in January of 2019. J was there for a month or two and then stopped coming. At one point I asked Sagal where J was and she said he was in California with his father. This program was also Monday through Friday. I did not see J much but I noticed his hair was not brushed and his clothes were tattered and dirty but he always had nice shoes. This was the same for JJM.

I sent Sgt. Breider a photo of JJM in his stroller which shows how little support it had. Sagal never provided any toys or attachments on the stroller to comfort JJM. I sent a second picture of a scarf I made for JJM which I attached to the stroller. He used to rub it against his face. It would calm him. I also pointed out how the back of the stroller sagged which I always thought looked so uncomfortable. I would often take him out of the stroller and place JJM on a mat so he could have some time out of the stroller.

I also sent a picture of J from January 22, 2019.

I also sent Sgt. Breider a picture of red marks on the back of JJM's legs. I took this picture because the stroller left those marks and it shows how uncomfortable the stroller must have been for him.

Photo review

I reviewed the provided photos:

- 1) JJM is in a basic compact fold up umbrella stroller in his classroom.
- 2) This photos shows the stroller has no rear support. It also shows the green scarf provided by Mayer.
- 3) A photo of J.
- 4) Close-up of JJM's face.
- 5) A photo Mayer took of the back of JJM's legs dated April 18, 2019. It shows red marks on the back of JJM's legs and as well as some impressions in his skin. Mayer said she took the photos because it showed how when his legs rested on the stroller parts the stroller caused these impressions. She thought it looked terribly uncomfortable and she was concerned enough that she documented it.

10. The report of Sergeant Michael Horst of the Brown County Sheriff's Office who indicates the following:

On 03/31/20, I was assigned to assist with a missing child investigation involving **SAGAL A. HUSSEIN (DOB: 12/09/91)** and her child JJM.

At 4:15 p.m., I arrived in the area of Smith Street, located in the City of Green Bay, Brown County, Wisconsin to assist other investigators with making contact with potential witnesses. I was aware that human remains were located in a vehicle that had been parked in the driveway at this residence.

At 4:42 p.m., three females, including the occupant of the residence as well as some friends, including DANIELLE K. ROBINSON-WASH, who had simultaneously arrived at the residence. The tenant of the Smith Street residence allowed investigators into her residence to speak with her and her friends. I entered the residence with Sgt. Roman Aronstein, Sgt. Zachary Roush and Sgt. Jason O'Connell.

I interviewed ROBINSON-WASH in my police vehicle and activated a recording device prior to interviewing her. ROBINSON-WASH provided the following written statement:

"On 03/31/20, at approximately 4:40 p.m., I traveled to my friend DT's house on Smith Street in Green Bay. DT, my friend TC and I arrived at DT's house at the same time. Upon arriving, we were met by investigators with the Brown County Sheriff's Office. Based on investigators being by DT's house yesterday, I was aware that they were investigating the whereabouts of Sagal Hussein's third child. I was also present yesterday when investigators came.

Sagal is a common friend between DT, TC and I. I met Sagal within the last year; I would estimate that it was around the beginning of the summer of 2019. DT and TC knew her first and they introduced me to her. We quickly became friends. She shared with me that her three children were living in California with their father and they spent the entire summer there. Her children arrived back home with her just before the beginning of the school year.

I know that Sagal lives in a nice house because she told me that her rent is \$1,100.00 per month but I have never been there. I have met two of her three children on numerous occasions, a six or seven year old boy named J and a girl named A. The first time I met them was during a gathering at my house. I have never met or seen her third child. The only time we discussed her third child was when I brought it up once in or around December of 2019. She just said that he was staying with her mother (the child's grandmother) and that's all she ever spoke of him.

The last time I saw Sagal was the last Sunday before the state-wide coronavirus quarantine. She came over to my house for a gathering and brought J and A. I have three children myself and they all get along. Her children and mine have had numerous sleepovers. The last time I spoke with Sagal was yesterday (03/30/20) before she was arrested. She told me that her vehicle wouldn't go over 40 mph on the highway and that she needed to take it to a mechanic. I didn't know that she was taking it to DT's house. I was not present when she brought it to DT's house. I know that she has a black SUV and no other vehicles. If she doesn't have her car, she will catch a ride with DT or TC. I have never driven her car and can only remember being a passenger in it on one occasion and that was approximately three months ago.

I know that she started dating her current boyfriend about three months ago, he started staying the night at her house about a month ago and then started living with her about a week ago. I only know that he's from Milwaukee.

After the police came to DT's house yesterday, I looked through Sagal's Facebook page and couldn't find a single photo of her third child. She has hundreds of photos of J and A but not her third child. I have never met the father of Sagal's children but have seen his photo on Facebook.

11. Complainant has reviewed the report of Sergeant Calmes which indicates the following:

I, SGT Calmes #262, am assigned to the Investigative Division of the Brown County Sheriff's Office. I continue with my assistance in this case. All times are approximate.

On 04/13/2020, I was contacted by James A. Marquez (H/M) that he was in Green Bay. I arranged to meet with James at the Brown County Sheriff's Office in order to obtain a statement. James arrived at noon as we agreed. I conducted an interview with James in Interview Room #3. The meeting was video and audio recorded. This recording was downloaded onto a DVD and placed in the property room as evidence. At the conclusion of the interview, I generated a two page typed statement based on the information provided to me by James. James and I then reviewed the statement for accuracy. James signed the statement acknowledging everything was true and correct. The following is the statement James provided:

I, James Marquez, traveled to Green Bay, WI from San Jose, CA, due to the death of my son JJM. On 04/01/2020, I was notified of JJM's death. I needed to travel here to make arrangements for his funeral as well as get things set up so that I can get my other two children, J (dob: 09/22/2013) and AJM (dob: 02/27/2017). Sagal and I met in 2012 in San Jose. We were part of the same friend group. We became involved in a relationship and she became pregnant with my son J. She got pregnant right before I went to jail. J was born in

California in September 2013. I missed his birth by a couple days. Sagal and I continued our relationship once I got out of jail. Sagal became pregnant with JJM in early 2014. Sagal moved to Wisconsin in August/September of 2014. Sagal moved to Wisconsin with her mother and sister.

JJM was born in October 2014 in Wisconsin. About two weeks after he was born, he became sick with meningitis. This left JJM severely disabled. JJM would have seizures multiple times per day. He had damage to several areas of his brain. JJM was non-verbal and could not walk or crawl. He also developed CP. JJM has to be fed puréed foods. He was fed usually through a bottle but he could eat with a spoon later. I moved out to Wisconsin in November 2014 to help with the children. I moved into Sagal's apartment on Valley Green which is near St. Mary's hospital. I worked at Hansen Foods on the 3rd shift sanitation crew. I did this so I could care for the kids while Sagal worked during the day.

In 2015 I was arrested and got extradited back to California. This arrest was for violating the conditions of my parole. I had to serve 3-4 months in jail. Once I got out, I moved back to Wisconsin to help. At the end of 2016 to early 2017 we moved to an apartment on Taylor Street. This was shortly before my daughter AJM was born in February 2017. In like March/April 2017 I was arrested for violating my parole again and was extradited back to California. The reasons for the parole violations were due to being in Wisconsin without approval. I did try to get permission to move but due to a domestic charge with Sagal, in the past, they didn't want to allow the move. I had to serve 3-4 months in jail and moved back out to Wisconsin once released. Sagal had moved to Ashwaubenon when I was in jail. She wasn't there very long. When I arrived, she told me that she was told she had to move. We found the apartment on Riverview in Howard. We moved into that apartment together. I got my job back at Hansen Foods and was working 3rd shift again.

Whenever I was here, I was the primary care provider for the children. I fed them all their meals and got them ready each day. I got J enrolled in school and got him on the bus every day. I took JJM to all his doctor appointments and got him enrolled in Head Start. I was the one who cared for JJM's medical needs. It was rare for Sagal to attend doctor appointments. JJM was on two different types of medications for his seizures. He had to take those medications 3 times per day. They were in liquid form. I know that JJM was on the state medical coverage. This covered all medical expenses. There were two times that JJM had to be hospitalized in order to adjust the doses for seizures. I was the one who was with him for that.

In January 2019, I became fed up with Sagal and not helping care for the kids. I decided to move back to California. There was a short period of time where Sagal would not allow me to talk with the kids but she eventually allowed that to happen. I would reach out to them as much as possible. In May of 2019, I got Sagal to agree to let J and AJM to come to California to visit. Sagal flew with them and JJM stayed with her mother. Sagal stayed for the weekend and then flew back to Wisconsin. I was able to talk Sagal into letting the kids move in with me. I even enrolled J in school in California. I did ask to have JJM come too but Sagal never was interested in bringing him out to California. In October 2019, I was arrested. J and AJM went to stay with my mom until Sagal could come pick them up. Sagal did this within a week or so. I have been in jail ever since. I would call often to speak with my kids.

Since JJM was non-verbal, I wasn't able to talk to him but I did ask how he was doing. Sagal would tell me he was fine. On March 26th, I was given a message to call a Wisconsin number for a court appearance. I was confused when I called and found out it was Roselyn with Child Protection. Roselyn told me about Sagal not cooperating with CPS and that she had an open investigation for Sagal leaving the kids alone. I was angry and worried about my kids. I didn't want them taken away. I told Sagal to just give the kids to my mom if she couldn't take care of them. I called Sagal myself to try to figure out what was going on. This phone call was the first time Sagal ever said that I wasn't JJM's father. The things she said didn't make sense and I could tell she was lying. Sagal kept trying to convince me JJM was fine. I can't say that I want to believe that Sagal would ever intentionally harm JJM. But, I could see that Sagal could stop providing care for him. Sagal never liked caring for him. She would treat the other two children so much better than JJM. I believe she was embarrassed that he had a disability and needed so much care. I wonder if she stopped caring for him when she found out that I may have to go to jail for 4 years. I have nothing more to add at this time.

12. Complainant has reviewed the report of Sergeant Richard Loppnow of the Brown County Sheriff's Office which indicates the following:

On 4-2-20 Sgt. R. Lind & I, Sgt. R. Loppnow, went to the Dane County Medical Examiner's Office for the autopsy of the decedent located in this case, presumed to be JJM (DOB 10/18/14).

Sgt. Lind and I then observed the autopsy of the decedent which was completed by Dr. Vincent Tranchida and his assistant. We remained in the viewing area where we could observe the process. I took photos of the decedent's body from the viewing area in the morgue. I later created a CD-R containing the photographs (property #20-923-9) and entered it into evidence at the Sheriff's Office.

Following the autopsy Dr. Tranchida provided some general conclusions regarding the decedent. Dr. Tranchida stated that the decedent was significantly undernourished, mummified, had mold in places on his body, and that a long dark colored hair was located on the decedent's left thigh. Dr. Tranchida stated that based on the decomposition of the decedent, the decedent had been deceased for months.

13. Complainant received additional information from Sergeant Brian Slinger, and directly from Dr. Tranchida regarding the autopsy. Sgt. Slinger indicated that on April 3, 2020, through the use of medical records and photographs, Dr. Tranchida was able to confirm the identity of the deceased child as JJM (DOB 10/18/14). Further, Dr. Tranchida expanded upon his initial findings regarding possible cause of death for JJM. Dr. Tranchida indicated that the definitive cause of death would not be determined until the final report was finished, and that cause of death was pending histology and toxicology. Dr. Tranchida did note several important factors related to malnourishment:

- 5 year old male child, <5th percentile for height and weight
- Malnourished, with:
 - o Temporal wasting
 - o Sunken cheeks
 - o Lack of fat and muscle wasting of neck

- o Sunken subclavian fossae
- o Sunken ribs
- o Scaphoid abdomen
- o Prominent iliac crests
- o Prominent scapulae
- o Prominent vertebral spinous processes
- o Wasting of bilateral buttocks
- o Symmetrical atrophy/wasting of musculature of extremities, with prominently “knobby” knees
- o Lanugo hairs of extremities

Dr. Tranchida notes that JJM's weight was only 20 pounds at the time of autopsy, which was substantially lower than indicated in previous medical records and indicated that the level of malnourishment observed was severe and would have created a significant risk of death. Dr. Tranchida also noted significant concern over the fact that JJM had not received medical treatment since 2018 despite his serious health conditions and was concerned that it appeared from records and reports that JJM's prescribed medications had not been given to him.

14. Complainant reviewed a follow up report of Sergeant Brian Slinger which indicates the following:

On 04-14-20, I began reviewing medical documents that were provided to the Brown County Sheriff's Office from Prevea Health in accordance with a subpoena that was issued by Brown County Sheriff's Office Detective Sgt. Phil Nelson. The medical documents consisted of 188 pages of medical records for JJM along with 102 pages of billing information. My review of these documents was primarily to find out diagnosed medical conditions of JJM as well as a history of the care that JJM received for those conditions. I also was looking at the reports and paperwork to confirm and substantiate claims made by parties involved as to who was involved in the care of the child and roles they played in his life.

In reviewing the medical history and diagnosis from page 1 of the report I noted that JJM was listed as having the following diagnoses: blindness, Cerebral Palsy (CMS/HCC), GBS infection, Jaundice, Meningitis, and Seizures as of 11/9/14.

On page 2, I observed the “Health Maintenance Summary” which showed JJM's immunization records including numerous vaccinations that were listed as being “OVERDUE since 10-18-18”.

On page 23, I located a “Consent to Vaccinate” form completed and signed by JAMES MARQUEZ dated 02-03-15.

On page 30, I located a HIPAA Authorization form completed for JJM on 04-17-15 that had JAMES MARQUEZ listed on the form as the father to JJM. The form had a signature on the bottom of SAGAL HUSSEIN making appear to me that she completed the paperwork and placed JAMES on the paperwork as the father to JJM.

On page 31, I located another “Consent to Vaccinate” form completed by JAMES MARQUEZ for JJM on 04-17-15.

On page 50, I located another "Consent to Vaccinate" form completed by JAMES MARQUEZ for JJM on 05-03-16.

On page 61, I located a Wisconsin Medicaid and Badger Care Plus PA confirmation fax regarding care of JJM from 01-02-17. The form has SAGAL HUSSEIN listed on it with the provider being St. Vincent's Hospital.

On page 64, I located a letter sent to "Whom it may concern" in regards to the care of JJM and gave a summary of his medical conditions specifically pertaining to JJM's sight/ophthalmology. The letter stated that during JJM's infancy he had a severe group B strep infection and has had severe neurological deficits and seizures since that time. The letter said that an MRI of JJM's head showed extensive damage in the brain and that JJM has had nystagmus since that time and is felt to be critically blind. The letter was outlining concern that JJM had not seen an ophthalmologist concerning the vision issues listed in the letter.

On page 69, I located a "Consent for Immunization/Injectable Medication" form for JJM signed by JAMES MARQUEZ from May of 2017.

On page 70, I located a medical eligibility form for the "Make a Wish Foundation" dated June 5th, 2017 with JAMES MARQUEZ and SAGAL HUSSEIN listed as the parents.

On page 111, I located a "Request for Medical Care" form through Prevea Health that appeared to be completed by JAMES MARQUEZ on 08-21-18.

On pages 113-121, I located paperwork for when JJM was seen by his physician on 10-12-18. The paperwork indicated that JJM weighed 33 pounds and 13 ounces and was 3'3" tall at the time of the appointment. The report also lists JJM's medication list, which includes five (5) different medications.

On page 123, I located a prescription form for JJM that is dated 02-19-19 and again lists JAMES MARQUEZ and SAGAL HUSSEIN as the parents.

On pages 127-138, I observed paperwork regarding follow-up medical care that JJM received regarding major medical problems that became known after birth. Page 138 of the report lists 14 different diagnoses for JJM from 12-11-14.

On pages 139-165, I briefly reviewed paperwork relating to other follow-up visits that JJM had to the physician of his diagnosed issues. I noted that medications were being prescribed for JJM and that numerous strategies were being looked at for the care of JJM. I also noted that there were some notes in the file indicating that follow-up wasn't always completed with the family and there were lapses in care. I noted that on page 149 the physician explained the importance of following through with care and not missing future appointments for JJM. The dates for the above-mentioned visits ranged from 12-15-14 through 11-27-16. On 11-27-16, JJM was listed as weighing 15kg (33.07 pounds) and being 35" tall.

On page 166, I observed a documented visit back to the physician's office on 05-16-17, which stated that JJM was at the appointment with his mother, father, and brother for a routine health

visit. This particular report shows that on page 169, JJM was referred on multiple occasions to OT, PT, and speech. The report indicated that there were multiple missed and cancelled appointments for JJM during the time between visits listed above. I also noted that on page 169 JJM is listed as being "OBESE" and that it was recommended for the family to learn feeding cues to ensure JJM ate less food. Page 171 talks about how SAGAL and JAMES aren't satisfied with the "birth to three" plan and were looking for further outpatient support. The report indicated that the family wanted a more aggressive medical model for JJM (05-25-17). The report also went over the importance of follow-up medical care and treatment through Prevea Therapy.

Page 177, I observed continued paperwork that appears to show a gap in care from 06-13-17 until 08-21-18 when JJM is brought in for a neurology appointment with Dr. Edgar.

Page 179, I observed paperwork from 08-21-18 where JJM was seen for a follow-up in the pediatric epilepsy clinic by Dr. Edgar. The report outlines concerns of the parents regarding frequent complex partial seizures that JJM was having. The report stated that his social history involves living with his mother and father. JJM is listed as being 35 pounds 11.4 ounces with a height of 3'3" at the time of this appointment (page 180).

Page 183, I reviewed a report from 09-28-18 when JJM was again seen by Dr. Edgar for a neurology appointment.

Page 184, I reviewed a report from Dr. Huffer regarding a visit/appointment with JJM from 10-12-18 which talks about a reported increase in JJM's seizures. The report talks about conversations between the physician and JJM's father about JJM's poor weight gain. The report did go on to say there was a 0.6 kg weight gain for JJM from the time of his previous appointment (page 185). JJM's weight was listed at 15.3 kg (33 pounds 13 ounces) with a height of 3'3". On page 186, I observed a note under the "general" heading that stated JJM was well developed and appeared thin but not emaciated.

Page 188, this is the last page of the medical records and it appears based on the previous reports that the last time JJM was seen by an physician or care facility would have been on 10-12-18.

Summary of Report

- *Paperwork indicating that JJM was approved for and receiving medical coverage through the State of Wisconsin Medicaid and Badger Care programs.
- *Paperwork consistently listing JAMES MARQUEZ as the father to JJM.
- *SAGAL and JAMES were at one time ensuring the medical care/treatment of JJM.
- *SAGAL and JAMES were obviously aware of JJM's physical condition and dependency on them for his care even more so than a typical child.
- *Gap in care from 09-19-17 until 08-21-18 (according to medical paperwork).
- *Care stopped completely for JJM as of 10-12-18.

15. Complainant reviewed another supplemental report of Sergeant Brian Slinger which indicates the following:

On 04-27-20 at approximately 3:00 p.m., I met with Dr. Thomas Huffer at the Brown County Sheriff's Office to speak with him regarding the investigation into the death of JJM. I spoke to Dr. Huffer about his general knowledge of JJM from Dr. Huffer's time as JJM's pediatrician and was able to compile the following two page typed statement:

On 04-27-20 at approximately 3:00 p.m., I met with Sgt. Brian Slinger of the Brown County Sheriff's Office to speak with him regarding the investigation into the death of JJM. I am familiar with JJM and his family as I was his pediatrician and began seeing him a few months after he was born. The majority of my visits with JJM and his family were through Prevea Health at my office located at St. Mary's Hospital. JJM was diagnosed with Static Encephalopathy, which is a known complication from Group B Strep which JJM developed shortly after birth. The first few visits were with both of JJM's parents (Sagal Hussein and James Marquez). I was aware that the family moved here from the San Jose, California area and at some point James ended up moving back to California. At the beginning of my treatment with JJM the parents were both attentive and seemed adequate as parents. I also ended up being the pediatrician for the other two children (J and A) as well and noted that I never had any concerns about their general hygiene or cleanliness.

Based on my knowledge of JJM's medical condition I am aware of the care requirements that he needed and constantly relayed those concerns and instructions to JJM's mother (Sagal Hussein) and father (James Marquez). My major concerns with JJM stemmed from the fact that he would routinely miss appointments and the lack of follow-up from the parents.

Throughout the time that I was seeing/treating JJM, he would constantly miss appointments with little to no notice at all from his parents. The fact that JJM was missing appointments was very concerning to me as I was aware how important it was for him to receive continuing care for his medical conditions. The other two children (J and A) would also consistently not show up for appointments. There were at least 13 different appointments for just JJM alone that they never showed up for or made a notification to my office for rescheduling purposes. J missed 3 appointments and A missed 7 different appointments with our office as well. I am also aware of an additional 10 appointments that JJM missed with other medical providers besides my office.

The medications that JJM was prescribed were vital to his wellbeing and overall health and without the proper use of those medications JJM was at an extreme risk of death or great bodily harm because of his medical condition. JJM had a serious seizure history and there would have been some different medications that he would have been on for that condition. JJM's seizures were very difficult to control, which would lead me to believe that without medications JJM could have a fatal outcome from a seizure. I worked in conjunction with Dr. Edgar with prescriptions for JJM and to my knowledge the prescription for the seizures would have expired in September of 2019 as the refills would have ran out. March 18, 2019 was the last time I am aware that a prescription would have been filled for JJM with a total of 5 refills for him at that time, which is how I came to the September 2019 timeframe as to when he wouldn't have had any medications.

The standard of care difference between JJM and a healthy child around that same age would be JJM's frequency of visits with the Neurologist Dr. Edgar, as well as the feeding and nutrition. During my time and visits with JJM, I don't recall any issues with JJM's weight or specific concerns about his lack of nutrition as that would be something that would have been

addressed. The three main concerns that I had with JJM's care was the missed appointments, the platelet level on his last appointment, and the prescription medications that he needed for the seizures only lasting him until September of 2019. There was an emergency room visit from May of 2019 where a platelet level test was done on JJM, but that was not related to my concern from 2018 and was done for other reasons.

I contacted law enforcement once I learned of this incident and wanted my knowledge of the case to be known and part of the record.

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

Subscribed and sworn to before me on
04/29/20

Electronically Signed By:
Mary M Kerrigan-Mares
Deputy District Attorney
State Bar #: 1000150

Electronically Signed By:
David L. Lasee
Complainant