

**CIRCUIT COURT**  
**STATE OF WISCONSIN      CRIMINAL DIVISION      MILWAUKEE COUNTY**

**STATE OF WISCONSIN      Plaintiff      CRIMINAL COMPLAINT**

**vs.**

Mucklin, Adam J.  
Dodge Correctional Institution  
1 West Lincoln Street  
Waupun, WI 53963-0661  
(D.O.B. : June 4, 1986)

**Complaining Witness:**

Detective Michael Wilkerson

**DA Case Number: 08XF7019**

**Circuit Court Case Number:**

**Defendant(s)**

**THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN SAYS THAT THE ABOVE NAMED DEFENDANT(S) IN THE COUNTY OF MILWAUKEE, STATE OF WISCONSIN.**

**COUNT 01: ELECTION FRAUD – PROVIDING FALSE INFORMATION TO ELECTION OFFICIAL**

On or about June 15, 2008, near Oakland Avenue and Locust Street in the City of Milwaukee, did intentionally make a false statement to an election official, to wit: that he was a qualified elector and not disqualified from voting, contrary to Wisconsin Statutes §§12.13(1)(b), and 12.60(1)(a).

**COUNT 02: ELECTION FRAUD – INTENTIONAL VIOLATION OF ELECTION DUTY**

On or about June 24, 2008, at 200 East Wells Street, City of Milwaukee, did intentionally cause another person to violate a provision of Chapters 5 to 12 of the Wisconsin Statutes in the course of that person's official duties, to wit: he caused the Milwaukee Election Commission to appoint him as a special registration deputy when he failed to qualify for that office, contrary to Wisconsin §§12.13(2)(b)7, 6.26(2)(b) and 12.60(1)(a).

**AS TO COUNTS 01 & 02:**

Upon conviction of these offenses, each being a Class I Felony, the defendant may be fined not more than \$10,000 or imprisoned for not more than 3.5 years or both, as to each count.

Complainant states that he is a City of Milwaukee Police Detective assigned to the Special Investigation Unit and bases this complaint upon the following information:

**A. Summary**

The defendant, Andrew Mucklin, served as a Special Registration Deputy for the City of Milwaukee. He was paid by a special interest group, the Community Voters Project, a project organized under the auspices of the Fund for the Public Interest.

Mr. Mucklin was convicted of the felony offense of Substantial Battery on April 22, 2008. On that date, he was advised by both Judge Dennis Moroney and his own defense attorney, E. J. Hunt, that he was ineligible to vote until his civil rights were restored.

Mr. Mucklin admits that this past summer he registered to vote by signing a voter registration form for "Matt," a Special Registration deputy. In this form, he made the representation that he was a qualified elector and not disqualified from voting, which representations were false. Further, Mr. Mucklin admits that he thereafter went to City Hall where he took the training so that he himself could be a Special Registration Deputy. The

City Election Commission appointed him as a Special Registration Deputy when, as a felon disqualified from voting, he was not eligible to occupy such a public position.

### **B. The Election Commission & the Special Registration Deputy**

The information in this section of the complaint is based upon my own personal knowledge as well as information I have received from Election Commission employees and my review of the Wisconsin Statutes.

I know that City of Milwaukee has an Election Commission that is responsible for the administration of elections within the City. For all purposes, the Election Commission and its employees constitute the elections officials of the City of Milwaukee. The Executive Director of that Election Commission is Ms. Susan Edman. The City Election Commission is located in Room 501 at City Hall, 200 East Wells Street, in the City and County of Milwaukee. All election activities are coordinated through that office. Specifically as it relates to this complaint, activities related to the training of Special Registration Deputies (SRDs) and the processing of Voter Registration forms submitted by such SRDs are done at City Hall.

I know that the office of Special Registration Deputy is a position authorized by Wis. Stats. §6.26 and it allows a municipality to train and then deputize a Wisconsin elector to register other persons to vote. Once deputized, using registration forms authorized by the Election Commission, an SRD is empowered to register voters in Milwaukee and submit registration forms to the Election Commission for further processing.

I know that certain special interest groups pay individuals to become Special Registration Deputies, otherwise an unpaid position. Once such group is the Community Voters Project, a project organized under the auspices of the Fund for the Public Interest.

### **C. Mucklin Is a Felon, Having Been Convicted on April 22, 2008**

Based upon his review of certified copies of circuit court records, attached to this complaint and incorporated herein by reference, complainant states the defendant Adam Mucklin was convicted of the felony offense of Substantial Battery on April 22, 2008 in Milwaukee County Case No. 06CF004660. Complainant further states that defendant is currently serving a sentence for this felony offense, as reflected on the attached certified copy of the Judgment of Conviction, and that his civil rights will not be restored until at least January 10, 2012 when he will be discharged from supervision, according to the Department of Corrections LOCATOR web site, a web site I have consulted in the past and have found to be reliable.

### **D. As Part of His April 22, 2008 Conviction for Substantial Battery, Mucklin Acknowledged that He Was Ineligible to Vote**

A certified copy of the Adam Mucklin's Guilty Plea Questionnaire in Milwaukee County Case No. 06CF004660 is attached to this complaint and incorporated herein by reference. Filled out prior to Mucklin's guilty plea and felony conviction, that document provides in relevant part:

I understand that if I am convicted of any felony, I may not vote in any election until my civil rights are restored.

\*\*\*

I understand that if the judge accepts my plea, the judge will find me guilty of the crimes(s) to which I am pleading . . . .

Immediately below the statement, "I have reviewed and understand this entire document," the form contains the signature of Adam Mucklin dated April 22, 2008.

Below the signature of his attorney, that same form also contained the following language:

I have discussed this document . . . with the defendant. I believe the defendant understands it . . .

This form was signed by Attorney E.J. Hunt.

**E. Mucklin Was Told by Judge Dennis Moroney that He Was Ineligible to Vote on April 22, 2008**

The Consolidated Court Automation Program (CCAP) reflects that, on April 22, 2008 in Case No. 06CF004660, Judge Dennis Moroney conducted a guilty plea hearing for Adam Mucklin. Among other things, CCAP indicates that the:

Court advised defendant he cannot vote until his civil rights are restored. Signed INELIGIBLE VOTING NOTICE & ACKNOWLEDGMENT provided to defendant.

A certified copy of the Ineligible Voting Notice & Acknowledgment is attached to this complaint. It contains a Notice section as follows:

This notice is to inform you that under Wisconsin Statute Section 6.03(1)(b) you are ineligible to vote in any election until your civil rights are restored.

The form also contains an Acknowledgement that contains in part:

I understand that I may not vote in any election until all my civil rights are restored, and I have completed all of my felony sentences . . . .

Adams Mucklin signed this form and dated it April 22, 2008.

**F. SVRS Records Indicate that Mucklin Registered to Vote on June 18, 2008**

I know that the City Election Commission accepts Voter Registration Forms and reviews the registration forms, entering the voter information thereon into a Statewide Voter Registration System (SVRS) in the course of its duties as the city election office. I have reviewed the data from the SVRS system pertaining to City of Milwaukee residents who have registered to vote since October 1, 2007. This SVRS data was supplied to investigators by the Government Accountability Board. I base my statements in this paragraph on that data. According to the SVRS data, Adam Mucklin registered to vote out of the Milwaukee address of 2320 East Bellevue Place, Apt. 10. He registered to vote on June 18, 2008 by Special Registration Deputy Matthew Bittmann.

I am familiar with the form that is used by the City of Milwaukee election commission to register voters. I know that this form is also used by employees of the Community Voters Project. That form recites in relevant part:

I certify that I am a qualified elector . . . not otherwise disqualified from voting. I certify that all statements on this form are true and correct.

### **G. Election Commission Records Indicate that Mucklin Was a Special Registration Deputy**

In the course of this investigation, the City Election Commission provided copies of its business records identifying the Special Registration Deputies it had trained and sworn in. I base my statements in this paragraph on those records. City election commission records reflect that Adam Mucklin was deputized as a Special Registration Deputy on June 24, 2008. His organization affiliation is listed as the Community Voters Project. These records also indicate that a Matthew Bittmann was also a Special Registration Deputy affiliated with the Community Voters Project.

In his statement detailed below, Mucklin stated that he took the Special Registration Deputy training at City Hall.

I have reviewed a copy of the training materials used by the City of Milwaukee Election Commission and distributed to the Special Registration Deputies. In relevant part, those materials include the following passage:

You must be a qualified elector to serve as a Special Registration Deputy.

### **H. Adam Mucklin Interview**

On October 3, 2008, I spoke with Adam Mucklin at the Dodge Correctional Center in Waupun, Wisconsin. Mr. Mucklin states that when he registered to vote and when he worked for the Community Voters Project, he lived in Milwaukee at 4321 North 99th Street. This is also the address he gave to the court in Case Number 06CF004660, according to CCAP records.

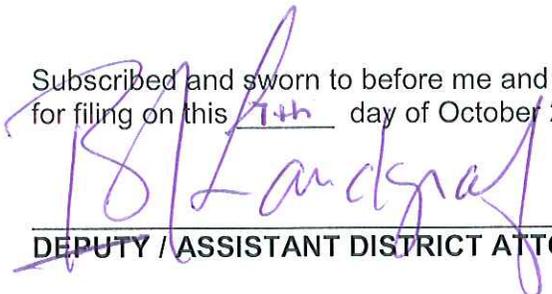
Mr. Mucklin states that he did in fact register to vote when a man he knew as "Matt" approached him and asked him to register to vote. Mr. Mucklin stated that he signed this form in Milwaukee outside a Walgreens in the vicinity of Oakland Avenue and Locust Street. He said this took place about the same time Blockbuster had refused to hire him because of his felony, in June of this year when he was looking for a job. He stated that he was presented with a standard form for voter registration.

Mr. Mucklin admitted that he did in fact work for the Community Voter Project as a Special Registration Deputy. He stated that he worked for them in June out of an office at Prospect and North Avenue. He stated that he took the Special Registration Deputy training at City Hall and was sworn in on June 24, 2008. Mr. Mucklin admits that he discussed his felony case with the election commission, that he was told that if he had been convicted in his felony case, he could not serve as a Special Registration Deputy, but that he was "confused" about his status as a convicted felon in June of this year and he believed he was not "convicted." Mr. Mucklin

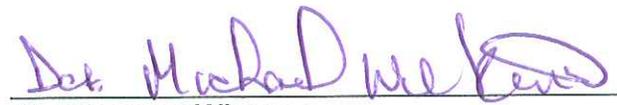
also stated, however, that he did remember being told on April 22, 2008 that as a convicted felon he could not ever possess a firearm.

\*\*\*End of Complaint\*\*\*

Subscribed and sworn to before me and approved  
for filing on this 7<sup>th</sup> day of October 2008

  
DEPUTY / ASSISTANT DISTRICT ATTORNEY

Bruce J. Landgraf / B JL

  
Complaining Witness

-- FELONY COMPLAINT --

J:\COMPLAINT~MUCKLIN,ADAM~~08XF7019

State of Wisconsin vs. Adam J Mucklin

**Judgment of Conviction**

Amended  
Sentence to Wisconsin State  
Prisons and Extended Supervision  
Case No.: 2006CF004660

Date of Birth: 06-04-1986

COURT COPY  
DO NOT REMOVE

The defendant was found guilty of the following crime(s):

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Trial To	Date(s) Convicted
2	Substantial Battery-Intend Bodily Harm	940.19(2)	No Contest	Felony I	09-01-2006		04-22-2008

**IT IS ADJUDGED** that the defendant is guilty as convicted and sentenced as follows:

07-14-2008 : On count 2 defendant is confined to prison for 1 year followed by a period of 2 years extended supervision for a total length of sentence of 3 years.

Comments: With credit for 4 days served. Defendant to provide DNA sample and pay surcharge. Defendant is not eligible for Challenge Incarceration or Earned Release program.

Ct.	Sent. Date	Sentence	Length	Concurrent with/Consecutive to/Comments	Agency
2	07-14-2008	Forfeiture / Fine		Fine of \$300.00 plus costs and surcharges. To be paid after restitution has been satisfied. To be paid from 25% of prison wages. Balance during Extended supervision by wage assignment/ tax intercept. Failure to pay, to serve 120 days in HOC. Consecutive, straight time. Any unpaid amount remains due and owing.	
2	07-14-2008	Restitution		Hearing 8/25/08. To be paid first, before fine/costs. To be collected by DOC from 25% of prison wages under Sec. 973.05(4)(b) Wis. stats and during Extended supervision by way of wage assignment and/or tax intercept. Bail, if any, to apply to restitution. 09/11/08 - Restitution Hearing: Court Ordered restitution in the amount of \$4,714.12 payable to Cory B. and be paid with up to 25% of prison wages and balance to be paid as a condition of extended supervision.	

**Conditions of Sentence or Probation**

**Obligations:** (Total amounts only)

Fine	Court Costs	Attorney Fees	Restitution	Other	Mandatory Victim/Wit. Surcharge	5% Rest. Surcharge	DNA Anal. Surcharge
388.00	20.00		4714.12	479.41	85.00	296.83	250.00

State of Wisconsin vs. Adam J Mucklin

**Judgment of Conviction**

Amended  
Sentence to Wisconsin State  
Prisons and Extended Supervision  
Case No.: 2006CF004660

Date of Birth: 06-04-1986

**Conditions of Extended Supervision:**

Ct.	Condition	Agency/Program	Comments
2	Employment / School		Seek and maintain employment.
2	Psych Treatment		Mental health assessment. Comply with recommended treatment.
2	Prohibitions		No controlled substances except those prescribed by a duly licensed medical provider for only as long as medically reasonable and necessary. No alcohol. No contact with Peter J. and/or Corey B.
2	Other		Obtain cognitive intervention counseling. Successfully complete anger management.
2	Alcohol assessment		Alcohol and drug assessment. Comply with recommended treatment. Random urine screens.
2	Other		Pay balance of fine, costs and surcharges imposed in Count 2. Pay restitution. Court ordered defendant to provide a DNA sample and imposed the mandatory surcharges. Court ordered the defendant pay restitution in a sum to be determined at future hearing. Restitution payable BEFORE the imposed fine, costs, DNA sample and surcharges. Court ordered the defendant to pay a fine of \$300 plus costs, surcharges and assessments from up to 25% of prison wages, AFTER restitution and during extended supervision by way of wage assignment and/or tax intercept.  Failure to pay fine, costs, DNA sample and all surcharges by the completion of extended supervision will result in defendant serving 120 days in the House of Correction, consecutive straight time as a penalty with the balance due and owing.  Court informed defendant he is not eligible for Challenge Incarceration Program nor Earned Release Program. Court does not impose a fine, costs or surcharges in Count 1. Court ordered case adjourned to 8/25/08 at 1:30 for hearing on restitution. Defendant to appear via videoconference. Parties are notified that effective 08/02/08 this case is assigned to Judge Richard J. Sankovitz, Br. 29, Room 313 Safety Building. Defendant taken into custody by sheriff's deputies. msn

Filed,

State of Wisconsin vs. Adam J Mucklin

**Judgment of Conviction**

Amended  
Sentence to Wisconsin State  
Prisons and Extended Supervision  
Case No.: 2006CF004660

Date of Birth: 06-04-1986

- Written Explanation of Determinate Sentence;
- Notice of Right to Seek Post Conviction Relief;
- Ineligible Voting Notice & Acknowledgment.

**IT IS ADJUDGED** that 4 days sentence credit are due pursuant to § 973.155, Wisconsin Statutes

**IT IS ORDERED** that the Sheriff shall deliver the defendant into the custody of the Department.

BY THE COURT:

Dennis P. Moroney-20, Judge  
Alexander G Sklenarz, District Attorney  
Edward J Hunt, Defense Attorney

*Thomas J. Barrett*  
\_\_\_\_\_  
Court Official

*John Barrett*  
\_\_\_\_\_

September 23, 2008  
Date



STATE OF WISCONSIN  
MILWAUKEE COUNTY

I, the undersigned Clerk of the Circuit Court of Milwaukee County, Wisconsin do hereby certify that I have compared this document with the original on file and that the same is a full, true and correct copy of said original and of its whole thereof, as the same remains of record in my office.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said court, this SEP 23 2008 date

*John Barrett*  
\_\_\_\_\_  
JOHN BARRETT  
Clerk of Circuit Court

Amend to ct 1 to Men Batt. 940.19(1)

PSI, Rec. Pro to at Def pro to argue, Rest

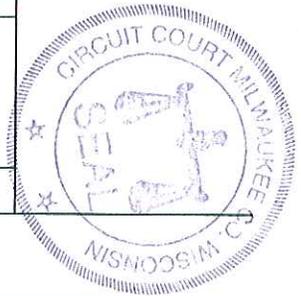
Alta to Ct 2 Substantial Batt

STATE OF WISCONSIN, CIRCUIT COURT, MILWAUKEE COUNTY

For Official Use

State of Wisconsin, Plaintiff, -vs-

No Contest Plea Questionnaire Waiver of Rights



ADAM J. MUCKLIN, Defendant Case No. 06CF4660

I am the defendant and intend to plea as follows:

Table with 4 columns: Charge/Statute, Plea, Charge/Statute, Plea. Contains handwritten entries for 'MISDEMEANOR BATTERY 940.19(1)' and 'SUBSTANTIAL BATTERY'.

See attached sheet for additional charges.

AM

I am 21 years old. I have completed 3rd year of college. I have a high school diploma, GED, or HSED. I understand the English language. I understand the charge(s) to which I am pleading. I am currently receiving treatment for a mental illness or disorder. I have had any alcohol, medications, or drugs within the last 24 hours.

ADHD ANXIETY

Constitutional Rights

I understand that by entering this plea, I give up the following constitutional rights:

AM

- I give up my right to a trial.
I give up my right to remain silent and I understand that my silence could not be used against me at trial.
I give up my right to testify and present evidence at trial.
I give up my right to use subpoenas to require witnesses to come to court and testify for me at trial.
I give up my right to a jury trial, where all 12 jurors would have to agree that I am either guilty or not guilty.
I give up my right to confront in court the people who testify against me and cross-examine them.
I give up my right to make the State prove me guilty beyond a reasonable doubt.

I understand the rights that have been checked and give them up of my own free will.

APR 22 2008

Understandings

- I understand that the crime(s) to which I am pleading has/have elements that the State would have to prove beyond a reasonable doubt if I had a trial. These elements have been explained to me by my attorney or are as follows: See Attached sheet.

- I understand that the judge is not bound by any plea agreement or recommendations and may impose the maximum penalty. The maximum penalty I face upon conviction is: Substantial Battery 3.5 years and/or \$10,000.00 FINE; Battery 9 MONTHS COUNTY JAIL AND/OR \$10,000 FINE

- I understand that the judge must impose the mandatory minimum penalty, if any. The mandatory minimum penalty I face upon conviction is: N/A

- I understand that the presumptive minimum penalty, if any, I face upon conviction is: N/A

The judge can impose a lesser sentence if the judge states appropriate reasons.

**Understandings**

- I understand that if I am placed on probation and my probation is revoked:
  - if sentence is withheld, the judge could sentence me to the maximum penalty, or
  - if sentence is imposed and stayed, I will be required to serve that sentence.
- I understand that if I am not a citizen of the United States, my plea could result in deportation, the exclusion of admission to this country, or the denial of naturalization under federal law. *N/A*
- I understand that if I am convicted of any felony, I may not vote in any election until my civil rights are restored.
- I understand that if I am convicted of any felony, it is unlawful for me to possess a firearm.
- I understand that if I am convicted of any violent felony, it is unlawful for me to possess body armor.
- I understand that if I am convicted of a serious child sex offense, I cannot engage in an occupation or participate in a volunteer position that requires me to work or interact primarily and directly with children under the age of 16. *N/A*
- I understand that if any charges are read-in as part of a plea agreement they have the following effects:
  - Sentencing – although the judge may consider read-in charges when imposing sentence, the maximum penalty will not be increased.
  - Restitution – I may be required to pay restitution on any read-in charges.
  - Future prosecution – the State may not prosecute me for any read-in charges.
- I understand that if the judge accepts my plea, the judge will find me guilty of the crime(s) to which I am pleading based upon the facts in the criminal complaint and/or the preliminary examination and/or as stated in court.

**Voluntary Plea**

I have decided to enter this plea of my own free will. I have not been threatened or forced to enter this plea. No promises have been made to me other than those contained in the plea agreement. The plea agreement will be stated in court or is as follows:  See Attached.

*Upon Defendant's plea of no contest to Count 2 (Substantial Battery) and amended charge in Count 1 of Misdemeanor Battery, State will recommend Probation and a PSI.*

**Defendant's Statement**

I have reviewed and understand this entire document and any attachments. I have reviewed it with my attorney (if represented). I have answered all questions truthfully and either I or my attorney have checked the boxes. I am asking the court to accept my plea and find me guilty.

*[Handwritten Signature]*  
\_\_\_\_\_  
Signature of Defendant

*4-22-08*  
\_\_\_\_\_  
Date

**Attorney's Statement**

I am the attorney for the defendant. I have discussed this document and any attachments with the defendant. I believe the defendant understands it and the plea agreement. The defendant is making this plea freely, voluntarily, and intelligently. I saw the defendant sign and date this document.

*[Handwritten Signature]*  
\_\_\_\_\_  
Signature of Attorney

*4/22/08*  
\_\_\_\_\_  
Date

STATE OF WISCONSIN

CIRCUIT COURT

MILWAUKEE COUNTY

For Official Use

State of Wisconsin, Plaintiff,  
-vs-

**Addendum to Plea  
Questionnaire and  
Waiver of Rights**

ADAM J. MUCKLIN, Defendant Case No. 06CF4660  
Name

I read the complaint.  My attorney read the complaint to me.

**Additional Understandings:**

I understand that by pleading I am giving up my right to challenge the constitutionality of any police action such as the police stopping me, arresting me, searching me or my property, seizing any evidence, taking a statement from me, or having any witness identify me. (If the court already decided my suppression motion, I can still appeal that decision.)

I understand that by pleading I am giving up my right to challenge the sufficiency of the complaint.

I understand that by pleading I am giving up defenses such as alibi, intoxication, self-defense, insanity.

Adam Mucklin  
Signature of Defendant

4-22-08  
Date

Edward J. Barrett  
Signature of Attorney

4/22/08  
Date



STATE OF WISCONSIN  
MILWAUKEE COUNTY  
I, the undersigned Clerk of the Circuit Court of Milwaukee County, Wisconsin, do hereby certify that I have reviewed the original on file and that this is a true and correct copy of said original and that the same remains of record in my office.  
TESTIMONY WHEREOF I have hereto set my hand and affixed the seal of said court, this SEP 23 2008 date  
John Barrett  
JOHN BARRETT  
Clerk of Circuit Court

STATE OF WISCONSIN, CIRCUIT COURT, MILWAUKEE COUNTY

State of Wisconsin, Plaintiff,  
-vs-

**INELIGIBLE VOTING  
NOTICE and  
ACKNOWLEDGEMENT**

ADAM MUCKLIN, Defendant  
Name

Case No. 06CF4660

**NOTICE**

This notice is to inform you that under Wisconsin State Statute 6.03(1)(b) you are ineligible to vote in any election until your civil rights are restored.

Your civil rights will be restored when the Department of Corrections has determined that you have satisfied all sentences and terms of probation on all felony cases and you are absolutely discharged from the Wisconsin Department of Corrections. This will happen when you have completed all of your felony sentences, including any terms of parole, extended supervision or probation.

**ACKNOWLEDGMENT**

I understand that I may not vote in any election until all of my civil rights are restored, and I have completed all of my felony sentences, including any terms of parole, extended supervision or probation.

*[Handwritten Signature]*  
Signature of Defendant

4-22-08  
Date



STATE OF WISCONSIN }  
MILWAUKEE COUNTY } SS.

I, the undersigned Clerk of the Circuit Court of Milwaukee County, Wisconsin do hereby certify that I have compared this document with the original on file and that the same is a full, true and correct copy of said original and of the whole thereof, as the same remains of record in my office.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said court, this SEP 23 2008 date

*[Handwritten Signature]*

JOHN BARRETT  
Clerk of Circuit Court

Distribution:  
Original – court file  
Copy – defendant