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STATE OF WISCONSIN,

Plaintiff,

**CRIMINAL COMPLAINT**

Vs.

Court Case No. 09CF

JAMES C. ANDERSON, DOB 12/30/1962  
201 EAST STREET  
BARABOO, WI 53913,

Agency No. 09-02345

ATN: 57001000012237

Defendant.

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Your complainant, having been first duly sworn, on oath, states that:

**Count 1: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess photograph(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

**Count 2: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess photograph(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a

Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

### **Count 3: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess photograph(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

### **Count 4: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess motion picture(s) of a child engaging in sexually explicit conduct, and that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

#### **Count 5: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess photograph(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

#### **Count 6: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess motion picture(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

#### **Count 7: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess videotape(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

#### **Count 8: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess videotape(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement

for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

### **Count 9: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess videotape(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

### **Count 10: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess videotape(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the

person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

#### **Count 11: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess videotape(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

#### **Count 12: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess videotape(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

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And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

**Count 13: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess videotape(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

**Count 14: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess videotape(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

### **Count 15: POSSESSION OF CHILD PORNOGRAPHY**

The above-named defendant on or about Wednesday, July 08, 2009, in the City of Baraboo, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess videotape(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years. The Court may impose a sentence less than three years or place the person on probation upon a finding on the record that the Court finds the lesser sentence is in the best interests of the community and the public will not be harmed.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

**PROBABLE CAUSE:** Your complainant is a law enforcement officer and signs this Criminal Complaint on information and belief.

Your complainant has seen a written report prepared by State of Wisconsin DCI Special Agent Joell Schigur, who reported that on July 8, 2009, at 201 East St., Baraboo, WI, she participated in a search warrant at that residence and also interviewed a female identified as Rina J. Anderson, who identified this location as her and her husband, James C. Anderson's residence for the last six years. Rina described her husband as a computer geek who set up the computer network for his family, involving a server computer located in a locked room in the basement that was used exclusively by Jim as his "man cave". All of the hard drives in this room belonged to Jim. The room was off limits to the kids and they knew it. Jim had one key to the lock on his key ring and another hidden in the house.

Your complainant has seen a written report prepared by DCI Special Agent Jennifer Price, who reported that on July 8, 2009, she reviewed images and videos recovered by Forensic Analyst Chris Byars from two computer hard drives seized from the James Anderson residence located in the locked computer basement room. The images are described as follows:

1. an pubescent female consistent with that of a 12 to 14 year old female, based on physical characteristics, exposing her breasts and genital area, leg spread, hands bound with yellow rope, and a white cord extending out of the girl's vagina, last accessed 2-13-09.
2. Same female as above but naked, with hands tied and same white cord extending out of her vagina, last accessed 2-13-09.
3. A clothed small girl, comparable in stature to a 4 yr old, performing oral sex on a naked adult male, last accessed 8-4-08.
4. An adult licking the penis of a small boy, comparable in stature to a 1 to 2 year old child, last accessed 8-4-08.
5. A naked small boy, comparable in stature to a 2 to 3 year old. standing next to an adult female, who has the boy's penis in her mouth, last accessed 8-4-08.
6. a naked female child, comparable in stature to a 5 to 6 year old girl, lying on her back with her legs spread and an adult male has his penis inserted in her vagina. The girl appears to be crying, last accessed 8-4-08.

Videos were also viewed and disclosed the following:

1. a close up of the buttocks of a small child, consistent in stature with a toddler, while an adult male attempts to insert his penis into the girl's vagina, last accessed on 7-7-09.
2. a small child, consistent in stature to a 4 to 5 year old, performing sex on an adult male, last accessed 7-7-09.
3. an adult male inserting his penis into the anus of a small child, consistent in stature with toddler, then ejaculating on the child's labia, last accessed 7-7-09.
4. an adult male performing oral sex on a naked girl, consistent in stature to a 6 or 7 year old, last accessed 7-7-09.
5. an adult male lying on his back with his penis exposed through an opening in his shorts, and inserts his penis into an individual whose stature is consistent with that of an early pubescent teenager, last accessed 7-7-09.
6. a naked adult male and a naked prepubescent female, comparable in stature to a 9 to 11 year old, in which he digital penetrates the girl's vagina; the girl performs oral sex on the male; the man inserts his penis into her vagina; and the male rubs his penis to the point of ejaculation while he kneels over the girl, last accessed 7-7-09.
7. an adult male and a naked prepubescent female, consistent in stature to a 6 to 7 year old, while the male ejaculates on the girl's genital area; touches the girl's labia with his fingers; the male ejaculates on the girl's genital area again; and the male performs oral sex on the girl, last accessed 7-7-09.
8. a male and a naked prepubescent female, comparable in stature to a 5 to 7 year old, and the male performs oral sex on the girl, last accessed 4-11-09
9. a naked adult male and a naked prepubescent boy, comparable in age to a 9 to 10 year old, where the adult male insert his penis into the boy's anus and finally removing his penis and ejaculating on the boy's back, last accessed on 7-7-09.

Your complainant knows that James C. Anderson's date of birth is 12/30/62 and that his residence is in Sauk County, Wisconsin.

Your complainant believes the statements of Rina Anderson to be truthful and accurate as they are statements made by an ordinary citizen. Your complainant knows DCI Special Agents Schigur and Price are law enforcement officers, working in an official capacity and with lawful authority, and therefore believes the above information to be accurate and reliable.

Signed and sworn to before me and approved for filing this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
(Assistant) District Attorney  
1000810

\_\_\_\_\_  
Complainant

2009SA002003