

State of Wisconsin**Circuit Court****Brown County**

STATE OF WISCONSIN

-vs-

Plaintiff,

DA Case No.: 2011BR003780
Assigned DA/ADA: Dana J. Johnson
Court Case No.: 2011CFDouglas C Casey
1126 Terry Lane
DePere, WI 54115
DOB: 11/20/1973
Sex/Race: M/
Eye Color:
Hair Color:
Height:
Weight:
Alias:**CRIMINAL COMPLAINT**

Defendant,

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

Count 1: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on or about Thursday, June 02, 2011, in the City of DePere, Brown County, Wisconsin, did, having attained the age of 18, knowingly possess recording 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) 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 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.

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.

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Count 2: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on or about Thursday, June 02, 2011, in the City of DePere, Brown County, Wisconsin, did, having attained the age of 18, knowingly possess recording 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) 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 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.

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.

Count 3: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on or about Thursday, June 02, 2011, in the City of DePere, Brown County, Wisconsin, did, having attained the age of 18, knowingly possess recording 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) 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 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.

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.

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

PROBABLE CAUSE

1. Complainant's review of the details of Special Agent Matt Joy of the State of Wisconsin, Department of Justice, Division of Criminal Investigation, which indicates that on June 2, 2011, he assisted in executing a search warrant at the residence of Douglas C. Casey, dob 11-20-73, who resides at 1126 Terry Lane, DePere, Brown County, Wisconsin. Special Agent Joy indicated in executing the search warrant there were lap top computers, USB thumb drives, VHS tapes, a CD and miscellaneous documents and other items located and seized.
2. Special Agent Joy indicated that he spoke to Douglas Casey, the defendant, in the front yard of the residence at 1126 Terry Lane, DePere, Brown County, Wisconsin, on June 2, 2011. The defendant, Douglas Casey, indicated he did reside at 1126 Terry Lane with his girlfriend. The defendant confirmed that there were three lap tops in the residence. The defendant stated that two of the lap tops belonged to him. The defendant stated he knew the reason why law enforcement officers were at his residence because he had illegal items on his computer. The defendant went on to explain that he used Easynews to view and save child pornography files. The defendant stated he both viewed and saved child pornography files using Easynews. The defendant stated that he had begun viewing child pornography files about 2 years ago and it began as a curiosity. The defendant stated he has also viewed child pornography involving older/elderly adults and bestiality. The defendant stated he had only saved the child pornography files to a USB thumb drive because those types of files were legal and harder to find. The defendant stated that he was only sexually aroused by child pornography involving girls. The defendant admitted that he observed child pornography of very young children and stated he has viewed child pornography involving vaginal oral intercourse in children.
3. Special Agent Joy reviewed a disk that had been created by Analyst Mark Howard of the Division of Criminal Investigation. Mark Howard had been present during the search of the defendant's residence. Analyst Howard had reviewed a computer lap top computer hard drive and a USB hard drive located in the residence of Douglas Casey during the search warrant. Investigator Howard created a preview disk of items that were located on those items. Special Agent Joy indicated that when he describes the videos and/or images they viewed from the items he uses the term prepubescent and pubescent. Special Agent Joy indicated the term pubescent means a child who has begun to develop and display a mature body shape and genital organs and/or secondary sexual characteristics such as, but not limited to, the development of breasts in females and the development of pubic hair and underarm hair, typically seen in children between the ages of 11 and 16 years of age. Special Agent Joy indicates he uses his description relying on his experience as an investigator in child pornography investigation and his common experience.

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Special Agent Joy indicated that the term pubescent indicates that Special Agent Joy believes the person depicted as a child, but evidence of some physical and sexual maturation consistent with a young teenager or teenager. Special Agent Joy stated he uses the term prepubescent to describe a child who does not exhibit any, or only very limited, physical/sexual development such as those indicators mentioned above, such as the child appears to be well under 18 years and likely under the age of 13 years in the case of both males and females.

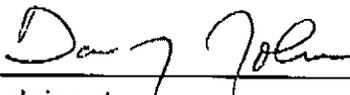
4. Special Agent Joy gave descriptions of some of the files that were located on the hard drive or USB thumb drive belonging to Douglas Casey. One of the files is described as a 34 second video of two prepubescent girls who are seated on a couch. One of the girls is clothed in shorts and a t-shirt, the other is nude. The second girl's breasts and genital area are visible. The girl has no breast development. The clothed girl is holding what appears to be a candle in an upright position, while the girl who is nude moves in an up and down motion over the candle, which is inserted into the girl's genital/vaginal area.
5. There is another video that Special Agent Joy described as lasting approximately 4 minutes and 32 seconds of a prepubescent girl who is seated on a bed, clothed. The girl removes her clothing, exposing her breasts and genital area. The girl has no breast development or pubic hair. The girl dances/poses on the bed, exposing her genital area. The camera focuses on the girl's genital area, as the girl uses her fingers to manipulate her genital area. The individual holding the camera appears to be an adult male, who later exposes his erect penis. The girl then places her mouth on the male's penis as he continues to film.
6. There is another video special agent Joy reviewed that is less than one minute in length of a prepubescent girl, who is visible from the waist up and is wearing a t-shirt. Standing next to her is an adult male wearing a t-shirt and blue jeans, the shirt is pulled up and the jeans are pulled down, exposing his erect penis. The girl places her mouth on the male's penis and moves her head in a back and forth motion. In addition, both the girls' hands are placed on the male's erect penis as the male places his right hand on the girls head.

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Complainant believes the information provided by the defendant, Douglas Casey, because he it is against his penal interest. He believes the information provided by Special Agent Matt Joy of the Division of Criminal Investigation because he has relied upon him in the past and found him to be accurate and reliable. Based on the foregoing, the complainant believes this complaint to be true and correct.

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

This 7th day of June, 2011.



Complainant



(Assistant) District Attorney