

STATE OF WISCONSIN

Plaintiff,

-vs-

DA Case No.: 2011OU001624

Assigned DA/ADA: Andrew J. Maier

Agency Case No.: 11-52/4

Court Case No.:

ATN:

Eric C. Haataja
1232 W. Packard Street
Appleton, WI 54914
DOB: 12/29/1979
Sex/Race: M/W
Eye Color: Brown
Hair Color: Brown
Height: 6 ft 1 in
Weight:
Alias:

Criminal Complaint

Defendant,

MICHAEL L. LANGRISH, being first duly sworn, states that:

Count 1: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on or about Wednesday, April 13, 2011, in the City of Appleton, Outagamie 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) and (3)(a), 939.50(3)(d), 973.047(1f), 973.046(1r), 973.042(2), 939.617 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.

And the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.

And furthermore, invoking the provisions of Wisconsin Statute 973.046 (1r), the court shall impose a deoxyribonucleic acid analysis surcharge of \$250

Count 2: POSSESSION OF CHILD PORNOGRAPHY

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And furthermore, invoking the provisions of Wisconsin Statute 973.046 (1r), the court shall impose a deoxyribonucleic acid analysis surcharge of \$250.

Count 7: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on or about Wednesday, April 13, 2011, in the City of Appleton, Outagamie 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) and (3)(a), 939.50(3)(d), 973.047(1f), 973.046(1r), 973.042(2), 939.617 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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Count 8: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on or about Wednesday, April 13, 2011, in the City of Appleton, Outagamie 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) and (3)(a), 939.50(3)(d), 973.047(1f), 973.046(1r), 973.042(2), 939.617 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 973.046 (1r), the court shall impose a deoxyribonucleic acid analysis surcharge of \$250.

Count 9: POSSESSION OF TETRAHYDROCANNABINOLS (THC)

The above-named defendant on or about Wednesday, April 13, 2011, in the City of Appleton, Outagamie County, Wisconsin, did knowingly possess a controlled substance, Tetrahydrocannabinols (THC), contrary to sec. 961.41(3g)(e) Wis. Stats., a Misdemeanor, and upon conviction may be fined not more than One Thousand Dollars (\$1,000), or imprisoned for not more than six (6) months, or both.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 10: POSSESSION OF DRUG PARAPHERNALIA

The above-named defendant on or about Wednesday, April 13, 2011, in the City of Appleton, Outagamie County, Wisconsin, did knowingly possess with primary intent to use, to inhale a controlled substance, contrary to sec. 961.573(1) Wis. Stats., a Misdemeanor, and upon conviction may be fined not more than Five Hundred Dollars (\$500), or imprisoned for not more than thirty (30) days, or both.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

PROBABLE CAUSE:

AND PRAYS SAID DEFENDANT BE DEALT WITH ACCORDING TO LAW; AND THAT THE BASIS FOR THE COMPLAINANT'S CHARGE OF SUCH OFFENSE IS AS FOLLOWS:

Complainant states that (s)he is an employee with the Outagamie County Sheriff's Department and bases this complaint upon the report and investigation of Special Agent Matthew Joy of the Wisconsin Department of Justice Division of Criminal Investigation and Sgt. Kyle Rau of the Appleton Police Department as well as the statements of Eric C. Haataja. Complainant, Special Agent Matthew Joy and Sgt. Kyle Rau are presumed truthful and reliable as sworn law enforcement officers. The statements of Eric C. Haataja are presumed truthful and reliable as they were made against his penal interests.

On April 13, 2011, Special Agent Matthew Joy and Mark Howard of the Wisconsin Department of Justice, along with officers of the Appleton Police Department executed a search warrant at a residence at 1232 W. Packard Street, in the City of Appleton, Outagamie County, Wisconsin. Pursuant to the warrant Special Agent Joy made contact with a number of parties including the above defendant, who was found in his basement bedroom. The individuals inside the house were relocated to the living room area, where Special Agent Joy informed them that law enforcement officers were present at the residence in order to execute a search warrant. Special Agent Joy explained that no one at the residence was under arrest, and that they wished to speak with anyone who was willing to talk with them. Sgt. Kyle Rau of the Appleton Police Department interviewed the defendant at the kitchen table while Special Agent Joy and Criminal Analyst Howard conducted a search of the residence. As a result of the search of the residence a number of electronic storage devices including computer hard drives, optical disks, USB thumb drives and other items were located and seized. A DVD located in the defendant's bedroom, which was hand labeled "porn" was retrieved from the defendant's basement bedroom and provided to Criminal Analyst Howard, who conducted a preview of the DVD on equipment that he brought with him to assist in the warrant execution. Criminal Analyst Howard's initial preview of the DVD identified videos containing what appeared to be children engaged in sexually explicit conduct.

The search further produced a number of glass pipes containing brownish residue or black residue which Special Agent Joy and other officers on scene believed to be consistent with a pipe used to smoke marijuana, a controlled substance. A plastic sandwich baggy containing a green leafy substance which Special Agent Joy believed to be marijuana, based on his training and experience was located in the drawer of the computer desk in the basement bedroom. A small plastic baggy containing what appeared to be marijuana was located in a backpack hanging on the wall in the basement bedroom. The appropriate weight including packaging of the bag found in the desk drawer was approximately 16.2 grams. The weight of the material including packaging found in the backpack was approximately 7.4 grams. Special Agent Joy has received training in the Duquenois-Levine Reagent Field Test, whereby suspected marijuana is tested for the presence of tetrahydrocannabinol (THC). Special Agent Joy tested small samples of the green leafy substance recovered from the desk and the back pack, and received positive tests for the presence of THC in each item. Complainant knows that THC is the active ingredient in marijuana and is a Scheduled I controlled substance under Wisconsin Law.

Sgt. Rau indicated that he spoke with the defendant in the kitchen and that he explained that the defendant did not need to speak to him, although the defendant indicated that he was willing to speak to Sgt. Rau about the events leading to the warrant being executed. The defendant stated that he has resided in the residence for approximately 5 years and stated that there was a cable modem and a wireless router in the basement. The defendant confirmed that the wireless router was secured and had been for approximately 6 months, and that the 8 digit code was located on his wife's laptop computer. The defendant indicated that there is a desktop computer in the basement that he used for gaming and that his wife has a laptop and that his stepson also used a laptop. Sgt. Rau showed the defendant a copy of the search warrant and explained that law enforcement officers were there regarding the issue of child pornography before asking the defendant if he had knowledge of what he was talking about. The defendant replied that he did know what Sgt. Rau was talking about, and when Sgt. Rau asked him where it was, the

defendant stated it was on his computer. The defendant indicated that he began downloading videos and pictures from file sharing sites that contained child pornography. The defendant indicated that he had used computer software to obtain child pornography and indicated that it was mostly female images and that it was primarily females age 8 and up stating "it was nothing really young."

Sgt. Rau then asked the defendant where he stored the items and he stated he had one CD and that the rest were stored on his computer. The defendant clarified that there was a folder on the desktop and that he placed images in there. Sgt. Rau asked the defendant how many videos officers would locate and he indicated there were "probably a couple hundred," and confirmed that there would approximately be the same number of still images. Sgt. Rau asked the defendant the types of search terms that he would use when going onto file sharing sites and the defendant indicated that two of them that he used were "Lolita" and the other was "PTHC." Sgt. Rau asked the defendant what types of videos or images would come up after searching "PTHC" and the defendant identified it as primarily 13 to 16 year old females. The defendant confirmed that most of what he found sexually arousing was post-pubescent teenage girls, and stated when asked that he "really did not have a lot of luck with that," referring to using the internet to search for child pornography websites.

On Thursday, April 14, 2011, Special Agent Joy reviewed a preview disk which had been prepared by Criminal Analyst Howard the day before. The preview disk contained the videos and images on the DVD seized from the defendant's room.

The first file observed by Special Agent Joy was entitled "(2).avi." This is a 6-minute 34-second video of 2 pubescent girls who are clothed and lying on a bed. The video depicts the girls removing each others clothing and placing their hands and mouths on and near each others vaginal areas. The girls appear to have some breast development, but would appear to be approximately 11 to 16 years of age.

The second file that Special Agent Joy observed was entitled "(pthc) brazil kids.mpg." This is an approximately 10-minute 56-second video of a prepubescent girl who was seen only wearing underwear. As the video progresses the girl is seen dancing and removes her underwear, exposing her genital area. The girl has no pubic hair and little breast development. While dancing the girl places her hands on and above her genital area and breasts and is then seen seated atop of a pubescent boy. The girl places her right hand on the boy's semi-erect penis and rubs it in a back and forth motion. The boy is also nude and lying on a bed. The boy then places his penis in the area of the girl's genital area. The scene then changes to a pubescent boy and prepubescent girl, with the girl only wearing a shirt and the boy wearing no clothing. The video shows the boy placing his penis at and near the girl's vaginal area.

The third video observed by Special Agent Joy was entitled "(pthc) daphne – beautiful 11y blond, hj, bj, anl (~ (2).wmv." This video is approximately 26-minutes and 51-seconds in length, and depicts a prepubescent nude girl with no breast development or pubic hair standing on a blanket next to an adult male, whose pants and underwear are removed. The adult male then lies on his back on the blanket and the girl ultimately places her hands and mouth on the male's penis. The girl later seats herself atop the male and the video shows the male's penis placed in the area of the girl's genitals. The girl is then showed placing her mouth on the male's penis and then again sitting atop the male with is penis

placed in or near her genital area. The video then shows the same girl laying on her back while the male places his fingers on and near the girl's genital area and anus and placing his tongue on the girl's genital area.

The fourth video observed by Special Agent Joy was entitled "(pthc) private1 (8yr russian girl).avi." This video is approximately 18-minutes 2-seconds in length and depicts a prepubescent girl only wearing a red t-shirt. The girl's hands rub her genital area as the girl lies against the bed. The girl's shirt is then lifted up and the camera mans left had is observed rubbing the girl's genital area. The girl is next observed lying on a bed and an adult male enters the scene before placing his mouth on the girl's genital area. The male's pants are then lowered and the girl's mouth is placed on the man's penis. The male further places his penis and mouth in the girl's genital area. Ultimately the girl's shirt is removed, exposing her breasts. The girl in the video has no breast development.

The fifth video that Special Agent Joy observed was entitled "new tara!!! (pthc 2010).wmv." This file was a 5-minute 3-second video of a nude girl, who was kneeling next to an adult male who also appears to be nude. The girl's mouth is then placed on the male's penis, with the girl moving her head in a back and forth motion. The scene then changes to the same girl, who is observed seated atop the male's penis with the male moving in a back and forth motion. The scene then changes to the same girl, who is observed kneeling over the male with her head moving in a back and forth motion. The girl then sits atop the male, who is observed lying on a bed. The male's penis is placed inside the girl's genital area. The girl has very little breast development and no pubic hair and appears to be in the extremely early stages or being of puberty.

The sixth file that Special Agent Joy observed was entitled "pendeja 12 yo manoseada bb.avi" which is 8-minute and 44-second video. A website URL "www.ls-magazine.com" is visible in the lower right corner as something of a watermark. The video begins with a girl clothed and seated on a couch. The girl removes her shirt and bra, exposing her breasts. The girl has very little breast development. The girl removes her pants, which exposes her genital area to the camera, before lying on a couch and placing her hands over her body. An unknown male's hand is then observed placing his hand on the girl's buttock and genital area before placing his fingers inside the girl's genital area. The scene then changes to the male and girl, who each places their hands on the girl's genital area.

The seventh video that Special Agent Joy observed was entitled "pthc – nelia – 5 ok and size pussy .avi," which is an approximate 9-minute and 56-second video of a girl kneeling on a bed. The girl removes her clothing, exposing her breasts and genital area to the camera. The girl has very little breast development and some pubic hair. The girl then places her hands on her genital area and continues to move about on the bed placing her hands on her buttocks and genital area and exposing her anus to the camera.

The eighth video that Special Agent Joy observed on the preview disk was entitled "[hussyfan – yamad – loli] mes7.avi, which is a video of approximately 12-minutes and 12-seconds in length. The video depicts two girls wrestling on a bed. One of the girls is nude with the other girl fully clothed. The nude girl has some breast development. The scene then changes to depict the girl in the first scene who had been wearing clothing now nude with an unknown male's hands placed on her genital area. The male applies what appears to be lotion to the girl's genital area and places his fingers in and near the girl's genital area and anus. Two girls are then observed nude and on the bed. Later, the male

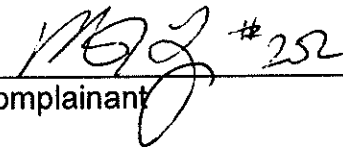
is observed on the bed with his pants off and his semi erect penis exposed. The girls then place their hands on the male's penis and move their hands in a back and forth motion, appearing to masturbate the male's penis.


Special Agent Joy has conducted a number of investigations involving the collecting and trading of child pornography and is familiar with some of the terms used by those who acquire and trade child pornography. Several of the terms used in the title of the videos are terms which are familiar to Special Agent Joy which may appear to have no ordinary usage consistent with illegal activity. Special Agent Joy states that the phrase "pthc" is an acronym for "preteen hard core," which is a way to describe a video which would contain a preteen subject, usually a female, engaged in "hardcore" pornography, which would depict penetration or at least graphic depiction of the genital area. The phrase "hj," is commonly used to refer to a "hand job" which would be a masturbating act involving one persons hand and the penis of another. The phrase "bj" is an acronym referring to a "blow job", which is a sex act involving the mouth of one person and the penis of another. The phrase "ani" refers to a short hand for acts of anal intercourse.

The phrase "hussyfan" refers to a typical search term used to describe a file as containing child pornography. The phrase "lol1" is a phrase used to describe videos containing underage girls, which is based on a misappropriation of the novel "Lolita". The phrase "Yamad" is a phrase commonly found in titles of videos or images containing child pornography. The word "pendeja" is Spanish for "moron" or "idiot," and the word "manoscada" is Spanish for "pawed" or "groped."

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

This 14th day of April, 2011.


Complainant


Assistant District Attorney
State Bar No. 1034922 for Assigned DA/ADA