

FILED
07-08-2019
Circuit Court
Portage County
2019CF000259

STATE OF WISCONSIN

CIRCUIT COURT

PORTAGE COUNTY

STATE OF WISCONSIN,

Plaintiff,

v.

Case No. 19CF____

TERENCE D. BLACKMON,
3445 Wilson Avenue, Apt. 55,
Plover, WI 54467,
DOB: 03/26/1974, M/B,

Defendant.

CRIMINAL COMPLAINT

COUNT 1: SECOND DEGREE SEXUAL ASSAULT

On or about May 5, 2012, in the City of Stevens Point, county of Portage, State of Wisconsin, the above-named defendant, had sexual intercourse, as defined by Wis. Stat. § 940.225(5)(c), with another person, Victim A,¹ without her consent, by use of force, contrary to Wis. Stat. § 940.225(2)(a).

Upon conviction for this offense, a Class C Felony, the maximum possible penalty is a fine not to exceed \$100,000, or imprisonment not to exceed 40 years, or both.

PROBABLE CAUSE

1. On May 5, 2012, Officer Joseph Kramer of the Stevens Point Police Department responded to St. Michael's Hospital for a reported sexual assault, where he interviewed the victim

¹ The identity of the victim will be disclosed to the defendant through discovery, and to the Court under seal upon request. This is in accordance with the mandate requiring that victims of crime be treated with fairness, dignity, and respect for their privacy, as set forth in Article I, § 9m of the Wisconsin Constitution and Wis. Stat. § 950.04(1v)(ag); and is further consistent with the change in appellate procedure requiring that victims be identified by initials or other appropriate pseudonym or designation in appellate briefs unless good cause is shown. Wis. Stat. § 809.86(4).

("Victim A"). Victim A stated that earlier that morning, at approximately 5:00 am, she had been at her home located in Stevens Point, Portage County, Wisconsin, with her three young children. She had received a phone call from a male acquaintance she knew as "Keyshawn," who was later identified through DNA as the defendant, Terence Blackmon. During the call, the defendant asked what Victim A was doing, and she told him she was up with her 3-month-old infant but would be going back to bed.

2. Victim A reported that about 10 to 15 minutes after the phone call, the defendant showed up at her door. She told the defendant he could sleep downstairs on the couch if he wanted, but she was going back to bed. Victim A then went upstairs to her bedroom with her infant. The defendant followed her. She again told the defendant she was going to bed and went into her room, where she lay on the bed on her back, holding the infant on her chest. The defendant followed and got into bed with her. Victim A glared at the defendant when he got into the bed, but she did not say anything because she was scared.

3. Victim A reported she was lying on her back with the infant on her chest when the defendant put his hand on her hip and side and began touching her. Victim A told the defendant numerous times "stop, I'm going back to sleep." She put the infant in the bassinet, then rolled onto her side, facing away from the defendant. Victim A told the defendant she was going to sleep and put her hand over her face.

4. Victim A reported that the defendant kept trying to kiss her, but she would not let him, so he kissed her neck and back. The defendant then put his hand down her pants and touched the exterior of her vaginal area. The defendant repeatedly asked Victim A to "touch my dick," and then he grabbed her hand and "put it there." The defendant pulled Victim A's pants and underwear down and put his penis into Victim A's vagina. Victim A said she tried to close her legs so the defendant could not access her vagina, but she could not. Victim A reported that the defendant

“wasn’t exactly forceful,” but he was holding onto her hips so she could not move. The defendant did not use a condom.

5. Victim A reported that she had repeatedly told the defendant to stop but he did not. Victim A then told the defendant she thought one of her kids was awake. Victim A told Officer Kramer that her child was not actually awake, but she hoped that by telling the defendant her child was awake, he would stop. The defendant got off of Victim A, and she was able to get up, get dressed, and go downstairs. The defendant came down a short time later and left the residence. Victim A reported the assault that morning and underwent a Sexual Assault Nurse Examiner (SANE) exam at St. Michael’s Hospital, where an evidence kit was collected.

6. Victim A told Officer Kramer that she had met the defendant several months before through a friend. She said the defendant had recently asked her about having sex, and she had told him they could be friends but nothing more. Victim A knew the defendant only as “Keyshawn,” and provided a physical description to the officer. Officer Kramer collected the SANE kit as evidence.

7. On April 2, 2018, DNA Analyst Catherine A. Kohl of the Wisconsin State Crime Laboratory reported that Bode Cellmark Forensics laboratory had completed DNA analysis on Victim A’s SANE kit. A male STR DNA profile had been detected from the sperm fraction of the vaginal swabs from the SANE kit. This profile was entered into CODIS, and a match was made to the defendant Terence Blackmon. On July 18, 2018, a buccal swab of the defendant was collected by Officer Joseph Quisler. On May 10, 2019, Analyst Kohl reported that she developed an STR profile from the defendant’s buccal swab, which was compared to the profile developed from the SANE kit profile. The defendant was confirmed to be the source of the profile from Victim A’s vaginal swabs from the SANE kit.

8. Officer Quisler, of the Stevens Point Police Department, reports that he was assigned to conduct follow-up on this case after receiving the Crime Laboratory reports, and he

conducted an interview with Victim A on August 13, 2018. Victim A told Officer Quisler she remembered that she had been busy with her 3 children, all under the age of 4 at the time of the assault, including her 3-month-old infant who was breastfeeding. At the time of the assault, Victim A was still recovering from a C-section, and was taking care of the children by herself. She recalled that she was not at all interested in sex at the time. She remembered talking to the defendant just a few times before the assault; usually when he would come over while she was outside and they would only have quick conversations, because she always had her kids with her and never had time or energy for more than that.

9. In the interview with Officer Quisler in 2018, Victim A recalled that on the morning of the assault she was sleepy and exhausted, and her next memory was of the defendant being in bed with her and assaulting her. Victim A did not recall having conversation with the defendant before the assault. She remembered the defendant muffling her mouth during the assault so she could not speak, holding her down by grabbing her shoulders so she could not move, and being rough with her as he assaulted her. Victim A told the officer that the most disturbing part of the assault was that her infant was in the bed with her when the defendant assaulted her. Victim A also recalled that after the assault, she told the defendant she was going to call the police and that was why he left. After the assault, he did not contact her, and she never saw or spoke with him again.

10. On May 30, 2019, Victim A was interviewed by Wisconsin Department of Justice, Division of Criminal Investigation Special Agent Ann Sheridan. Victim A reported that her memory was not the best, and the statement she gave to the police back in 2012 would have been the most accurate sequence of events. Victim A clarified that she had given birth by C-section just 3 months prior to the assault, and at the time of the assault she was being treated for an infection of her C-section incision.

11. In the 2019 interview with Agent Sheridan, Victim A explained that when the assault began, she was in bed nursing her infant, and the defendant came in, had lain down behind

her, and grabbed her hips from behind. Victim A recalled being afraid of what might happen due to the defendant's aggressive behavior, so she placed the infant into the bassinet which was located at the foot of the bed. Victim A reported that the defendant had grabbed her hips from behind, which caused her to not be able to move. When the defendant placed his penis into her vagina, he was thrusting hard, in a "violent, or mean way." Victim A remembered feeling pain, and that she was afraid for her safety and the safety of her children. Victim A reported that she did not feel she was able to defend herself against the defendant.

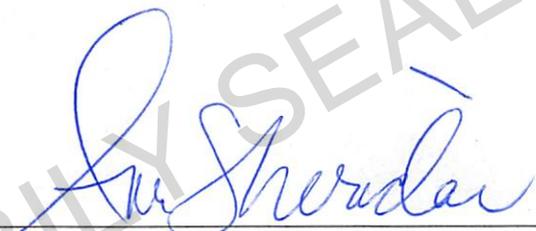
12. Officer Quisler interviewed the defendant, Terence Blackmon, at his residence in Plover, Wisconsin, on July 18, 2018. The defendant recalled meeting Victim A back in 2012, and that he provided her with a false name because he had a girlfriend and did not want Victim A to look him up on social media. The defendant reported that one day he had argued with his girlfriend and she told him to leave, so he left and called Victim A looking for a place to stay. He then showed up at her residence early in the morning. He claimed she invited him in, they started talking, and he asked if she wanted to have sex. The defendant said she told him "let me get the infant to sleep" and then she would. He reported they had consensual sex and he did not use a condom because it was not planned out ahead of time. The defendant said that after sex, they went downstairs and talked; and he believed he had made her mad because he had to leave suddenly, and she wanted a relationship and wanted him to stay. He said he took a phone call from his girlfriend, and he believed Victim A overheard the call and assumed he was getting back together with his girlfriend. The defendant stated he did not remember how he broke up with Victim A, but that they spoke a few times after they had sex.

AFFIANT

Your complainant is a Special Agent with the Wisconsin Department of Justice, Division of Criminal Investigation, who bases her knowledge of this complaint from having

personally conducted interviews in this investigation, and from having read the written agency reports of the Stevens Point Police Department and the Wisconsin Division of Criminal Investigation, which reports were prepared in the normal course of law enforcement duties. Your complainant has also reviewed DNA analysis reports prepared by the Wisconsin State Crime Laboratory and Bode Cellmark Forensics laboratory, which are prepared and kept in the normal course of business. Your complainant has additional knowledge of this complaint based on statements of the defendant, which were made contrary to his penal interests. This complaint is a summary of facts to establish probable cause; it does not contain all the facts known to me relating to this investigation.

Dated this 8th day of July 2019.



SPECIAL AGENT ANN SHERIDAN
Wisconsin Department of Justice
Division of Criminal Investigation

Subscribed and sworn to before me
and approved for filing this 8th day
of July 2019.



NOEL A. LAWRENCE
Assistant Attorney General and
Special Prosecutor for Portage County
State Bar No. 1090436

Wisconsin Department of Justice
Post Office Box 7857
Madison, WI 53707
(608) 267-8900
(608) 267-2778 (Fax)