

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

STATE OF WISCONSIN

DA Case No.: 2020ML013732
Court Case No.:

Plaintiff,

vs.

SALINAS, FERNANDO R
235 NORTH 37TH STREET #3
MILWAUKEE, WI 53208
DOB: 12/29/1979

CRIMINAL COMPLAINT

Defendant(s).

For Official Use

THE BELOW NAMED COMPLAINANT BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: 1ST-DEG. RECKLESS HOMICIDE-UNBORN CHILD

The above-named defendant on or about Monday, June 01, 2020, at 2725 West Highland Boulevard, in the City of Milwaukee, Milwaukee County, Wisconsin, did recklessly cause the death of an unborn child under circumstances that showed utter disregard for the life of that unborn child, the woman who is pregnant with that unborn child or another, contrary to sec. 940.02(1m), 939.50(3)(b) Wis. Stats.

Upon conviction for this offense, a Class B Felony, the defendant may be sentenced to a term of imprisonment not to exceed sixty (60) years.

Count 2: FIRST DEGREE RECKLESS INJURY

The above-named defendant on or about Monday, June 01, 2020, at 2725 West Highland Boulevard, in the City of Milwaukee, Milwaukee County, Wisconsin, did recklessly cause great bodily harm to TAB, another human being, under circumstances which showed utter disregard for human life, contrary to sec. 940.23(1)(a), 939.50(3)(d) Wis. Stats.

Upon conviction for this offense, a Class D Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

Count 3: VEHICLE OPERATOR FLEE/ELUDE OFFICER RESULTING IN GREAT BODILY HARM

The above-named defendant on or about Monday, June 01, 2020, at 2725 West Highland Boulevard, in the City of Milwaukee, Milwaukee County, Wisconsin, while operating a motor vehicle on street, after having received a visual or audible signal from a traffic officer, federal law enforcement officer, or marked or unmarked police vehicle that the operator knew or reasonably should have known was being operated by a law enforcement officer, did knowingly flee or attempt to elude an officer by willful disregard of the visual or audible signal so as to endanger other vehicles, resulting in great bodily harm to TAB, contrary to sec. 346.04(3) and 346.17(3)(c), 939.50(3)(f) Wis. Stats.

Upon conviction for this offense, a Class F Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) years and six (6) months, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(d)3, upon conviction the department shall revoke the defendant's operating privileges for 2 years.

And the defendant may also be subject to additional collateral consequences upon conviction, including revocation of operating privileges, assessment and treatment requirements, and future restrictions on operation of motor vehicles under Wisconsin Statute 343.31(1m).

Count 4: HIT AND RUN - GREAT BODILY HARM

The above-named defendant on or about Monday, June 01, 2020, at 2725 West Highland Boulevard, in the City of Milwaukee, Milwaukee County, Wisconsin, did operate a vehicle involved in an accident that resulted in injury to a person, TAB and the person suffered great bodily harm and failed to reasonably investigate what was struck and if the operator knew or had reason to know that the accident resulted in injury or death of a person or in damage to a vehicle that is driven or attended by a person, and failed to stop the vehicle he or she was operating as close to the scene of the accident as possible and remain at the scene of the accident until he did the all of the following: give his name, address and the registration number of the vehicle he was operating to the operator or occupant of or person attending any vehicle collided with and, upon request and if available, exhibit his operator's license to the operator or occupant of or person attending any vehicle collided with and render reasonable assistance to any person injured in the accident, including transporting, or making arrangements to transport the person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that medical or surgical treatment is necessary or if requested by the injured person, contrary to sec. 346.67(1) and 346.74(5)(c), 939.50(3)(e) Wis. Stats.

Upon conviction for this offense, a Class E Felony, the defendant may be fined not more than Fifty Thousand Dollars (\$50,000), or imprisoned not more than fifteen (15) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(i), the Department shall revoke the defendant's operating privilege for two (2) years.

And the defendant may also be subject to additional collateral consequences upon conviction, including revocation of operating privileges, assessment and treatment requirements, and future restrictions on operation of motor vehicles under Wisconsin Statute 343.31(1m).

Count 5: POSSESSION OF A FIREARM BY A FELON

The above-named defendant on or about Monday, June 01, 2020, at 2725 West Highland Boulevard, in the City of Milwaukee, Milwaukee County, Wisconsin, did possess a firearm, having been convicted of a felony in this state, contrary to sec. 941.29(1m)(a), 939.50(3)(g) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

Count 6: POSSESSION WITH INTENT TO DELIVER CONTROLLED SUBSTANCE (THC) (>200-1,000 GRAMS), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Monday, June 01, 2020, at 2725 West Highland Boulevard, in the City of Milwaukee, Milwaukee County, Wisconsin, did knowingly possess with intent to deliver tetrahydrocannabinols (marijuana), a controlled substance, in an amount more than 200 but not 1,000 grams, contrary to sec. 961.41(1m)(h)2, 939.50(3)(h), 961.48(1)(b) Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of violating Wis. Stats 961.42(1m) (h) and 961.41(1m) (c), which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

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:

Your Complainant is a sworn law enforcement officer employed by the Milwaukee Police Department, and bases this complaint on information and belief along with official reports and body camera videos prepared by Milwaukee Police Officers and Detectives, which are of the kind of reports that your complainant has used in the past and has found to be accurate and reliable and which your complainant knows are prepared in the regular course of the department's business. This affidavit is further based upon my own investigation into this matter.

Officers Observe 2008 Lincoln MKX Driving Recklessly

This incident occurred on Monday June 1, 2020, at approximately 5:57 PM, in the 2700 block of W Highland Blvd, which is located in the City and County of Milwaukee, Wisconsin. On Monday, June 1, 2020, at approximately 5:54 PM, City of Milwaukee Police Officers Robert GUETCHIDJIAN and Andrew LANGER were operating a marked Milwaukee Police Department squad car in the area of North 27th Street and West Atkinson Avenue, which is located in the City and County of Milwaukee, Wisconsin.

The Officers LANGER and GUETCHUDJIAN observed a black 2008 Lincoln MKX bearing WI registration AHG-5145 driving recklessly. These officers also believed this vehicle may have been involved in a shooting which occurred at the address of 316 W North Avenue on Saturday, May 30, 2020. This shooting was a road rage incident when the suspect fired three shots at the victim from a black Lincoln SUV. A BOLO on this vehicle was sent out. It should be noted this was not the reason for the traffic stop.

2008 Lincoln MKX Flees from Officers Driving at Speeds of 70-90 MPH on City Streets Ignoring Traffic Signals

Officers LANGER and GUETCHUDJIAN attempted to stop the vehicle at which time the driver ignored the lights and sirens and fled southbound on N. 27th St. at a high speed. The driver of the Lincoln continued south on N. 27th St. at speeds of 70 to 80 miles per hour (at times exceeding 90 MPH) disregarded approximately 5 red traffic signals, failing to pull over, and ignoring the lights and sirens from the pursuing squad. The posted speed limit on N. 27th St. is 30 MPH. The driver of the Lincoln continued south for approximately 3.6 miles to the intersection of N. 27th St. and W. Highland Blvd.

**Defendant Crashes 2008 Lincoln MKX into Victim's Vehicle at High Speed
While Fleeing Police and Disregarding Traffic Signals**

The driver of the Lincoln, later identified as the above named defendant, Fernando R. SALINAS, attempted to turn west onto W. Highland Blvd. SALINAS lost control of the Lincoln, crossed over the median, and collided with a 2017 Nissan Maxima traveling east on W. Highland Blvd. Following the crash SALINAS immediately fled the scene on foot failing to meet the statutory requirements of 346.67 after a crash. After a short foot pursuit SALINAS was taken into custody by Officers LANGER and GUETCHUDJIAN.

The 2017 Nissan Maxima had four occupants at the time of the crash. The driver, TAB, was approximately 32 weeks pregnant and had to be extricated from the vehicle. TAB was transported to Froedtert Hospital where she was found to have a shattered and broken pelvis that required surgery.

The baby boy TAB was carrying died as a result of injuries sustained during the crash and was still born in surgery at Froedtert Hospital. Officer KLAUDI took initial statements from these passengers and then called medical for them. Officer KLAUDI also received information from Froedtert regarding her condition.

The other three passengers also sustained injuries as well – detailed below:

- WRH, F/B, 08/23/1963, was seated in the front passenger seat of the Nissan. WRH sustained minor injuries and was taken to Froedtert Hospital. WRH was spoken to by Detective CHAPMAN.
- DDP, M/B, 09/03/1993, was seated in the rear of the Nissan. DDP sustained minor injuries and was conveyed to Froedtert Hospital. DDP was spoken to by Detective Marx.
- CKE, M/B, 02/27/2015, was also seated in the rear of the Nissan. CKE sustained minor injuries and was transported to Children's Hospital.

Defendant, a Convicted Felon, Discards Firearm During Foot Chase

During the foot chase, Officer Alan KLAUDI observed the defendant, SALINAS, discard a Taurus G2C 9mm semi-automatic pistol which was recovered from the ground. SALINAS is prohibited from possessing a firearm as he was convicted of 3 felonies in Milwaukee County Circuit Court case 99CF006440. SALINAS is currently on parole for those offenses. Each of these felony convictions remains of record and unreversed. Certified copies of the judgments of conviction will be incorporated by reference as soon as they become available.

**968 Grams Marijuana Packaged for Distribution Located in Glove Box
of Defendant's 2008 Lincoln MKX**

The vehicle involved in this incident is a 2008 Lincoln MKX which is registered to SALINAS. Officers located suspected marijuana in the glove box of the vehicle. The suspected marijuana later tested positive for THC and weighed 968 grams. It was packaged in bundles consistent with being intended for further street level sales.

SALINAS was previously found guilty of drug related offenses by violating Wis. Stats. sections 961.42(1m) (h) and 961.41(1m) (c) as in Milwaukee County Circuit Court case 97CF975011. Said Conviction remains of record and unreversed. Certified copies of the judgments of conviction will be incorporated by reference as soon as they become available.

Defendant Fernando Salinas's Admission to Detectives

A Mirandized Interview of SALINAS was conducted by Detectives Andrew MARX and Tehrangi CHAPMAN on Tuesday, June 2, 2020. During the interview SALINAS made numerous statements against his own self-interest. He confessed to deliberately driving recklessly, nearly hitting pedestrians twice and disregarding red traffic lights in an effort to avoid arrest from uniformed police officers. In the same interview SALINAS admitted to hitting a vehicle do to his reckless driving. Also, during the interview, SALINAS admitted to deliberately leaving the scene of an accident in an effort to avoid capture by police officers. SALINAS then admitted that the firearm recovered at the scene was his and that he has had it for about two months. SALINAS confessed to running with the firearm in his hand when he was fleeing on foot. SALINAS said he is aware he cannot possess a firearm do to the fact he is a convicted felon. Finally, SALINAS admitted that the THC recovered from the vehicle was his and that he had that much with intent to sell it.

This complaint does not contain all known information about these offense and investigation into this matter remains ongoing.

****End of Complaint****

Electronic Filing Notice:

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a \$ 20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Criminal Complaint prepared by Sara Beth Hill.
Subscribed and sworn to before me on 06/05/20
Electronically Signed By:
Sara Beth Hill
Assistant District Attorney
State Bar #: 1027610

Electronically Signed By:
Officer William Hanney
Complainant