



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.

**Count 4: BAIL JUMPING (FELONY)**

The above-named defendant on or about Thursday, January 27, 2022, at 2101 West St. Paul Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, having been charged with a felony and released from custody under Chapter 969 of the Wisconsin Statutes, did intentionally fail to comply with the terms of his bond, contrary to sec. 946.49(1)(b), 939.50(3)(h) 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.

**Count 5: BAIL JUMPING (FELONY)**

The above-named defendant on or about Thursday, January 27, 2022, at 2101 West St. Paul Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, having been charged with a felony and released from custody under Chapter 969 of the Wisconsin Statutes, did intentionally fail to comply with the terms of his bond, contrary to sec. 946.49(1)(b), 939.50(3)(h) 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.

**Count 6: SECOND DEGREE RECKLESSLY ENDANGERING SAFETY**

The above-named defendant on or about Thursday, January 27, 2022, at 1700 West Clybourn Street, in the City of Milwaukee, Milwaukee County, Wisconsin, did recklessly endanger the safety of others including, RLR and XDV, contrary to sec. 941.30(2), 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 7: HIT AND RUN - INJURY**

The above-named defendant on or about Thursday, January 27, 2022, at 1700 West Clybourn Street, in the City of Milwaukee, Milwaukee County, Wisconsin, did operate a vehicle involved in an accident that resulted in injury to RLR 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 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), 346.74(5)(b) and 346.74(5)(e) Wis. Stats.

Upon conviction for this offense, a Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000) or imprisoned for not more than nine (9) months or both.

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 8: POSSESSION OF METHAMPHETAMINE**

The above-named defendant on or about Thursday, January 27, 2022, at 640 N. 17th Street, Milwaukee, in the City of Milwaukee, Milwaukee County, Wisconsin, did knowingly possess methamphetamine, contrary to sec. 961.41(3g)(g), 939.50(3)(i) Wis. Stats.

Upon conviction for this offense, a Class I Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and 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.

#### **Probable Cause:**

Complainant, Timothy Keller is a City of Milwaukee Police Detective and bases this complaint upon his own personal knowledge of the investigation as well as on reports drafted by fellow members of the Milwaukee Police Department, which Detective Keller knows to be reliable.

On January 27, 2022, at 5:53pm, the Milwaukee Police Department received a call regarding an Asian male slumped over in a black Dodge Charger or Dart. The caller stated he knocked on the vehicle window and the male looked at him, but then put his head back down. The caller was no longer on scene when making this call. The address that was given was 2101 W. St. Paul Ave., City and County of Milwaukee.

At 6:13pm, MPD Officer, identified by initials HLD, was dispatched to this assignment. PO HLD was dressed in full Milwaukee Police Department uniform and was wearing a body worn camera. He was working alone in a fully marked Milwaukee Police Department squad (2018 Ford Explorer, Official Plate E7786, VIN# 1FM5K8AR1JGC76137). This squad car was equipped with a dash camera, emergency lights and siren, was painted black and white and contained the Milwaukee Police Department logos that are typically affixed to the squad doors. As a result of the defendant's actions described below, PO HLD suffered gunshot wounds to the left shoulder and left flank. The bullet that entered his shoulder traveled into his chest near his sternum and was removed by the doctor at Froedtert.

The following summary is based upon PO HLD's body and dash camera:

PO HLD pulls his squad car behind at approximately 6:23pm, a black Dodge Dart that was parked along the curb line at approximately 2101 W. St. Paul Ave., facing east. It appears that he was about 2 car lengths behind the Dodge. There were no plates affixed to this Dodge. PO HLD exits his squad car and approaches the driver side of the Dodge Dart. The Dodge was illuminated by the squad lights and PO

HLD' handheld flashlight. PO HLD appears to have looked inside of the driver's door window before opening the unlocked driver door.

After opening the driver door, a male driver, identified as Jetrin Rodthong, the defendant herein, can be seen on the body camera slumped over in the driver's seat. The defendant's body is leaning to his right, over the center console, with his head hanging down. It appears at first that the defendant is unconscious. PO HLD can be heard on his body camera asking the dispatcher (over the radio) if medical is responding. PO HLD then reached into the vehicle and removed keys from the ignition, which he put on the roof of the car. PO HLD called out, "Sir!" which resulted in the defendant waking up and looking directly at PO HLD. The defendant's face is incredibly clear on camera.

The defendant illuminated by PO HLD's flashlight while this is going on. There is a small portion of something pink that can be seen on the defendant's lap at that time. This object is later identified as the firearm used in this offense. The defendant appears to be waking up and sits up straight, while looking down at his own lap. At this time, he immediately moved his hands and leaned his body forward, as if to shield the firearm from PO HLD's view. Simultaneously, PO HLD states, "I'm officer Davis, Milwaukee Police. What's going on here?" The defendant looks up at the officer and mumbled something, but appears to be focused on looking at his surroundings, rather than answering the officer. PO HLD again asks, "What's going on? What did you take?" The defendant responds that he was drinking alcohol.

At 6:24pm, PO HLD utilizes his radio to ask the dispatcher for another squad to assist, believing that the defendant intoxicated. PO HLD then asks the defendant if he used any drugs, which the defendant responds that he did not. PO HLD asks the defendant if he needs medical attention and the defendant declines. PO HLD, however, informs the defendant that medical attention was coming for him anyway. PO HLD explains to the defendant that he was called to the location by someone who said he wasn't "getting up." At 6:25pm, as this conversation continues, PO HLD asks the defendant if he had an ID on him. The defendant states that he does not. At that time, the dispatcher can be heard telling PO HLD that medical was responding, which he acknowledges with a "10-4." PO HLD then asks the defendant, "Can you do me a favor? Can you step out the car please?" The defendant responds verbally, but his response isn't clear.

PO HLD answers his cell phone and is talking with someone on the other line, indicating that he needs help because the person is intoxicated. While he is on this phone call, the defendant is on camera getting out of the driver seat of the Dodge on his own. The defendant, after exiting the Dodge, is standing in the area of the open driver door. He is wearing a black winter jacket with a hood that is down, with a grey hooded sweatshirt underneath. The front of that sweatshirt is multicolored.

The defendant's body is bladed with his back towards the Dodge. His left side is facing the officer and his right side is away. PO HLD is standing a few feet away from the defendant, facing him. The defendant drops something to the ground and he reaches down and picks it up. As the defendant stands up, he looks to the east, away from the officer. He then looks back in the officer's direction, but off to the side, as though he is looking for an escape route.

At 6:26pm, PO HLD asks the defendant to "come stand right here, please." He motions for the defendant to move slightly away from the Dodge, into a more open space. The defendant does this, but continues to keep his right side bladed away from PO HLD as if hiding something on his right side. As the defendant moves away from the Dodge and cleared the open driver door, the defendant tries to run

east on St Paul Ave. PO HLD reaches his left hand out and appears to grab the defendant's left arm. It appears that PO HLD had his flashlight in his right hand at that time. PO HLD and the defendant struggle, with the defendant facing the officer. The body camera moved in a manner consistent with PO HLD moving toward cover behind the Dodge and then to the passenger side. The camera appears to fall into the snow. The last visible frame on the body camera before the gunfire is of PO HLD' right hand holding his firearm while he is facing north on the passenger side of the Dodge. Gunfire can be heard.

The gunfire cadence is as follows: 4 gunshots (possibly 5 if two are fired at the same time); 5 seconds pass; 1 gunshot; 6 seconds pass; 5 gunshots; 3 seconds pass; then 4 more gunshots. Approximately 19 seconds after the last gunshot is heard, PO HLD can be heard broadcasting over his radio that shots were fired, he needed medical and that the suspect took the squad car going eastbound on St. Paul Ave. PO HLD gets his body camera back onto his body and citizens are seen on the video approaching PO HLD to help him.

PO HLD's squad dash camera shows these events described above from a different perspective, as the camera is affixed in the windshield of his squad car:

Beginning at the time that the defendant attempts to run away from PO HLD, eastbound on St. Paul Ave., they are standing in the eastbound lane of traffic with the Dodge Dart directly to their south with the driver's door open. A struggle ensues and something causes PO HLD to retreat from the defendant. PO HLD is clearly moving toward cover behind the Dodge Dart. At the same time, the defendant uses both hands to apparently manipulate the slide of his gun (consistent with chambering a cartridge).

PO HLD gets behind the Dodge Dart and slides down to a knee, while bringing his right hand up to draw his gun. PO HLD looks back in the direction of the defendant, who is now advancing toward PO HLD while raising up a handgun in his right hand. As PO HLD looks back in the direction of the defendant, it appeared as though he took his right hand off of his gun momentarily as he was slipping and needed to brace himself. PO HLD continues moving in a counter-clockwise direction around the back of the Dodge, moving up into the snow in the grassy area between the sidewalk and where the Dodge was parked.

As PO HLD is moving away from the defendant, it appears as he (PO HLD) was drawing his gun from his holster. His back is to the defendant as the defendant moves to the rear of the Dodge. Just as PO HLD begins to turn around toward the defendant, the defendant fires 2 gunshots directly at PO HLD. There are two muzzle flashes from the defendant's gun. As the shots are fired by the defendant, PO HLD falls to his back. It is estimated that there is only 15-20 feet between the defendant and PO HLD. It appears that PO HLD fires back 2 or 3 times at the defendant, because the defendant reacts in a manner consistent with being shot at. After these 4 or 5 shots are fired, PO HLD rolls over to get himself up while the defendant crouched down and moved along the driver's side of the Dodge. The defendant stands up and uses the open driver's door and the frame of the Dodge for cover.

While PO HLD is still on the ground a few feet from the front passenger tire of the Dodge, the defendant points his gun at PO HLD, but quickly ducked back down for cover. From the video, it appears that there was a casing sticking up perpendicular to the ejection port of the defendant's gun. This type of malfunction is referred to as a "stove pipe." This would not have allowed the defendant's gun to fire. The squad cam shows PO HLD crawling in a southern direction toward the sidewalk and away from the Dodge as he (PO HLD) fires another single gunshot.

The defendant continues to crouch down on the driver's side of the Dodge. PO HLD is now sitting back, clearly injured, with his upper body resting against a fence on the south side of the sidewalk. PO HLD raises his right hand from this position and fired 5 shots in a northern direction toward the defendant, who is on the opposite side of the Dodge. The defendant crouches down, but then quickly turns and run towards the squad with a pink gun in his right hand. As the defendant runs toward the squad, PO HLD fires an additional 4 shots at the defendant.

The squad camera audio now picks up the sound of the defendant entering the squad. At the same time, PO HLD is on the sidewalk moving east, away from the squad.

The defendant drives the squad east on St. Paul Ave. at a high rate of speed. The defendant drives east to 13<sup>th</sup> Street, where he disregards the red light and turned left to head north on 13<sup>th</sup> Street. The defendant drives north to W. Clybourn St., where he disregards the red light and again turned left. Now he was heading west on Clybourn. The defendant continues west, disregarding the red light at 16<sup>th</sup> Street while travelling at an approximate of speed of 65mph. Ultimately, while disregarding the red light at 17<sup>th</sup> St, the defendant strikes the driver's side of a vehicle that was southbound on 17<sup>th</sup> Street and entering the intersection of W. Clybourn St. The defendant slows slightly before impact.

The vehicle that the defendant hit was a 2005 Chrysler Pacifica, light green, Illinois Plate CY95236. This vehicle was occupied by the driver, RLR (DOB: 10-01-83) and the passenger, XDV (DOB: 03-16-94). RLR was conveyed to Froedtert Hospital for neck and back pain.

The defendant fled from the crash scene on foot, north on 17<sup>th</sup> Street toward Wisconsin Ave. He was arrested by responding squads at 640 N. 17<sup>th</sup> St. at 6:29pm. The defendant was wearing the same clothing as he is wearing on the body camera of PO HLD. Further, his face is clearly the person that is on the body camera. The defendant was found to be suffering from multiple gunshot wounds to both arms. He was transported to Froedtert for treatment.

A search of his front right pants pocket revealed the following:

Clear crystalline substance in clear plastic bag – tested positive for methamphetamine and fentanyl, 1.29 grams; green tinted white chalky substance in foil wrapping - tested positive for methamphetamine and fentanyl, 0.5 grams; green tinted white powdery substance wrapped in a \$1.00 bill - tested positive for methamphetamine and fentanyl, 0.32 grams; brown chunky substance wrapped in \$1.00 bill – tested positive for opiates, .75 grams.

Inside of the stolen squad car was the pink and black gun described above, as well as a 9mm cartridge. On January 28, 2022, Detectives Timothy Keller and Jeremiah Jacks conducted two *Mirandized* interviews of the defendant. This is a summary of statements from both interviews.

The defendant indicated that he had recently purchased the drugs that he had. He stated he uses meth and heroin and that he had used prior to his contact with the police officer. He stated that he was not sure how he got to where he was parked, but that the officer woke him up. He stated that the officer asked him his name and then asked him to get out of the vehicle. He stated that during this exchange with the officer, he had a pink 9mm in his waist.

He stated that he exited the car when the officer told him to. He stated that he did not want to go to jail again. He stated that when the officer was going to put his (defendant's) arm behind his back, all he

thought about was getting away. When asked what happened next (referring to the shooting), the defendant would not acknowledge shooting, but repeated that he just wanted to get away.

This complaint is further based upon a review of the Wisconsin Circuit Court Access Program (CCAP) which reflects that the defendant was charged in Milwaukee County Case Number 2020CF1226 with the felony offense of Fleeing/Eluding an Officer in violation of Wisconsin Statutes section 346.04(3) on March 19, 2020. On that same date, the defendant made his initial appearance in front of a Court Commissioner, who determined the conditions and terms of the defendant's release, ordering that the defendant be subjected to terms and conditions of bond pursuant to Wisconsin Statutes Chapter 969, including that he not commit any further crimes. As of today's date, the defendant is still subject to those terms and conditions of bond. As of October 8, 2021, there was an active bench warrant for the defendant's arrest after he failed to appear for a scheduled court appearance.

CCAP further reflects that the defendant was charged in Milwaukee County Case Number 2020CF2698 with the felony offenses of Drive or Operate a Vehicle without Owner's Consent and Felony Bail Jumping in violation of Wisconsin Statutes section 943.23(3) and 946.49(1)(b) on August 7, 2020. Further, the defendant was charged with the misdemeanor offense of Resisting or Obstructing an Officer in violation of Wisconsin Statutes section 946.41(1). On August 8, 2020, the defendant made his initial appearance in front of a Court Commissioner, who determined the conditions and terms of the defendant's release, ordering that the defendant be subjected to terms and conditions of bond pursuant to Wisconsin Statutes Chapter 969, including that he not commit any further crimes. As of today's date, the defendant is still subject to those terms and conditions of bond. As of October 8, 2021, there was an active bench warrant for the defendant's arrest after he failed to appear for a scheduled court appearance.

Finally, CCAP reflects that the defendant was charged in Milwaukee County Case Number 2020CF2951 with the felony offenses of Fleeing/Eluding an Officer, Possession of Narcotic Drugs and two counts of Felony Bail Jumping in violation of Wisconsin Statutes sections 346.04(3), 961.41(3g)(am) and 946.49(1)(b) on August 25, 2020. On August 25, 2020, the defendant made his initial appearance in front of a Court Commissioner, who determined the conditions and terms of the defendant's release, ordering that the defendant be subjected to terms and conditions of bond pursuant to Wisconsin Statutes Chapter 969, including that he not commit any further crimes. As of today's date, the defendant is still subject to those terms and conditions of bond. As of October 8, 2021, there was an active bench warrant for the defendant's arrest after he failed to appear for a scheduled court appearance.

Certified court records relative to the open cases have been requested and will be e-filed and incorporated into this complaint when available.

\*\*\*\*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 Megan M. Newport.

Subscribed and sworn to before me on 01/29/22

Electronically Signed By:

Megan M. Newport

Assistant District Attorney

State Bar #: 1064837

Electronically Signed By:

Detective Timothy Keller

Complainant