

FILED
02-05-2019
Clerk of Circuit Court
Brown County, WI
2019CF000170
Honorable Thomas J.
Walsh
Branch 2

STATE OF WISCONSIN		CIRCUIT COURT GROUP B	BROWN COUNTY
STATE OF WISCONSIN		DA Case No.: 2019BR000530	
Plaintiff,		Assigned DDA: Dana J. Johnson	
vs.		Agency Case No.: 19-000386	
		ATN: 05001901810153	
		Court Case No.: 2019CF _____	
OMAR JOAQUIN SALMERON		CRIMINAL COMPLAINT	
2089 South Pine Tree Road			
Hobart, WI 54115			
DOB: 03/23/1991			
Sex/Race: M/I			
Defendant.			
			For Official Use

Complainant, Dana J. Johnson, a Deputy District Attorney, being first duly sworn on oath, deposes and says that:

Count 1: REPEATED SEXUAL ASSAULT OF A CHILD

The above-named defendant, between June 13, 2006 and December 31, 2012, in the City of Green Bay, Brown County, Wisconsin, did commit repeated sexual assaults involving the same child, AJV, dob: 06/13/2001, where fewer than three of the assaults were violations of sec. 948.02(1)(a) Wis. Stats., but at least three of the assaults were violations of sec. 948.02(1)(a) or (b) Wis. Stats., contrary to sec. 948.025(1)(ar) Wis. Stats., a Class B Felony, and upon conviction may be sentenced to a term of imprisonment not to exceed sixty (60) years.

Count 2: 1ST DEGREE SEXUAL ASSAULT OF A CHILD UNDER AGE 13 WITHOUT GREAT BODILY HARM

The above-named defendant, between June 1, 2007 and August 31, 2007, in the City of Green Bay, Brown County, Wisconsin, did have sexual contact with a child under the age of thirteen, ALV, dob: 06/26/2002, which did not result in great bodily harm to said child, contrary to sec. 948.02(1)(b) Wis. Stats., a Class B Felony, and upon conviction may be sentenced to a term of imprisonment not to exceed sixty (60) years.

Count 3: INCEST

The above-named defendant, between June 1, 2007 and August 31, 2007, in the City of Green Bay, Brown County, Wisconsin, did have sexual contact with a child he knows is related by blood or adoption, to a degree of kinship closer than a second cousin, ALV, dob: 06/26/2002, contrary to sec. 948.06(1) Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

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Complainant is a Deputy District Attorney with the Brown County District Attorney's Office and knows of the above offense(s) on information and belief based upon:

PROBABLE CAUSE:

1. Complainant's review of the details of Officer Ralph Powless of the Oneida Police Department which indicate that on January 10, 2019, at approximately 0742 hrs., I, Officer R. Powless, while on patrol was informed by Oneida dispatch to meet reporting person, CMF, dob: 05/05/1984, at her residence located at 1406 Onu-U-Sla Way, City of Green Bay, Brown County, to report a past tense sexual assault of two juveniles. CMF informed dispatch her son, AJV, dob: 06/13/2001, and daughter, ALV, dob: 06/26/2002, were sexually assaulted by their uncle, Omar J. Salmeron, dob: 03/23/1991. I asked Officer A. Woelfel to assist to speak to the female.

As I arrived on scene, I was met at the door by CMF. CMF invited me into the residence where I met AJV. Officer Woelfel then arrived on scene and came into the residence. Officer Woelfel and ALV went down stairs to speak.

I asked AJV to inform me what had happened. AJV informed me when we was approximately 5 years old, his uncle Omar, "raped and molested me". I informed AJV that although I knew it would be difficult, I needed him to be as specific as possible. AJV stated during the summer when he was 5, he would go to his grandmother's house located at 1401 Onu-U-Sla Way, City of Green Bay, Brown County, Wisconsin. When his grandmother would leave to go out of town, he was often left with his uncle Omar. When his grandmother would leave, Omar would touch AJV all over his body. AJV stated Omar also inserted his penis into AJV's mouth and anus. I asked AJV how many times he was sexually assaulted. AJV stated he believes he was sexually assaulted 20 times in the course of the summer. AJV believed he was 5 years old at the time, which would make it in the summer of 2006. I asked AJV during those times how many times does he believe his uncle put his penis in his mouth or anus. AJV stated, "Every time." AJV then stopped talking about the assault and talked about being angry all the time. I asked AJV if he felt like hurting himself or others. AJV stated he did not. I informed AJV I could give him resources, so he would be able to talk to a professional if he wanted. AJV informed me he already had a counselor.

Officer Woelfel and ALV then came back upstairs. Officer Woelfel and I went outside to debrief. Officer Woelfel informed me ALV stated when she was approximately 5-8 years old, she was alone with her uncle Omar. Omar bent her over a stool and started to touch her private parts. ALV would later describe these private parts to a forensic interviewer to be her "front private part that she pees out of". Omar did not penetrate ALV. ALV stated before Omar was able to do anything else, her mother, CMF, came back to the residence. ALV stated that was the one and only incident that occurred between her and Omar.

Officer Woelfel and I walked back into the residence to speak with the family. I informed CMF I would keep her updated on the investigation and if she had any questions she could call the Oneida Police Department.

As I arrived at the police department, I called the Willow Tree Cornerstone Child Advocacy Center, located at 503 S. Monroe Avenue, City of Green Bay, Brown County, to set up a

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forensic interview. I was informed by the Child Advocacy Center that an interview would be set up for ALV and AJV on Tuesday, January 15, 2019 at 9:00 AM. ALV and AJV would be interviewing with team member, Kristie Sickel. I called CMF and informed her of the time and location of the interviews. CMF stated she would make sure they would attend.

On Tuesday, January 15, 2019, I arrived at Willow Tree for the scheduled forensic interviews. I observed from a separate room the interview between Kristie and ALV.

ALV informed Kristie when she was five years old she was alone with her uncle Omar. ALV stated she remembered watching television but could not remember how she went from watching television to laying on her back on top of three stools. ALV stated she remembered Omar taking off her pants and underwear. Omar was standing in front of her while she was laying across the stools. ALV then stated she remembers Omar started touching her. ALV stated the part being touched was her private part. The private part "you pee out of". ALV stated she also remembered Omar rubbing his "dick" on her inner legs, and tried to insert his "dick" into her "private part". ALV stated she remembers the feeling of when Omar was rubbing his "dick" on her private part. ALV stated it was "warm" and she could feel "it" as he continued to rub it on her "private part". ALV stated he was unable to insert his "dick" inside of her. ALV stated she told him repeatedly to "stop". ALV also stated she told Omar multiple times that she did not want to do what they were doing. ALV stated when she would tell him to stop, Omar would say, "It's ok, you're fine". ALV stated Omar touched her front private part with his "dick" and rubbed it between her thighs (ALV touched the inside of her right and left thigh close to her vagina when explaining this). ALV then stated when Omar was done rubbing his "dick" against her thighs and private area, he tried to put "it" inside of her. ALV stated she remembered he pressed his "dick" against her private part and she remembers feeling "strong pressure". ALV stated when Omar was finished, Omar said to her, "Don't tell anyone about this, or else". ALV stated she was scared.

ALV stated since AJV had told their father and their grandmother that he was "raped" by their uncle, she had been thinking about their incident nonstop. ALV stated she would randomly break down crying. ALV stated after she told her mom she started crying "really hard". ALV stated she was so upset that she started to dry heave.

Kristie asked ALV to talk more about AJV. Kristie asked how ALV knew something had happened to AJV. ALV stated the day after Christmas (12/26/2018) her grandmother had taken her and AJV to see their dad in prison. ALV stated AJV was sitting next to her and was looking down and appeared to be upset. ALV stated her father asked AJV what was wrong. ALV stated AJV started crying and started breathing heavily. After some time passed, AJV said out loud, "I was molested and raped". AJV was asked, "By who?". AJV stated it was by one of his uncles. ALV stated she knew exactly who he was talking about. ALV stated she never told him about her, she never told anyone about what had happened to her. AJV was asked again which uncle. AJV then said, "Omi". (Earlier in the interview, ALV refers to "Omi", and explains "Omi", is Omar). ALV stated AJV had informed them he never told anyone about it before.

ALV stated she believed the time of year was summer, because the sky was blue, and she was wearing shorts. When asked why she thought it was summer, ALV stated, "I just know". ALV stated when this incident occurred, her little brother was not born yet, but her mother was

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pregnant with him. Her little brother is now 10 years old. According to this information, Omar would have been 17 years of age.

I then watched the interview between Kristie and AJV.

Kristie asked AJV to tell her about why he had come to speak with her today. AJV stated he was there to talk about him when he was "molested and raped". When asked if it had happened more than one time, AJV stated it happened for three years. AJV stated it happened every time his grandmother left out of town or went to work. AJV stated Omar would call him downstairs into his room. AJV stated once he got into the room, Omar would lock the door behind him. AJV stated he started to watch television when he noticed Omar take something out of his drawer. AJV stated Omar kept saying, "It's okay". AJV stated Omar then pulled down his pants and boxers and told AJV to suck his penis. AJV goes on to say that when AJV was "done", Omar pulled down AJV's pants and boxers and put "it" in his butt. AJV stated once he put "it" in his butt, he kept going. AJV stated that often times when Omar was finished, he would just stand there until he "slowly" took it out. AJV stated he would see Omar take something off and he didn't realize what it was until he got older. AJV stated what Omar would take off would be a condom that had "white stuff in it". AJV stated he didn't know what the white stuff was until he got older. AJV stated he now knows the white stuff was sperm. AJV stated he would get the condoms out of his drawer. AJV stated Omar wouldn't always use a condom, sometimes he would and sometimes he wouldn't. AJV goes on to say that Omar would shake "it" and Omar would ejaculate onto his face. When Omar was finished, he would tell AJV to go upstairs and clean up. AJV stated Omar would shake his penis with his hand to "finish". AJV stated this would happen "every other time".

AJV stated the first time Omar did not use a condom was when he was 7 years old. AJV stated he would put the semen on his face, stomach, or legs. AJV stated the first time the assaults started he was 5 years old. AJV stated the assaults only happened when he and Omar were alone. Omar would always take him into Omar's bedroom and lock the door. AJV stated every time Omar assaulted him in Omar's bedroom he would always keep the door locked. AJV recalled an incident when he was 6 years old. AJV stated Omar stuck his penis in his mouth and "it was half way down" his throat. AJV stated, "Everything went black". AJV stated he remembers laying on the ground twitching and Omar continued to "ram" his penis in his mouth and anus. AJV stated whenever the assaults ended, Omar would say, "Don't tell anyone about this. Or else". AJV stated Omar would have him suck his penis multiple times over the course of years. AJV stated whenever Omar would put his penis in his butt it caused him pain.

AJV stated the assaults stopped when he got kicked out of his grandmother's house for smoking weed. AJV would smoke weed with Omar. AJV stated he was 8 years old the last time he was sexually assaulted by Omar. AJV is now 17 years old. Omar is 27 years old. Nine years ago, Omar would have been 18 years old. AJV stated he was attending King Elementary and was in third grade when these assaults took place. AJV stated he was in Head Start when the assaults started. When asked what AJV remembers about that time, AJV stated he remembers getting out of school and getting fucked. AJV stated often Omar would skip school because he would get bullied. AJV stated Omar was attending Southwest High School during this time.

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Kristie asked AJV who he had first told about the assaults. AJV stated he first told his grandmother, father, and sister. AJV stated while visiting his dad in prison his dad said a familiar word. AJV stated his father was talking about a rapist that was a few cells down from him. AJV stated these assaults have made him depressed.

On January 18, 2019, I drove to CMF's residence to speak with her about when AJV got in trouble smoking marijuana at his grandmother's. When I arrived on scene, I spoke to CMF and asked her if she could remember the time frame when AJV was caught smoking marijuana at his grandmother's house. AJV had stated in his interview that day was the last time Omar sexually assaulted him. CMF grabbed her phone and informed me she had just been looking through her phone and a "memory" popped up. CMF stated when she found out AJV had been smoking weed, she took AJV from the residence and informed his grandmother that she was going to take AJV to get drug tested and if he came back positive she would report her. CMF stated she remembered the year was 2012. That would have made Omar 21 years of age.

On January 18, 2019, at approximately 1500 hrs., I called Omar. Omar's phone went to voicemail where I left a message and asked if he could come down to the Oneida Police Department to speak with me. I informed Omar his name came up in an investigation and I needed to speak to him about it. At approximately 1700 hrs., Omar arrived at the Oneida Police Department. I brought him down to the interview room. I asked Omar what his name was. Omar stated his name was Omar Salmeron. I asked Omar if he had a driver's license. Omar handed me a Wisconsin driver's license and I confirmed he was indeed Omar J. Salmeron, dob: 03/23/1991.

I asked Omar if he knew why I asked him to come down to the police department. Omar stated he did not. I informed Omar his name came up in a sexual assault case involving AJV and ALV. Omar informed me they were his nephew and his niece. I informed him they have accused him of sexually assaulting them. Omar yawned, and his facial expression did not change and said the allegations were not true. Omar said he would never do that to his niece or nephew. Omar's voice did not change nor his facial expression. Omar yawned multiple times after I told him of the allegations, appearing completely unconcerned of the allegations. I read Omar his Miranda Rights. Omar refused to make a statement and refused to waive his rights.

I placed Omar in custody and transported him to the Brown County Jail.

ALV believed her sexual assault occurred "sometime" during the summer in 2007. ALV stated she remembers it was warm out and she was wearing shorts. AJV believed his sexual assault began "sometime" when he was five years old. AJV stated he was sexually assaulted countless times over the course of three years. AJV stated he was last assaulted the day he was kicked out of his grandmother's house for smoking marijuana. I spoke with CMF, AJV's mother, and she stated she did not know the specific time, but she knew it was in the year of 2012.

2. Complainant's review of the details of Officer Alexis Woelfel of the Oneida Police Department which indicate that on January 14, 2019, she spoke to ALV, dob: 06/26/2002. ALV stated when she was 5 years old, but less than eight years old, she was at her grandmother's house, across the street from theirs, at 1401 Onu-U-Sla Way for her uncle to

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babysit her. She said her uncle is Omar. She went on to describe how Omar laid her on some stools. Omar took her pants and underwear off. ALV stated Omar tried to put his dick inside of her but was not successful. ALV said Omar tried to penetrate her. ALV said Omar touched her private area when her underwear was off. ALV said it only happened one time.

Complainant believes the details of Officer Ralph Powless and Officer Alexis Woelfel of the Oneida Police Department because they were prepared in the normal course of their duties as law enforcement officers. Complainant believes the information from CMF, dob: 05/05/1984, AJV, dob: 06/13/2001, and ALV, dob: 06/26/2002, because they are citizen witnesses.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on
02/05/19

Electronically Signed By:

Caleb J Saunders

Assistant District Attorney

State Bar #: 1094077

Electronically Signed By:

Dana J. Johnson

Complainant