

FILED
05-16-2022
Clerk of Circuit Court
Kenosha County
2022CF000655
Honorable Jason A.
Russell
Branch 2

STATE OF WISCONSIN CIRCUIT COURT KENOSHA COUNTY

STATE OF Wisconsin
 Plaintiff,

CRIMINAL COMPLAINT

vs.

DA Case #: 2022KN002283

DOMINICK DAVID BLACK
[REDACTED]

Agency Case #: kpd 2022-00022454

Kenosha, WI 53143
DOB: 09/16/2001
Sex/Race: M/W
Eye Color: Blue
Hair Color: Brown
Height: 5 ft 11 in
Weight: 160 lbs
Alias:

Defendant.

For Official Use

The undersigned, being first duly sworn, states that:

Count 1: ATTEMPTING TO FLEE OR ELUDE AN OFFICER

The above-named defendant on or about Friday, May 13, 2022, in the City of Kenosha, Kenosha County, Wisconsin, while operating a motor vehicle on a highway, 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 a traffic officer by increasing the speed of the vehicle in an attempt to flee, contrary to sec. 346.04(3), 939.50(3)(i) Wis. Stats., a Class I Felony, and upon conviction 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 furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(d)1, upon conviction the department shall revoke the defendant's operating privileges for 6 months.

PROBABLE CAUSE:

City of Kenosha Police Department Officer Joshua Fikejs prepared a police report regarding an incident which occurred in the City of Kenosha, County of Kenosha, and State of Wisconsin, excerpts of which are below:

On 5/13/22 at 1858 hours, I, PO Fikejs #669 was dressed in full KPD Uniform, operating marked KPD Squad #3447 (dash/bwc) when I observed a dark colored sport bike operating n/b on 6th Ave from 52nd St. The motorcycle (MC) had no registration displayed.

I pulled behind the MC and observed a M/W driver with a black full face style helmet, dark gray sweatshirt (hooded style), dark colored shorts, "mid high" length socks, with shoes on. Due to the

driver wearing shorts, I observed the M/W to have pale colored legs, which I could clearly see that the M/W was wearing colored socks that went to "mid shin" level, with dark colored shoes.

The MC was gray in colored and had a very distinct exhaust pipes. I observed the MC to have 4 separate exhaust pipes. Two pipes were on the left of the brake light and two pipes were on the right of the brake light, which were slightly angled up so I could clearly see into the pipes as if I was looking into the end of empty paper towel rolls. The brake light for the MC was a single brake light that appeared to have been in a shape of an elongated diamond, with the bottom of the brake light longer than the top.

I traveled behind the MC for a short period of time, MC traveled n/b on 6th Ave from 52nd St. MC went west on 50th St from 7th Ave. MC continued w/b on 50th St to Sheridan Rd. MC stopped for the red traffic light at 50th St on Sheridan Rd for an extended period of time. I was directly behind the MC, less than one car length behind him with no obstructions while viewing the MC and driver. While traveling behind the MC, the driver repeatedly looked in his mirrors to see if I was still behind him after each turn or change of direction.

While stopped at the red light, I notified dispatch that I was going to conduct a traffic stop on the MC with no registration. MC turned right (n/b) onto Sheridan Rd. I turned behind the MC and accelerated until I was approximately 1 1/2 car lengths behind the MC. MC was operating n/b Sheridan Rd which is a posted 30 mph zone. Before initiating the traffic stop, I was operating squad behind MC at 45 mph in a posted 30 mph zone. I activated emergency lights and siren while I was directly behind the MC in the 4900blk Sheridan Rd in the east most n/b lane. Once I activated lights and siren, I observed the driver, look in his mirror at my squad, slow briefly for a moment before continuing at approximately 45mph in the posted 30 mph zone for approximately one block (4900blk to 4800blk). The driver after looking in his mirror, shook his head from side to side, as if he was shaking his head "no" before rapidly accelerating away from my squad. The vehicles traveling on Sheridan Rd alongside of the MC, yielded to my emergency lights and siren.

The MC accelerated at a high rate of speed briefly (estimated in excess of 55 mph (posted 30 mph) until the MC had to slow due to other n/b traffic on Sheridan Rd. The MC illegally passed vehicles while fleeing from me. The MC rode in the middle of both n/b traffic lanes passing vehicles on both sides of him, almost striking the vehicles while trying to drive between the heavy traffic to get away from me. I notified dispatch that the MC was failing to stop for me. Once the MC illegally passed the other n/b traffic, the MC accelerated at a high rate of speed away from me, estimated in excess of 80 mph in a posted 30 mph zone.

After the driver of the MC, had received a visual and audible signal from a law enforcement officer, in a marked police vehicle with the driver knowing (due to passing my squad and watching/looking at my squad in the mirror as I was behind him) that the marked squad was being operated by a law enforcement officer, knowingly fled from me by willful disregard of such signal, while endangering the operation of other vehicles and pedestrians. The driver also increased the speed of the MC in an attempt to elude or flee me. Due to the heavy traffic and endangerment of the vehicle and pedestrian traffic I deactivated my lights and siren and slowed my squad. I continued n/b on Sheridan Rd as the MC was far ahead of me at the time. Due to Sheridan Rd being level and straight, I observed the MC operating n/b on Sheridan from 35th St. As the MC approached the intersection at 7th Ave, I lost sight of the MC. I checked n/b on Alford Park Drive and did not locate the vehicle. The MC did not appear to have continued n/b on Sheridan Rd from 7th Ave. If the MC did not continue n/b on Sheridan Rd (turning into Alford

Park Dr) the MC would have had to turned right s/b on 7th Ave from Sheridan Rd or turned left n/b onto Sheridan Rd. I notified PO Megerle #709 of the MC description, driver description and location.

I began checking s/b on 7th Ave from Sheridan Rd checking for the MC.

On 5/13/22 at 1912 hours, I was advised by PO Megerle that she believed that she had located the MC at Simmons Island, 5001 Simmons Island Dr. I responded and observed the MC parked in the parking lot. I observed her speaking with the driver, who was later ID'd as Dominick Black (booking). I have had numerous interactions while working with Dominick and can recognize him. Dominick was wearing the exact description I provided regarding the fleeing MC and the driver from approximately 14 minutes prior, in the area where I believed the MC to have been headed. I observed the distinct pipes on the exhaust for the MC, clothing description (from head to toe). I recognized the Dominick to be the driver from the MC that fled from my shortly before. As I approached Dominick, I advised him to put his hands behind his back. I told Dominick that he was under arrest. Dominick was escorted to my squad where he was searched. I checked Dominick from the top to bottom, I checked his sweatshirt, sweatshirt pockets, waist band area, shorts, shorts pockets, and his shoes by his ankle. Cash was located in his short pocket. I pulled the money out and opened all the money to make sure there were not narcotics or other contraband inside of the money. Dominick was wearing MC style riding gloves which were left on him. I did not observe any bulge or any item inside of his gloves. Dominick was placed in the rear of Squad #3447.

I was advised by dispatch that Dominick's driving status is suspended. Dominick advised that the MC is not registered at this time. The MC is still registered under the previous owner. Dominick advised that there is no insurance on the MC at the time of the stop.

While Dominick was in the rear of my squad, I could see him through the windshield. I began to gather MC information, VIN, took pictures of the MC, etc. While periodically looking back at Dominick. While gathering additional MC information, I observed Dominick to be appearing to move around more than usual, I checked on Dominick and opened the rear squad door. Dominick advised that he had just taken his MC gloves off because he was hot. Dominick was stating that the handcuffs were too tight. I checked Dominick's handcuffs and could fit a finger through the opening between handcuffs. Dominick was placed back in squad. I began to fill out Tracs Citations for Dominick and was gathering contact information when he began to state that he was getting hot and needed air. The squad window was rolled down. I observed Dominick began shaking in the back of my squad and appeared to have gone in and out of consciousness. I exited and notified PO Megerle. I requested KFD Med for Dominick. Dominick was escorted out of the squad and handcuffs were taken off of Dominick. Dominick's sweatshirt was also taken off to help cool him down prior to Med arriving.

KFD Med 1 responded and transported Dominick to Froedtert Hospital, Kenosha. I responded to the hospital where he was placed in ER 7. Dominick was seen by Doctor Matthew Stauffer and RN Roy Blum. I was advised by hospital staff that blood work for Dominick was completed and he had a traceable amount of cocaine in his blood. Hospital staff did not believe that it was enough to cause any impairment. No signs of impairment were observed during this incident. Hospital staff advised that Dominick's symptoms appeared to be consistent with an anxiety attack or panic attack. Dominick was provided with a medical clearance form and was medically discharged from the jail.

Your complainant is an attorney with the Kenosha County District Attorney's Office, who bases his knowledge of this complaint on:

- The official law enforcement agency reports of the City of Kenosha Police Department, which reports were prepared in the normal course of law enforcement duties;
- Statements by citizen informant(s); who are eyewitnesses to the facts they relate;
- Statements by the defendant, which were made contrary to his penal interests;
- The official records of: The Circuit Court for Kenosha County; The Department of Transportation; The FBI Triple I Teletype; The Wisconsin Circuit Court Automated Program, which records are maintained in the normal course of business duties.

Subscribed and sworn to before me on 05/15/22 Electronically Signed By:

Electronically Signed By:

James Kraus

Carli A. McNeill

Complainant

Deputy District Attorney

State Bar #: 1081400