

STATE OF WISCONSIN

CIRCUIT COURT

KENOSHA COUNTY

STATE OF Wisconsin

Plaintiff,

CRIMINAL COMPLAINT

vs.

DA Case #: 2023KN004882

JOSHUA S COVELLI

Agency Case #: KPD 2023-00049921

Kenosha, WI 53142

DOB: 06/08/1980

Sex/Race: M/W

Eye Color: Blue

Hair Color: Brown

Height: 5 ft 9 in

Weight: 190 lbs

Alias:

Defendant.

For Official Use

The undersigned, being first duly sworn, states that:

Count 1: SECOND DEGREE SEXUAL ASSAULT, DOMESTIC ABUSE

The above-named defendant on or about Sunday, June 25, 2023, in the City of Kenosha, Kenosha County, Wisconsin, did have sexual with a person, JPN, who was under the influence of an intoxicant to a degree which rendered that person incapable of giving consent, and the defendant had the purpose to have sexual intercourse with the person while the person was incapable of giving consent, contrary to sec. 940.225(2)(cm), 939.50(3)(c), 968.075(1)(a) 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.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

Count 2: SECOND DEGREE SEXUAL ASSAULT, DOMESTIC ABUSE

The above-named defendant on or about Sunday, June 25, 2023, in the City of Kenosha, Kenosha County, Wisconsin, by use of force, did have sexual intercourse, with JPN, without the consent of that person, contrary to sec. 940.225(2)(a), 939.50(3)(c), 968.075(1)(a) 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.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

Count 3: STALKING, DOMESTIC ABUSE

The above-named defendant between June and September of 2023, Kenosha County, Wisconsin, did intentionally engage in a course of conduct directed at a specific person to wit: JPN that caused that person and that would cause a reasonable person under the same circumstances to suffer serious emotional distress or to fear bodily injury or death to themselves or to a member of their family or household and where the defendant knew or should have known that at least one of the acts that constituted the course of conduct caused JPN to suffer serious emotional distress or placed JPN in reasonable fear of bodily injury or death to themselves or a member of their family or household and where the defendant's acts caused JPN to suffer serious emotional distress or induced fear in JPN of bodily injury or death to themselves or a member of their family or household, contrary to sec. 940.32(2), 939.50(3)(i), 968.075(1)(a) 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 further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

PROBABLE CAUSE:

On September 14, 2023, Kenosha Police Department Officer McDonough made contact with an adult female identified for the purposes of this complaint as JPN. JPN reported that her soon to be ex-husband, Joshua Covelli, hereinafter referred to as the Defendant, was threatening her, stalking her and had previously sexually assaulted her.

JPN advised that she and the Defendant are married, but are in the middle of a divorce. They resided together at a residence on 48th Street in the City and County of Kenosha, State of Wisconsin, for approximately three years until June of 2023, at which time the Defendant moved out.

Since the Defendant moved out, JPN reported that the Defendant constantly messaged her on her cell phone. During these messages, JPN learned that during the course of their relationship, the Defendant had taken nude photographs of her without her consent. The Defendant told JPN that he had taken hundreds of these photographs and threatened to send them to people she knew. As proof, the Defendant sent JPN one of these nude photographs on August 19, 2023, at 7:30PM. JPN advised that she did not give the Defendant permission to take these photographs or distribute them.

On September 7, 2023, JPN had a childcare drop off at her residence with the father of her children (who is not the Defendant). After the drop off, the Defendant contacted her and said, "Nice to see you and Robert talking for 10 minutes." JPN said she did not see the Defendant in the area, so believed he was watching her from a distance.

JPN blocked the Defendant's cell phone number, but then the Defendant started to message her on TikTok. JPN blocked him on TikTok, after which the Defendant started messaging her on Snapchat. JPN blocked him on Snapchat, so the Defendant started emailing her from his work email.

JPN provided some of these emails to Officer McDonough, including some dated September 7, 2023. One at 11:33PM read: "And he was at the house too? Of course he was, probably while you were in a bathing suit that day too. . . . I cannot believe you even allowed him over. You and [your friend] are about to get what's coming." Another at 11:37PM read: "I will be retaliating now. But it won't be with someone else like your ass. It will be with spreading every ounce of all this to as many people as I can. You're better off unblocking me and talking if you really think these emails are going to work for you. I don't believe a word say (sic). And now I have all the proof I need. Figures he was at the house. And when the kids weren't. You're unbelievable."

JPN also provided some of her text messages with the Defendant, including two threads in which she asks the Defendant to delete the nude photographs he has of her and the Defendant refuses, indicating that he is keeping them for "Control."

JPN also reported that the Defendant has threatened the father of her children in the past. On August 14, 2023, the Defendant asked to meet up with JPN when she did not have the kids with her, so she agreed. They met in public, during which the Defendant threatened to fight the father of her children, but said he wouldn't if she got back together with the Defendant.

JPN also reported that prior to the Defendant moving out, he sexually assaulted her. She advised this occurred in the evening of June 25, 2023, after JPN had ingested marijuana at their residence on 48th Avenue. JPN stated she passed out after smoking the marijuana and woke up to the Defendant on top of her, penetrating her with his penis. JPN told the Defendant to stop and started to scream. The Defendant, however, kept going and, at one point, pushed her head into a pillow. JPN advised that he did this twice in the same night and she did not consent to the sexual intercourse.

Detective Franklin was assigned to complete the investigation in this case and, in doing so, spoke to JPN. JPN advised that on June 25, 2023, the Defendant penetrated her anus with his penis, which caused her to scream out in pain. That is when the Defendant pushed her head into the pillow and kept going. She confirmed this happened twice that night. JPN also advised that the Defendant's have caused her fear and that, based on his actions, she is worried the Defendant will kill her.

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

- The official law enforcement agency reports of the Kenosha Police Department prepared by officer(s), which reports were prepared in the normal course of law enforcement duties;
- Statements by citizen informant(s) JPN; who are eyewitnesses to the facts they relate;
- 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 09/25/23

Electronically Signed By:

Carlie O'Donnell

Assistant District Attorney

State Bar #: 1119387

Electronically Signed By:

Alexandra K Smathers

Complainant

Kenosha County Eye