

FILED
02-20-2024
Sauk County WI
Circuit Court
2024CF000102

STATE OF WISCONSIN CIRCUIT COURT SAUK COUNTY

STATE OF WISCONSIN
Plaintiff,

vs.

ADAM JAMES WESTBROOK
819 E Forest Ave
Neenah, WI 54956
DOB: 06/04/1989
Sex/Race: /
Eye Color:
Hair Color:
Height: ;
Weight: ;
Alias:

Defendant.

DA Case No.: 2024SA000438
Assigned DA/ADA: Rick Spoentgen
Agency Case No.: 24-1200
Court Case No.:
ATN: 57001000383083

CRIMINAL COMPLAINT

For Official Use

Complainant, having been sworn, states:

Count 1: SEXUAL EXPLOITATION OF A CHILD - FILMING

The above-named defendant on or about 1/27/2024, in the Village of Lake Delton, Sauk County, Wisconsin, did record a child, VICTIM 1, engaged in sexually explicit conduct with knowledge of the character and content of the sexually explicit conduct involving the child, contrary to sec. 948.05(1)(b)&(2p)(a), 939.50(3)(c) 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 furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as defined in 973.042(1), associated with the crime. The court shall determine the number of images or copies of images associated with the crime by a preponderance of the evidence and without a jury.

And furthermore, invoking the provisions of Wisconsin Statute Section 939.617(1), upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least five years.

Count 2: SEXUAL EXPLOITATION OF A CHILD - FILMING

The above-named defendant on or about 1/27/2024, in the Village of Lake Delton, Sauk County, Wisconsin, did record a child, VICTIM 1, engaged in sexually explicit conduct with knowledge of the character and content of the sexually explicit conduct involving the child, contrary to sec. 948.05(1)(b)&(2p)(a), 939.50(3)(c) 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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Count 4: SEXUAL EXPLOITATION OF A CHILD - FILMING

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And furthermore, invoking the provisions of Wisconsin Statute Section 939.617(1), upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least five years.

Count 5: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on or about 1/27/2024, in the Village of Lake Delton, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess motion picture(s) of a child engaging in sexually explicit conduct, and knew that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute 973.042(2), upon conviction for a crime under 948.05 or 948.12 and the defendant is at least 18 years of age at the time of the commission of the crime, the Court shall impose a surcharge of \$500.00 for each image or each copy of an image, as

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And furthermore, invoking the provisions of Wisconsin Statute Section 939.617, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years.

Count 6: POSSESSION OF CHILD PORNOGRAPHY

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Count 7: POSSESSION OF CHILD PORNOGRAPHY

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Count 8: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on or about 1/27/2024, in the Village of Lake Delton, Sauk County, Wisconsin, did, having attained the age of 18, knowingly possess motion picture(s) of a child engaging in sexually explicit conduct, and knew that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

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PROBABLE CAUSE: I am a law enforcement officer and sign this Criminal Complaint on information and belief.

Special Agent Jacob Chihak of the WI DOJ – Division of Criminal Investigation reports the following: On February 15, 2024, I received information from Kenosha County Sheriff's Office Detective Nicholas Moro regarding a Possession of Child Pornography investigation connected to Adam Westbrook. I believe Detective Moro to be a reliable and truthful source of information. Detective Moro is a duly sworn law enforcement officer employed by the Kenosha County Sheriff's Department. Detective Moro has been employed for over 7 years as a law enforcement officer and has been a detective for 1 year.

On or around February 3, 2024, Detective Moro was assigned to investigate a Racine County Sheriff's Deputy Preston Kite for masturbating in a public bathroom and exposing himself to someone in the public bathroom while doing so. During Detective Moro's investigation, Kite provided consent to search his personal cellular device. While conducting a search of Kite's personal iPhone, Detective Moro looked in Kite's photos application and went to the "hidden" photos portion in there.

Detective Moro also checked Kite's Snapchat application on his phone. Detective Moro then asked Kite about his hidden camera videos. Kite stated he screen records them from online or gets them from his friend. Detective Moro observed one of Kite's friends on Snapchat with a screen name "Adam James" and username "sonofthebat7". "Adam James" sent Kite a hidden camera video on January 31, 2024, at 6:33 PM, showing a man at a urinal appearing to be masturbating. This video was saved in the chat between them. This was the one and only video found on Kite's Snapchat of these kinds of videos.

On February 5, 2024, Detective Moro requested Kenosha Police Department's (KPD) assistance in downloading the contents of Kite's cellular phone which was a green iPhone 13 Pro Max. KPD Detective Shaun Morton assisted Detective Moro with the download of Kite's phone which was completed on February 6, 2024. Upon completion, Detective Morton advised Detective Moro that the downloaded content from Kite's phone revealed CSAM (Child Sexual Abuse Material) also known as child pornography. Detective Morton advised Detective Moro that the images/videos were pulled from an app called Session. Detective Moro obtained a copy of the phone download to conduct a further investigation of the CSAM. While conducting a check of the phone download, Detective Moro observed there to be 4 videos of CSAM sent to Kite's Snapchat. All 4 videos appeared homemade.

Video 1: The filename on one image depicting Child Pornography shows a create time of January 27, 2024, at 09:09 AM. This file was located in Kite's Snapchat file manager which means it was found in his Snapchat and saved in some manor. This video shows a prepubescent male child, with blond hair, on a hotel bed, fully nude. The child is in a teepee style position with his feet planted on the bed, his buttocks in the air facing the camera and the top of his head on the bed while looking back at the camera. In this position, the child is exposing his buttocks and penis. This video is 9 seconds in length and the child attempts slapping his butt with his right hand. This video appears to be self-produced (meaning sent by the creator rather than a file being copied and shared repetitively as a good deal of CSAM on the internet is). During the review the remaining phone download, Detective Moro was able to see a video of the same child going down a slide at a waterpark. Doing a reverse image search through Google of the waterslide, Detective Moro believed the location of the video occurred. at Mount Olympus waterpark in Wisconsin Dells.

Video 2: Detective Moro observed more videos of the same child in the Snapchat file manager. A video

depicting CSAM had a created time of January 27, 2024 at 09:08AM. This video is 9 seconds in length and in full color. The video starts with a prepubescent naked male child laying on his stomach on a bed. The child's testicles and buttocks can be seen and appear to be the main focus of the video. The video shows the boy moving his buttocks up and down in the air.

Video 3: Another video of the same child which depicts CSAM had a created time of January 27, 2024, at 11:10AM. This video is 4 seconds in length and in full color. The video starts with a prepubescent naked male child kneeling on a bed in front of clothes. The boy moves from here turning to his back and exposes his penis.

Video 4: Another video of the same child which depicts CSAM had a created time of January 27, 2024, at 11:10AM. This video is 9 seconds in length and in full color. The video starts with a prepubescent naked male child trying to climb on a bed. The child's penis and buttocks are visible when he gets on the bed. The child is facing away from the camera and gets on his hands and knees on the bed. He shakes his buttocks and his anus is exposed. While shaking, the child's penis is also shaking between his legs.

While observing these videos, I also observed a video of the same child in the CSAM above to be going down a waterslide. A screenshot of the waterslide was taken and Detective Moro conducted a reverse Google image search of it. Detective Moro was able to obtain that the waterslide was from Mount Olympus Waterpark in Wisconsin Dells. Detective Moro then conducted a check of notifications on Kite's phone download which showed he had a Snapchat notification on 01/27/2024 at 09:09 AM from Adam James, Snapchat username "sonofthebat7" which is consistent with the times Kite received the CSAM images.

Detective Moro located messages between Kite and Snapchat user Adam James. On 02/03/24, Kite messaged Adam James a YouTube link, which when opened leads to a video which is titled "When cops realize their colleague is a P*do". Kite followed up by saying, "I watch shit like this and I get paranoid." Adam James responds, "Youre not trying to meet with random 14 year old, right?" Kite responds "No".

Detective Moro obtained a warrant for Kite's Snapchat account and the Snapchat account Adam James "Sonofthebat7." Detective Moro obtained the warrant return files from Snapchat on 2/14/2024. While going through Sonofthebat7's warrant return, Detective Moro observed "Subscriber info" information that had an associated phone number of 920-470-6807 from May 25, 2023. Detective Moro conducted a TLO search of this phone number (TLO is a law enforcement information gathering website) and the results came back to Adam James Vanden Heuvel. On TLO, it also shows his name as Adam Westbrook. Currently, Detective Moro was able to confirm Adam James (sonofthebat7) was Adam Westbrook aka Adam James Vanden Heuvel. An address of 819 E Forest Ave, Neenah, WI 54956 was also provided as a current address for Adam Vanden Heuvel. Kite's phone download also showed Adam Westbrook to be a contact in Kite's phone with the same phone number, 920-470-6807, that was identified in Adam Westbrook's Snapchat account.

Going through saved photos in Adam Westbrook's Snapchat account, Detective Moro observed pictures of a male with the same child in the above CSAM videos. There were several photos of this male child in Adam Westbrook's Snapchat account. There no photos or videos of the child naked, but looking through his "subscriber info", Adam deleted his Snapchat the day Kite was arrested on February 4, 2024 and could have deleted their messages and blocked him. Deleted messages or videos prior to preservation may not been saved by Snapchat.

Kenosha County Records was requested to provide a WI driver's license (DL) photo of Adam Westbrook which was obtained, and Detective Moro compared to the pictures of the male with the child in the Snapchat return. The male in the photos was a match to Adam Westbrook's DL photo.

Following charges being issued, Kite was incarcerated at the Kenosha County Jail. Det. Moro searched Kite's inmate phone calls and observed Kite called Westbrook's phone number (920-470-6807) six times between February 4, 2024, and February 12, 2024.

A check of Facebook was conducted on Adam Westbrook and Detective Moro was able to go through other family members on Facebook which led Detective Moro to another person's Facebook account. In this profile, Detective Moro observed photos of what appeared a male child of similar age and description as seen in the CSAM videos. At this time, Detective Moro was able to confirm that Adam Westbrook is the owner of the Snapchat account "sonofabat7" and believed Adam Westbrook was the one taking and sending the above CSAM videos to Kite via Snapchat.

On February 15, 2024, Detective George of the Kenosha County Sheriff's Department conducted a check of vehicle's associated with Adam Westbrook. One of the vehicles was a 2023 white Mitsubishi Outlander SUV bearing WI registration 157ZYP. This vehicle registration was checked through FLOCK traffic cameras which revealed the vehicle to be in Wisconsin Dells on January 26, 27, and 28. It showed on cameras at to be traveling on Hwy 12 at Mt. Olympus south bound. This places the vehicle at the location of the CSAM being made.

On 2/16/24, a search warrant of Adam Westbrook's residence of 819 E Forest Drive Neenah, WI was conducted. During this time, Detective Moro observed a male child (later identified as VICTIM 1) being carried out of the residence. Detective Moro observed the child's face which identified the prepubescent boy in the CSAM videos observed to be sent by Adam in Snapchat to Kite. Information was gathered that the child was VICTIM 1, and he was adopted by Adam and WITNESS 1.

An interview was conducted with Adam Westbrook's husband, WITNESS 1 at their residence. WITNESS 1 confirmed that he, Adam, VICTIM 1, and their other adopted child were all in Wisconsin Dells and at Mount Olympus the days of January 26-28, 2024. WITNESS 1 also confirmed that Adam's phone number was 920-470-6807 (the number matching that for the "sonofthebat7" Snapchat account). WITNESS 1 was familiar with the name "Preston" and knew that person to be a close friend of Adam's. According to WITNESS 1, Preston and Adam met while attending college at Marquette University. WITNESS 1 had never met nor spoke with Preston; however, he was aware that Adam communicated with Preston rather frequently. Moreover, WITNESS 1 was also aware of Preston's recent legal troubles.

On 2/16/24, Det. Patrick Wex of the Lake Delton Police Department provided me with additional information regarding this case. Det. Wex obtained paperwork including check-in information for Adam J. Westbrook and WITNESS 1 from Mt. Olympus. The reservation was in WITNESS 1's name. The credit card for the initial deposit was in WITNESS 1's name, but a charge associated with check-in was on a credit card in Westbrook's name. The arrival date for the group was January 26, 2024, and departure was January 28, 2024. Det. Wex reviewed surveillance video and he identified Westbrook as the person checking in at the hotel on January 26, 2024. Det. Wex photographed the room in which Westbrook stayed (Room 10328, located at 1701 Wisconsin Dells Parkway, Lake Delton, Sauk County, WI) and shared the images with Kenosha County Sheriff's Office Det. Nicholas Moro, who confirmed the images of the room matched the room in the images of child pornography/child sexual abuse material.

I believe the statements of WITNESS 1 to be truthful and reliable as they are statements by an ordinary citizen. I know that SA Chihak, Det. Moro, and Det. Morton, and Det. Wex provided the above information in the ordinary course of their duties as law enforcement officers and, therefore, believe the above information to be accurate and reliable.

Subscribed and sworn to before me on 02/20/24
Electronically Signed By:
Margaret L Delain
Assistant District Attorney
State Bar #: 1084709

Electronically Signed By:
Deputy T. Sutherland
Complainant

Kenosha County Eye