

STATE OF WISCONSIN CIRCUIT COURT FOND DU LAC COUNTY

STATE OF WISCONSIN
Plaintiff,

vs.

EDGAR RAMIREZ-TELLEZ
[REDACTED]

Fond Du Lac, WI 54937
DOB: 06/02/1973
Sex/Race: M/U
Alias:

Defendant.

DA Case No.: 2023FL002437
Assigned DA/ADA: Kristin R. Menzl
Agency Case No.: 23-5838
Court Case No.:
ATN:

CRIMINAL COMPLAINT

For Official Use

The undersigned law enforcement officer _____, being first duly sworn, states that:

Count 1: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on or about Friday, August 4, 2023, Fond du Lac 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) and (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 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, upon conviction the Court shall impose a bifurcated sentence including a term of initial confinement for at least three years.

Count 2: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on or about Friday, August 4, 2023, Fond du Lac 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) and (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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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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Count 8: POSSESSION OF CHILD PORNOGRAPHY

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Count 9: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on or about Friday, August 4, 2023, Fond du Lac County, Wisconsin, did, having attained the age of 18, knowingly possess photograph(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) and (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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Count 10: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on or about Friday, August 4, 2023, Fond du Lac County, Wisconsin, did, having attained the age of 18, knowingly possess photograph(s) of a child engaging in sexually explicit conduct, and

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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.

PROBABLE CAUSE:

Complainant bases this complaint upon the report and investigation of S/A Chihak of the WI DOJ. Complainant and S/A Chihak are presumed reliable as sworn law enforcement officials.

Complainant reports that S/A Chihak reports that on Friday, August 4, 2023, Special Agent (S/A) Jacob Chihak and S/A Jed Roffers, of the Wisconsin Department of Justice (WI DOJ) — Division of Criminal Investigation (DCI) travelled to the City of Fond du Lac Fire Station #3, located at ██████████, Fond du Lac, Wisconsin. The purpose was to attempt an interview of Edgar Ramirez Tellez (hereinafter referred to as Ramirez), M/H, DOB: 08/04/2023, in furtherance of an online child exploitation investigation in which S/A Chihak was assigned as case agent.

Ramirez had a cellular phone, which he described as an iPhone 11.

S/A Chihak asked Ramirez if while using social media or the computer, if he was ever sent any inappropriate images or videos. Ramirez acknowledged observing a couple of inappropriate videos, particularly on WhatsApp. Ramirez specifically recalled a video depicting a female engaged in sexual acts with a dog. The female in the video looked young, possibly a teenager; Ramirez believed it was possible the female was under the age of 18 but he did not know for certain. Ramirez saw the video about a month prior but deleted it the same day. Ramirez was not sure who sent the video, but it was received from a non-Wisconsin phone number.

Ramirez mentioned that he had received inappropriate content via Facebook Messenger as well. Ramirez was in various chat groups on Messenger where pornographic content was shared, some of which depicted younger females, possibly teens. Some of the groups included the name "confessions" in which sexual topics were often discussed and pornographic videos were frequently shared.

Ramirez mentioned to viewing pornographic material online. Ramirez recalled seeing different pornographic videos "pop up" depicting people who were "very very young, we're talking about kids." Ramirez estimated the ages of these kids to be approximately 10-12 years old. Ramirez may have received a video of this nature approximately 4 months ago.

At approximately 8:23 a.m., S/A Chihak presented Ramirez with information contained within a CyberTipline report involving Facebook Messenger. When presented with the information, Ramirez acknowledged to sending the messages captured by Facebook. The message sent by Ramirez included something about a Dad or Uncle. S/A Chihak then presented Ramirez with a sanitized still-shot image of the video included in the CyberTipline Report; Ramirez admitted to viewing the video but did not recall sending it.

Ramirez admitted that he had "more stuff" on his cell phone, specifically pictures and videos of children engaged in sexually explicit activities.

Ramirez explained that his attraction to the sexual content depicting children began when he started reading stories with sexual narratives. The stories triggered memories Ramirez had of himself being molested as a child.

Ramirez was a member of online chat groups in which content and various links were shared. Ramirez recalled receiving a link for a particular group on the app Telegram, which Ramirez soon became aware was a popular platform for child pornography to be shared by users.

Ramirez admitted that if agents searched his cell phone, they would locate sexually explicit images and videos of children as young as 1-2 years old. The photos and videos depicted both boys and girls. Ramirez stated that many of the children in these photos and videos were depicted being sexually assaulted; vaginally, anally, and orally.

Ramirez had a previous WhatsApp account that was shut down, which Ramirez believed may have been from being in a group that shared this type of content. The WhatsApp account would have been shut down about 3 months prior.

Ramirez also utilized the mobile app 'Signal' to send and receive sexually explicit files depicting children with anonymous users.

Ramirez distributed child pornography via group chats using the online communication platforms Telegram, Signal, WhatsApp, and Messenger. Ramirez viewed child pornography as recently as two days prior.

Ramirez admitted that when he first discovered child pornography, he was very disturbed by it; he then became curious about it, and eventually he became sexually aroused. Ramirez admitted to being sexually gratified and masturbating while viewing child pornography.

Ramirez advised that these files would be saved within the "Hidden Album" of his iPhone, possibly over a hundred files. Ramirez explained that any photos that were shared via a WhatsApp group that he was a part of, would automatically go into his photo gallery. He would then move these photos into the "Hidden Album" on the iPhone.

Ramirez stated that there would be approximately 6-7 images of child pornography on a small tablet that S/A Roffers had previously located in his lunch cooler.

Ramirez felt thankful that law enforcement intervened because otherwise he may have never stopped seeking out the inappropriate content of children.

Ramirez believed that he was responsible for his actions.

On Friday, August 4, 2023, Wisconsin Department of Justice Division of Criminal Investigation (DCI) Special Agent (SA) Jacob Chihak reviewed a flash drive which contained a portion of the partial download (also known as a preview) of a cell phone belonging to Edgar Ramirez Tellez, M/H, D.O.B. 06/02/1973. DCI Digital Evidence Specialist (DES) Jacquelin McQuaid conducted a partial download/preview of a phone located during warrant service (see ACISS Case 23-5838/8 and 23-5838/9). A portion of the partial download/preview was placed on a flash drive which was turned over to SA Chihak. SA Chihak reviewed the flash drive.

The partial download revealed information reference the cell phone: Device Data – Apple iPhone 12 Pro; Tied to emails - ert645w@gmail.com and eramirez41@hotmail.com (the second email was linked to numerous CyberTipline Reports in this case); Serial Number - HH3H31E30D80; IMEI – 353781189147174; IMSI – 310260593944612; MSISDN/Phone Number – 14145735717 (the phone number was linked to numerous CyberTipline Reports in this case); Facebook ID and Account Linked to Phone – 610605090 (the Facebook ID was linked to numerous CyberTipline Reports in this case) with User ID - eramirez41@icloud.com.

In addition to the information about the cell phone, DES McQuaid and SA Chihak located numerous images of child pornography/child sexual abuse material (CSAM). SA Chihak described the following ten (10) images for charging purposes. These were not the only images of CSAM in the download but were simply the 10 SA Chihak selected to describe for charging purposes:

1. Name – 5005.JPG; MD5 - 084a5c65d54eb512c35c39e789c5e93c; Created, Accessed, and Modified Date - 5/30/2023 5:49:01 AM (UTC-5) – The image was a still image of a naked, early pubescent, white female child with blonde hair in pigtails in a seated position. The background of the image seemed to be a bathroom based on several rolls of toilet paper and what appeared to be the upper basing of a toilet behind the child. The child’s hair length was down to her chest and her face was partially exposed, but she wore a mask over a portion of her face from her nose to her forehead. The child held an object that appeared to be an electric toothbrush in her left hand and another object in her right hand. The toothbrush was place against the vagina of the child. Both child’s breasts were exposed, and the vagina’s labia were exposed on either side of the object/toothbrush. The child’s breasts had minimal development and there was no visible pubic hair.
2. Name – 5005.JPG; MD5 - 627c0fb37f71eedd1500094c8969baf9; Created, Accessed, and Modified Date - 6/18/2023 7:58:10 AM (UTC-5) – The image was a still image of a partially naked, prepubescent, white female child with blonde hair. The child was in a reclined position, lying on her back on what appeared to be a bed. The child’s entire face was visible. The child wore a blue shirt which was partially pulled upward to her chest area. Both child’s legs were raised to which further exposed her vagina and anus to the camera. There was a milky, light colored substance on the anus and buttocks of the child consistent with ejaculate. The child’s vagina had minimal development and there was no visible pubic hair.
3. Name - 5005.JPG; MD5 - af71b0dd384ccd55530817d24814c082; Created, Accessed, and Modified Date - 6/23/2023 2:22:13 AM (UTC-5) – The image was a still image of a naked, prepubescent, white female child with shoulder-length blonde hair. The child was in a seated position. The child’s entire face was visible. The child’s breasts were exposed. The child’s breasts had almost no development. The child’s hands were in her lap in front of her. In front of the child and her hand was the top of a penis.
4. Name - 5005.JPG; MD5 - 1412344fb5a1b96c6048db4f60461d17; Created, Accessed, and Modified Date - 5/21/2023 6:51:24 AM (UTC-5) – The image was a still image of a naked, prepubescent, white, female child on white sheets. The child’s face was not visible, and a towel or other covering seemed to cover a portion of her neck and the area where her face would be. Both child’s breasts and her vagina were exposed. The breasts had almost no development. The vagina did not appear developed and there was no visible pubic hair. An adult, white, male’s hand gripped an erect penis and the penis and hand were

positioned near the child's vagina. The male's wrist and arm had veins to further indicate the body parts belonged to an adult male.

5. Name - 5005.JPG; MD5 - a63dd915d8699194659ac050993d874e; Created, Accessed, and Modified Date - 6/28/2023 12:15:43 AM (UTC-5) – The image was a still image of a naked, female toddler with chest-length black hair on her knees and hands between what appeared to be two naked adult male subjects, one at the toddler's head and the other at the toddler's buttocks. Both adult males were on their knees. There seemed to be bedding in the background which was Hello Kitty brand. The profile of the toddler's face was visible. The male at the toddler's head (hereafter referred to as Male 1) had his right hand on the back of the toddler's head and Male 1's left hand was just below the toddler's chin. The base of Male 1's penis seemed to be visible in the area where the toddler's mouth was located, and she seemed to have her mouth over Male 1's penis. Male 1 had pubis hair around his penis. The male near the toddler's buttocks (hereafter referred to as Male 2) had both hands on either side of the toddler's hips and his genital region was pushed against the buttocks of the toddler.
6. Name - 5005.JPG; MD5 - 053b329f1bd1d1bc8810355701b4f8a1; Created, Accessed, and Modified Date - 6/4/2023 6:19:54 PM (UTC-5) – The image was a still image of two naked, prepubescent, female children posed on some light colored sheets with an adult male's erect penis and legs visible. The first child (hereafter referred to as Child 1) had light brown hair and was partially reclined on her right side with left leg partially raised to expose her buttocks and a portion of genital region although her vagina was not clearly visible. Child 1's left breast was exposed. Child 1's breast had no development. Child 1's left hand gripped the base of the adult male's penis and Child 1's mouth was on the top of the adult male's penis. A majority of Child 1's face was visible, and one eye looked somewhere off camera. The second child (hereafter referred to as Child 2) had black hair and was leaning forward with her mouth touching the middle-portion of the adult's erect penis, just above the left hand of Child 1.
7. Name - 01ba0ae8-3470-4bea-965e-89dcea56c24d.mp4; MD5-2df8e80566ba92096eccbc43a9be9e4b; Created Date - 6/10/2023 1:13:48 AM (UTC-5); Accessed and Modified Date - 6/10/2023 1:13:49 AM (UTC-5) – The image was a one minute and twenty second (01:20) video. The video began by depicting a clothed, prepubescent, female child with shoulder-length brown hair standing and wearing a pink dress in a room of some type. The child's entire face was visible. Shortly after the video began, the camera moved closer to the child and she reached down and pulled up her dress to expose her vagina to the camera and the camera followed the child. The child was not wearing underwear. The child's vagina was not developed, and no pubic hair was visible. The child seemed to be on a bed as her feet seemed to sink into the area on which she stood which would be consistent with walking/standing on a mattress. The child then fell backward on the bed, lying on her back, and spread her legs to further expose her vagina with the dress still pulled up to her upper abdomen. The child then touched her vaginal area and spread her vagina to even further expose it to the camera. The child then rolled over onto her stomach. The child's buttocks were exposed to the camera. The child then reached behind her back and grabbed her buttocks with each hand. The child used her hands to spread her buttocks and exposed her anus to the camera. The child then rolled over again onto her back only to roll back onto her stomach. The child then arched her back as the camera moved closer to expose her buttocks, anus, and vagina to the camera. The child then reached backward between her legs with her hands, touching her buttocks. The child then repositioned her hands and spread her buttocks to

further expose her anus. The camera moved away eventually, and the child stood up. The child pulled her dress upwards to keep her vagina exposed.

8. Name - 02b6ad26-0e16-48d6-9170-98b6171295c6.mp4; MD5 - 20b1e2c09b925a65a962a67bd6a136ff; Created Date - 7/29/2023 6:17:32 AM (UTC-5); Accessed and Modified Date - 7/29/2023 6:17:36 AM (UTC-5) – The image was a one minute and twelve second (01:12) video. The video began with a partially naked, prepubescent, unknown race female child with shoulder-length black hair wearing a white long-sleeved t-shirt on her knees and elbows on a bed with white-black-striped bedding looking away from a naked, Hispanic, adult male whose hands were on the child's hips. The child was naked from the waist down. The child turned toward the camera shortly after the video began and her face was entirely visible. The male's face was visible. The male's erect penis was exposed, and he used his right hand to insert the penis into buttocks area of the child. The male was in a partially-position behind the child. The male began to thrust his hips in what seemed to be an effort to insert his penis into the buttocks area of the child. This continued for several seconds, but the male's thrusts were short. The male stopped thrusting and seemed to spit into the buttocks area of the child. The male then continued thrusting his penis into the buttocks area of the child. The male then stood up and stood over the buttocks of the child as he seemed to continue to try to insert his penis into the buttocks of the child. The male then moved the child to expose her anus and vagina to the camera. The child's vagina did not have any visible pubic hair. The vagina was too far away from the camera to evaluate development. The male began inserting his penis into the anus of the child and thrusting his hips. The male still stood over the buttocks of the child while thrusting. At one point, the child fell forward into a prone position on her stomach due to the thrusting. The male grabbed the child's hips and pulled them into an arched position, so the child was again position on her knees and elbows/arms. The camera zoomed closer during this and the child's vagina was visible. The vagina had barely any development and no visible pubic hair. The male inserted his penis into the child's anus and continued thrusting his hips and penis into the anus of the child.
9. Name - 057e83c8-6186-47da-8003-d9bad5126e5e.mp4; MD5 - f68d3ac81be04888c460aa5ec5a53e96; Created Date - 6/7/2023 2:23:38 AM (UTC-5); Accessed and Modified Date - 6/7/2023 2:23:44 AM (UTC-5) – The image was a one minute and five second (01:05) video. The video began with a clothed, white, female toddler with shoulder length brown hair and wearing a white and blue dress with the right strap of the dress pulled onto the upper arm of the child. The toddler's face was not immediately visible. Both toddler's hands were on the erect penis of a white, adult male. The toddler's left hand was on the top of the penis and the toddler's right hand was gripped around the lower portion/based of the penis. The male penis has pubic hair. A computer was visible in the background. The toddler appeared to be standing and the adult seemed to be in a seated position. The toddler moved her right hand upward along the male's penis. The male then gripped his erect penis with his right hand and began moving his hand up and down his penis. The toddler's face was partially visible near the male's erect penis. The video then shifted to the male inserting an erect penis into the exposed vagina of a toddler. The toddler's legs were spread and was seated above the male. The vagina had no development and no pubic hair was visible on the toddler's vagina. A white and blue dress matching that of the toddler earlier in the visible was visible on the toddler and pulled just above the naval to expose the

toddler's vagina. The male only inserted the top of his penis into the child's vagina. The male then grabbed the toddler's legs and lifted the child upward. The male continued to insert his erect penis into the toddler's vagina, but he was still only able to insert the top of the penis. The male then seemed to insert his penis into the area of the toddler's anus although the anus was not visible. The male grabbed the hips of the child and positioned her above his penis. The male began to move the toddler's hips upward and downward over his erect penis.

10. Name - 1_4927241629351281281.mp4; MD5 - c99ce68dc713282451c34b600b588cc4; Modified Date - 6/15/2023 11:19:42 AM (UTC-5) – The image was a thirty-one second (00:31) video. The video began with two, prepubescent, white, female children. The first child (hereafter referred to as Child 1) was naked, with shoulder-length brown hair, and in a squatted position on a couch with her hand behind her, holding onto the upper portion of the couch. Child 1 had her legs spread to expose her vagina and a thin white object was inserted into Child 1's vagina. Child 1's vagina was not developed and did not have any pubic hair. The second child (hereafter referred to as Child 2) had shoulder-length brown hair and was in a kneeling position on the same couch as Child 1. Child 2 held the base of the thin white object as it was inserted into the vagina of Child 1. Child 1 moved upward and downward on the white object. At one point, Child 1 moved her right hand onto the cushion of the couch, and she moved upward and downward. Eventually, Child 1 began to move forward and backward instead of upward and downward, with the white object still inserted into her vagina.

This is not the exhaustive list of CSAM images on the cell phone. Further investigation and forensics will be completed to verify the full extent of CSAM images on the cell phone.

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

Subscribed and sworn to before me on 08/08/23

Electronically Signed By:

Catherine Block

Assistant District Attorney

State Bar #: 1053966

Electronically Signed By:

Jacob Chihak

Complainant