

FILED
06-27-2023
Clerk of Circuit Court
For Official Use
La Crosse County WI
2023CF000599

STATE OF WISCONSIN CIRCUIT COURT LA CROSSE COUNTY

<p>STATE OF WISCONSIN</p> <p style="text-align: right;">Plaintiff,</p> <p>vs.</p> <p>Jaivon M Long 330 Rose Street La Crosse, WI 54603 DOB: 08/21/2005 Sex/Race: M/B Eye Color: Brown Hair Color: Black Height: 4 ft 8 in Weight: 100 lbs Alias:</p> <p style="text-align: right;">Defendant.</p>	<p>DA Case No.: 2023LC002066 Assigned DA/ADA: Jessica Skemp Agency Case No.: 10-23-28563 Court Case No.: ATN: 32000000534778</p> <p style="text-align: center;">CRIMINAL COMPLAINT</p>	
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Sergeant Brandon Penzkover, La Crosse County Sheriff’s Department, being first duly sworn on oath says that on information and belief:

Count 1: FIRST DEGREE RECKLESSLY ENDANGERING SAFETY - PTAC, AS A PARTY TO A CRIME, USE OF A DANGEROUS WEAPON

The above-named defendant on or about Saturday, June 17, 2023, at 600 block of Gould Street, in the City of La Crosse, La Crosse County, Wisconsin, as a party to a crime, did recklessly endanger the safety of P.F., under circumstances which show utter disregard for human life, contrary to sec. 941.30(1), 939.50(3)(f), 939.05, 939.63(1)(b) Wis. Stats., a Class F Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) years and six (6) months, or both.

And further, invoking the provisions of sec. 939.63(1)(b) Wis. Stats., because the defendant committed this offense while using a dangerous weapon, the maximum term of imprisonment for the felony may be increased by not more than 5 years.

Count 2: AGGRAVATED BATTERY - PTAC, AS A PARTY TO A CRIME, USE OF A DANGEROUS WEAPON

The above-named defendant on or about Saturday, June 17, 2023, at 600 block of Gould Street, in the City of La Crosse, La Crosse County, Wisconsin, as a party to a crime, did intentionally cause bodily harm to P.F., by conduct that created a substantial risk of great bodily harm, contrary to sec. 940.19(6), 939.50(3)(h), 939.05, 939.63(1)(b) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.63(1)(b) Wis. Stats., because the defendant committed this offense while using a dangerous weapon, the maximum term of imprisonment for the felony may be increased by not more than 5 years.

and prays that the defendant be dealt with according to law; that the basis for complainant's charge of such offense is:

FACTUAL BASIS:

Your complainant is informed in an official report by Officer Roden as follows, in part:

SUMMARY:

On 06/17/2023 at 10:55 p.m., officers responded to 608 Gould Street for a male subject that was on the ground bleeding badly. The individual had a head injury and they indicated they just found him out there and he was moving slightly and there was a laceration on his head.

Officer Lang had responded and I was informed he made contact with the victim who was identified as P.F.. It was believed the individual may have crashed his bicycle. P.F. was treated medically, transported to Gundersen Healthcare System where he received medical treatment and no police investigation was initially completed as it was believed P.F. had just fallen off his bike. I later learned from Officer Lang that he believed P.F. may have been riding his bike, had been drinking, and had just fallen off. P.F. had no recollection as to what had occurred so there was no indication a crime had been committed.

I later learned he had been physically assaulted. The suspects, N.B. and Jaivon Long were the suspects. Both were taken into custody and no further follow-up is needed.

NARRATIVE:

FOLLOW UP:

On 06/21/2023 At 12:31 p.m., I, Officer Roden responded to the Sports Nut Tavern located at 801 Rose Street. I was advised Christopher Stolpa was at this location and had information from an incident that had occurred on 06/16/2023 reference a friend of his, P.F. . Upon arrival at the Sports Nut, I made contact with Christopher Stolpa.

CONTACT WITH CHRISTOPHER STOLPA:

I made contact with Christopher at the Sports Nut. Christopher is an employee at the Sports Nut and informed me he had information on an incident that occurred on 06/16/2023 involving a friend of his and a coworker P.F.. Christopher told me he had a video of the incident and wished to provide me information.

Christopher advised he had received a video from a relative which had been put out on social media through a story. He was unsure where the story was shared, but indicated the story came from social media possibly Snapchat. Christopher advised he received a video which was sent to him from social media and the video shows a violent act in which two male individuals are physically attacking another individual in the middle of the street and the subject appears to be knocked unconscious. Christopher told me the individual being violently attacked is his friend and coworker P.F..

Christopher advised he had contact with P.F. and P.F. was unaware as to what had occurred and was unaware he had been physically assaulted and thought he had fallen off of his bicycle, according to Christopher. Christopher then showed me the video.

Christopher provided me the video and played it for me. In the video, I observed a male/white laying in the middle of 600 Gould Street with a bicycle on the ground next to him. The male subject identified as P.F. is on his back while two younger male/black individuals are standing over him and repeatedly throwing punches at him as he is on the ground. P.F. appears to be lifeless and knocked unconscious during this period of time. At one point in time, one of the individuals runs away from P.F. in a southwest direction in front of the camera and the other male subject picks the bike up that is laying on the ground. P.F. appears to raise his head off the ground and as he begins to raise his head off of the ground, the individual picks up the bike, raises it into the air above his head, and slams it violently at P.F.'s head slamming his head down to the ground and appears to knock him unconscious again. The act is extremely violent and is captured on video which was shared on social media by an unknown individual.

I requested Christopher to send this video to me and provide any photographs he had. Christopher informed me he had pictures of P.F.'s injuries from after the incident which he advised he would also send to me. After making contact with Christopher Stolpa and obtaining the video of the incident, I attempted to contact the victim P.F..

ATTEMPT TO CONTACT VICTIM/ID OF SUSPECTS:

On this day and on 06/22/2023, I attempted to contact P.F. reference this incident to obtain a statement from him to see if he had any recollection of the incident and to see if he wished to report and pursue charges against the individuals that had physically assaulted him.

I attempted on numerous occasions to make contact with P.F. and left messages on his phone, but I was unable to connect with him. I did request Officer Lang try and contact him as well on 06/22/2023 but he also had negative results. After I was not able to contact P.F., I provided officers the video and asked for them to assist with identifying the suspects in the incident. I sent the video out via email to officers requesting assistance at which time I was informed Officer Ledvina was able to positively identify both individuals in the video. Officer Ledvina positively identified the suspects as Jaivon Long and N.B.. Officer Ledvina identified both individuals from this incident. It should be known that this incident occurred right in the street next to where both Jaivon and N.B. reside.

After obtaining this information, I was able to identify the suspects but was still not able to contact the victim P.F.. On 06/26/2023, I returned to work and again attempted to contact P.F..

CONTACT WITH VICTIM P.F.:

On 06/26/2023, I was able to connect with P.F. via telephone. P.F. indicated he was currently at Fathead Steve's located on Jay Street in the City of La Crosse. P.F. was willing to meet with me at which time I responded to Fathead Steve's and made contact with P.F..

Upon making contact with P.F., I spoke to him about the incident. P.F. advised he did not recall the incident or much from it. The only recollection P.F. had was he believes as he was riding his bike down the street, there were a handful of individuals near the southeast corner of Rose Street and Gould Street and the individuals were yelling at him something in regard to stealing their bike. P.F. advised this was not their bike but was a friend of his bike and he was very well aware the bike was not stolen. P.F. had no recollection of being physically assaulted and battered as he was knocked unconscious.

I asked P.F. if he was able to watch the video which Christopher Stolpa had and he indicated he had not yet watched the video and did not know what had occurred. P.F. was not able to give me any further details as to what had occurred as he was knocked unconscious and had no recollection of the incident.

I asked P.F. if he wished to pursue charges against the individual from this incident and if he recalls giving any consent. P.F. advised he wished to pursue charges and did not give any consent to injure him.

While speaking to P.F., I asked him to tell me on a scale of one to ten what his worst pain was from after the incident as he does not recall the specific incident when occurred. P.F. indicated he had been in extreme pain and his pain level was a ten. I then asked P.F. to remove his glasses so I could see his face and the injuries that he still had to it as he still had bruising on his face and the staples in his head.

INJURIES TO P.F.:

Photographs were obtained by Christopher Stolpa on an earlier date. These were sent to me and they will be placed into evidence after transferred onto a disc. When observing the injuries on P.F., I observed bruising on his face. P.F. has two black and blue eyes and other bruising on his face which was severe, P.F. also had a laceration on the top of his head which required numerous staples and looking at the photograph, it appears there is six or possibly seven staples in the top of his head. P.F. also had a large bump on the back of the head which also appeared to have a cut on it which did not require sutures or staples but I could still see there was a cut. P.F. stated the pain level was a 10 out of 10 being the worst pain.

PHOTOGRAPHS:

I took photographs with Squad #23 of P.F.'s injuries ten days later. I did receive photographs from Christopher Stolpa prior to this which shows his injuries were worse at that time and the bruising was much darker and more visible.

After making contact with P.F. and confirming he wished to pursue charges against the individual and did not give consent, I responded to the residence where N.B. and Jaivon reside. The two reside next to one another.

CONTACT/ARREST OF JAIVON LONG:

As myself and Officer Miller approached Jaivon's residence, I observed Jaivon standing on the south side of his residence with his mother and an unknown individual. I made contact with Jaivon and informed him the reason for my contact.

Once making contact with Jaivon and informing him the reason for my contact, Jaivon indicated he had no involvement and that he was "up in his crib". Jaivon denied any involvement. I then placed Jaivon under arrest. Jaivon was placed under arrest for disorderly conduct, party to the crime of substantial battery, and party to the crime of reckless endangering safety. Jaivon was handcuffed (safety locked) and escorted to my squad car where he was searched. As I searched Jaivon, I located in his left front pocket a replica Glock pistol that was desert tan and black in color and was a replica of a semi-automatic handgun and could easily have been mistaken for a real handgun. Jaivon advised it was not a real gun.

It should be known as we had contact with Jaivon, his mother Jenice was present and was yelling at us indicating that we were arresting the wrong person indicating what we were doing was wrong and when asked to stay near the residence, she did not listen and just walked alongside of us recording it with her phone.

Jaivon was then secured into my squad and I took the replica handgun as evidence and transported Jaivon to the La Crosse County Jail.

V.

Jaivon M Long

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It should be known as I was taking Jaivon into custody, there was a couple other individuals who came over near our location. One of them I believed was N.B. at which time when he recognized I was taking Jaivon into custody and speaking to him, N.B. recognized why I was there at which time he immediately turned around and quickly left the area back towards his residence as he was the second suspect in this incident, but I was unable to take him into custody as I had Jaivon under arrest.

I transported Jaivon to the La Crosse County Jail where he is currently being held.

CHARGES ON JAIVON LONG:

Jaivon was charged with disorderly conduct, party to the crime of substantial battery, and party to the crime of reckless endangering safety. Jaivon is currently being held at the La Crosse County Jail.

CUSTODY OF N.B.:

After leaving the jail a short time later, I was informed individuals were at the City Hall with N.B. who was the second suspect with this incident. I responded to the City Hall and made contact with N.B., his parents, and Jenice Long near the north parking lot.

I made contact with the individuals near the north City Hall parking lot. I informed N.B.'s parents and N.B. that he would be taken into custody for the incident. I informed them I would like to get a statement from N.B. at which time N.B.'s father Lamar advised N.B. would not be providing a statement to me without his presence at which time I informed Lamar I would not obtain a statement from N.B. upon his request. After allowing N.B.'s parents to speak to him, I took N.B. into custody. I escorted N.B. into the La Crosse Police Department. After being in the police department for a short period of time for paperwork, I then placed N.B. into handcuffs (safety locked) and escorted him to my squad car.

Juvenile Justice was contacted and provided the information reference this incident at which time I requested N.B. be held on the charges in secure facility. It was approved that N.B. would be held at the Juvenile Detention Center in secure facility. I then transported N.B. to the Juvenile Detention Center and he was turned over to staff. N.B. is currently being held at the Juvenile Detention Facility.

CHARGES ON N.B.:

N.B. was referred for disorderly conduct, party to the crime of substantial battery, and party to the crime of reckless endangering safety.

PHONE CONTACT WITH JENICE LONG:

After returning back to the police department from the Juvenile Detention Center, I received a phone call.

Jenice Long was on the phone. Jenice informed me she had a video of the incident. She indicated this was a full video of the incident. I informed Jenice to recontact me on 06/27/2023 so I could obtain the video. Jenice was not happy I would not be obtaining this video at this time, but I was going off duty. I informed Jenice I would contact her or she could contact me on 06/27/2023 and I would obtain that video. Jenice was also provided the phone number to contact a supervisor as she wished to speak to one at this time.

STATE OF WISCONSIN

CRIMINAL COMPLAINT

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Jaivon M Long

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Subscribed and sworn to before me on 06/27/23

Electronically Signed By:

Electronically Signed By:

Deputy Daren Schieldt

Eric S Sanford

Complainant

Assistant District Attorney

State Bar #: 1085718