

State of Wisconsin

Circuit Court

Rock County

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 2017RO000624
Assigned ADA: Gerald A. Urbik
Agency Case No.: BE1703920

-vs-

Court Case No.: 2017CM 373

MICHAEL T. KEE
904 CHURCH STREET, APT. 243A
BELOIT, WI 53511
DOB: 12/28/1996
SEX/RACE: M/W
EYE COLOR: BLUE
HAIR COLOR: BROWN
HEIGHT: 5 FT 11 IN
WEIGHT: 350 LBS

ATN: 54012000170456

2017 FEB 28 AM
SPECIAL DELIVERY
OFFICE OF CLERK
COURT OF COMMON PLEAS

Defendant.

CRIMINAL COMPLAINT

Trevor Lund, of the Rock County Sheriff's Office, being first duly sworn, states that:

Count 1: CRIMINAL DAMAGE TO PROPERTY

The above-named defendant on or about Monday, January 30, 2017, in the City of Beloit, Rock County, Wisconsin, did intentionally cause damage to the physical property of another, a building, belonging to Beloit College, without that person's consent, contrary to sec. 943.01(1), 939.51(3)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Count 2: DISORDERLY CONDUCT

The above-named defendant on or about Monday, January 30, 2017, in the City of Beloit, Rock County, Wisconsin, while in a public place, did engage in otherwise disorderly conduct, under circumstances in which such conduct tended to cause a disturbance, contrary to sec. 947.01(1), 939.51(3)(b) Wis. Stats., a Class B Misdemeanor, and upon conviction may be fined not more than One Thousand Dollars (\$1,000), or imprisoned not more than ninety (90) days, or both.

Count 3: OBSTRUCTING AN OFFICER

The above-named defendant on or about Monday, January 30, 2017, in the City of Beloit, Rock County, Wisconsin, did knowingly obstruct an officer, while such officer was doing an act in an official capacity and with lawful authority,, contrary to sec. 946.41(1), 939.51(3)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

02/06/2017

Frank
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STATE OF WISCONSIN - VS - Michael T. Kee

PROBABLE CAUSE:

Officer Mueller, of the Beloit Police Department, reports that on January 30, 2017, at approximately 2:33 a.m., he was dispatched to 904 Church Street, in the City of Beloit, Rock County, Wisconsin, in response to a report of a vandalism report. Officer Mueller reports he did subsequently speak with Beloit College Security employee, Eric Sharlow, who stated he was walking the hallway in the apartment building on Church Street when he got to the second floor and could smell a very strong odor of paint. Sharlow stated that as he walked near room 243A, he saw that there was wet, red spray paint on the wall and door. Officer Mueller reports that Sharlow escorted him to the area where he found the spray paint at which time he could see that on the wall was a large red swastika and on the door was written, "die sand nigger, go home #muslimban." Officer Mueller reports that because the incident occurred on Beloit College property and because of the recent history of racial harassment going on at the college, he requested Sergeant Eberhardt to come to the scene. Officer Mueller reports that the Associate Dean of Beloit College, John Winkelmann, also arrived on scene. Officer Mueller reports he subsequently spoke with the resident of 243A, who identified himself as Michael T. Kee. Officer Mueller reports that Kee stated that he was in his room looking at Facebook during the time the incident must have occurred. Officer Mueller reports that Kee stated that he was a Muslim and part of the Muslim Spiritual Life Office at Beloit College.

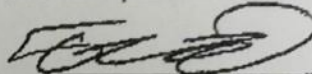
Officer Valdez reports that on January 30, 2017, at approximately 3:13 a.m., he responded to a Beloit College Campus apartment building at 904 Church Street, in the City of Beloit, Rock County, Wisconsin, in response to a vandalism complaint. Officer Valdez reports that he subsequently spoke with Sergeant Eberhardt, who pointed out a hallway to room 243A, which was a Beloit College dorm room. Officer Valdez reports that he could observe a red swastika that had recently been painted on the wall along with a spray painted message, "die" as well as the words, "sand nigger go home #muslimban." Officer Valdez reports that Sergeant Eberhardt also pointed out a red spray paint can in the trash can to the hallway adjoining room 243A. Officer Valdez reports he subsequently collected the spray paint can while wearing gloves and put it in an evidence bag. Officer Valdez reports that Sergeant Eberhardt advised that the victim in the incident was Michael Tyler Kee, who lived at 243A. Sergeant Eberhardt reports that Kee had advised him that he had touched the spray paint can after initially discovering it in the trash can. Officer Valdez reports that Kee later stated that the paint can was actually his and he had purchased it earlier.

Detective Hawley reports that on January 31, 2017, he was assigned to assist Detective Davies with the investigation of graffiti with hate speech at the Beloit College. Detective Hawley reports he subsequently spoke with Kee at the Beloit Police Department at which time a recorded interview was done. Detective Hawley reports that Kee stated that on the morning of the incident, he woke up at about 2:00 a.m. and left his dorm room in order to use the bathroom. He stated that when he opened his dorm room door, he immediately observed a red swastika on the wall across from his room and subsequently saw a can of red spray paint, which he had previously purchased in the trash can. He stated that he subsequently overheard a sergeant make a statement about trying to find out who purchased the paint at which time Kee realized that it was his can of paint. Kee stated that he thought it would look bad for him if it was discovered that the can of paint he purchased was used to vandalize his door, but he was subsequently advised by Beloit College Associate Dean John Winkelmann

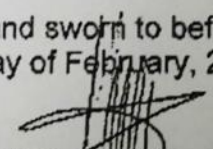
to let the police know that he had purchased the can. Detective Hawley reports that Detective Davies questioned Kee about why he was so nervous at which time Kee stated that there was an incident with Janesville Police Department where he was treated poorly. Detective Hawley reports that he subsequently discovered that Kee had falsely reported an incident to the Janesville Police Department in 2014. Detective Hawley reports that as he continued to interview Kee, Kee stated that he had placed the paint on his own door and then placed the spray paint can in the trash. Detective Hawley reports that Kee later stated that he placed the swastika and the derogatory term on his door because the Jewish students were getting all the attention and the Muslim students were being overlooked. Detective Hawley reports that Kee went on to state that the Muslim issues are not talked about Beloit College and that there seemed to be a competition about which group is the most oppressed. Detective Hawley reports that Kee referred to the competition as the "oppression olympics." Kee also stated that faculty at Beloit College and Jewish students at the college would say that the other oppressed groups aren't important because the Jews have the holocaust. Kee stated that he believed that by placing the graffiti onto the wall and the door, it would unify the Beloit College community. Kee stated that he also knew that there would be a very strong response and a positive turnout. Kee stated that he placed the graffiti on his own door because he didn't think anyone would think of him doing such a thing to his own door and did not think he would be caught. Kee stated that he was sorry for what he did and sorry for his own stupidity that he thought he could write on his own door and get away with it. Detective Hawley reports that Kee stated that he done nothing but lied to him for the entire interview.

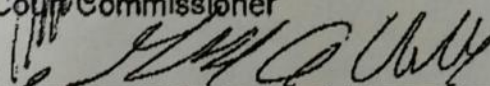
Detective Hawley reports that he and Detective Davies subsequently drove Kee back to his dorm room at Beloit College at which time Kee told him that everything he told him had been a lie and that he had told him lies because the police didn't believe his true story. Kee stated that he felt he wasn't believed because of the prejudice surrounding Muslims.

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


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Complainant

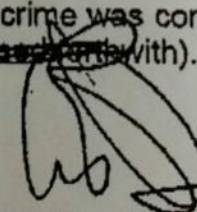
Subscribed and sworn to before me
this 21st day of February, 2017.


Asst. D.A./Judge/Court Commissioner

Approved for filing  Assistant District Attorney
Gerald A. Urbik

I find probable cause (exists) (~~does not exist~~) that the crime was committed by the defendant and order that he/she be (held to answer hereto)(~~released~~)(~~with~~).

Dated this 28 day of February, 2017.


Judge/Court Commissioner

GAU/bjf