

SEARCH WARRANT RETURN

FILED
Office of Clerk of Courts
BAYFIELD COUNTY

JUN 10 2024

10:15 am

Beide Zph

CIRCUIT COURT)
COUNTY OF BAYFIELD) ss.

Dated at WASHBURN, Wisconsin, this 10th day of June, 2024.

I hereby certify that by virtue of the within writ I searched the within named premises and found the following: See Attached. Property Custody Document.

and have same now in my possession subject to the disposition of the Circuit Court.


Deputy Luke Harnisch

EVIDENCE/PROPERTY CUSTODY DOCUMENT		Complaint Number: B1-24-03536		
		Case Number:		
Police Department: Bayfield County Sheriff's Department		Address: 615 2 nd Ave. E. Washburn, WI 54891		
Name and title of person from whom received: ☒ Owner: Kimm Kingsley ☐ Other:		Address: (include zip code) 30800 Gasperini Road Washburn WI		
Location from where obtained: 24535 State Highway 13 Town of Bell		Reason obtained: Evidence	Time/Date obtained: 9:00 am 6/7/2024	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (include model, serial number, condition and unusual marks or scratches)		
1	1	Fle Bitten Gray Female		
2	1	Bucksin Mom		
3	1	Black Filly		
4	1	Red Roan Female		
5	1	Bucksin Female (preg.) Branded		
6	1	Appalosa Female Mom		
7	1	Dunn Filly Female		
8	1	Black Mare Female Branded		
9	1	Paint Female (red/white)		
10	1	Appalosa Female Branded		
11	1	Grulla Female		
12	1	Zebradun Female		
13	1	Bucksin Female Branded		
14	1	White Mare Female (preg)		
15	1	Bay Mare Branded on back leg		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
		Signature	Signature	
		Typed Name, Title:	Typed Name, Title:	
		Signature	Signature	
		Typed Name, Title:	Typed Name, Title:	
		Signature	Signature	
		Typed Name, Title:	Typed Name, Title:	
		Signature	Signature	
		Typed Name, Title:	Typed Name, Title:	
		Signature	Signature	
		Typed Name, Title:	Typed Name, Title:	

Location: _____

 Ledger
 Number: _____

CHAIN OF CUSTODY (Continued)				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
		Signature	Signature	
		Typed Name, Title:	Typed Name, Title:	
		Signature	Signature	
		Typed Name, Title:	Typed Name, Title:	
		Signature	Signature	
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		Signature	Signature	
		Typed Name, Title:	Typed Name, Title:	
		Signature	Signature	
		Typed Name, Title:	Typed Name, Title:	

FINAL DISPOSAL ACTION

Release to Owner or Other (Name, Address): _____

Destroy _____
Other (Specify): _____

FINAL DISPOSAL AUTHORITY

ITEMS _____ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING _____ IS/ARE NO LONGER
(Name) (Address)
REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If articles must be retained, do not sign, but explain in separate correspondence.)

(Typed Name, Title) (Signature) (Date)

WITNESS TO DESTRUCTION OF EVIDENCE

The article(s) listed at item number(s) _____ was/were destroyed by the evidence custodian, in my presence, on the date indicated above.

(Typed Name, Department, Office) (Signature)



**CIRCUIT COURT OF THE TENTH JUDICIAL DISTRICT OF
COUNTY OF BAYFIELD**

FILED
Office of Clerk of Courts
BAYFIELD COUNTY

SEARCH WARRANT

JUN 10 2024

The State of Wisconsin, to any Law Enforcement Officer of the State of Wisconsin:

WHEREAS, Deputy Luke Harnisch has this day complained (by attached affidavit) to this Court upon oath, showing probable cause that as of May 30, 2024, in the County of Bayfield, there is now located and concealed in and upon certain premises, located in the Township of Bell and the County of Bayfield, owned by Richard K. and Cynthia A. Karlow and more particularly described as follows:

DESCRIBE PREMISES: NW SE LESS S 400' OF W 1100' IN V.1009 P.466 & PAR DESC IN V.1043 P.17513739N (Tax ID # 711) State Highway 13, NE SE (Tax ID 7710), and SE SE (Tax ID # 7714 total deeded acres 106.90 is wooded property located on the east side of State Highway 13, the driveway to the property is shared with residential number 24535. The wooded property has fencing along State Highway 13 and has sparse pasture space. The property described as SE SE borders a utility line, which is east of Town Rd. Bayfield County Tax records show no dwelling on the property, however, may contain outbuildings in various states of repair. This premises is located in the Township of Bell, County of Bayfield, State of Wisconsin; search to include all of the deeded property, trailers, storage and areas associated with and accessible to the above-described property and all persons present on premises, certain goods, chattels and property, to-wit:

DESCRIBE OBJECTS OF SEARCH:

1. **B1-24-03080** Mistreated, malnourished, confined and neglected equine animals. More specifically, an unknown number of mustangs (possibly 24 or more).
2. Locate and seize any evidence that will confirm that Kim K. Kingsly (W/M DOB 07/11/1952) is responsible for the crime of the aforementioned animal neglect

DESCRIBE CRIME OR CRIMES:

1. There now exists a necessity to determine if said premises comply with: **WI S.S Mistreating Animals, Sec. 951.02, Providing Proper Food and Drink to Confined Animals, Sec. 951.13, Providing Proper Shelter, Sec. 951.14 or Sec. 7-1-4 Providing Food and Drink to Confined Animals, Sec. 7-1-5 Providing Proper Shelter**, or both and pray a special inspection warrant be issued to search the premise.

THEREFORE, in the name of the State of Wisconsin, you are commanded forthwith to search the said premises and/or the said person(s) for said things and take possession thereof, if found. You are further commanded to return this special inspection warrant within forty-eight hours before the Assistant Chief Deputy Clerk of the Circuit Court, Crime, Misdemeanor, Traffic Division, or his designee, to be dealt with according to law.

WITNESS, the Honorable John P. Anderson, Bayfield County Circuit Court Judge of the Tenth Judicial District of Wisconsin, at Washburn, Wisconsin, at 1:15 a.m./p.m. on June 10th, 2024.

Bayfield County Circuit Court Judge

AFFIDAVIT FOR SPECIAL INSPECTION WARRANT

FILED
Office of Clerk of Courts
BAYFIELD COUNTY

JUN 10 2024

STATE OF WISCONSIN)
) ss.
BAYFIELD COUNTY)



Affiant, Deputy Luke Harnisch, first duly sworn on oath, states as follows:

AFFLIANT'S TRAINING & EXPERIENCE

1. Affiant is employed as a Deputy for the Bayfield County Sheriff's Office and is assigned to the Patrol Division;
2. Affiant has worked full-time as a law enforcement officer for the past 5 years;
3. Affiant has received extensive formal and informal training through affiant's law enforcement agency in the investigation of property crimes as well as on-the-job training working in concert with investigators, other deputies and prosecutors conducting investigations in a multitude of misdemeanor and felony crimes;
4. Your affiant asserts this training also consisted of an assorted compilation of several work hours since my career began and have a considerable amount of time in homes and on properties and around domestic animals in Bayfield County. I have gathered an experience log of a general appearance and sanitation level of the average property and I believe my years of professional experience allow me to set a standard of normal acceptable conditions for confined animals;
5. I have worked with the Bayfield/Ashland Humane Officers in a professional capacity and know their on-scene observations to be facts and opinions generated by professional experience and certifications within the field of animal and livestock expertise;
6. Affiant, as a law enforcement officer for the Bayfield County Sheriff's Office, also incorporates by reference multiple official police reports which were prepared by law enforcement officers of the Bayfield County Sheriff's Office. They contain factual information obtained from victims, witnesses and other sources;

PROBABLE CAUSE & INVESTIGATION

7. Your affiant, Deputy Luke Harnisch, is conducting and assisting with a criminal investigation involving the offense(s) of WI S.S Mistreating Animals, Sec. 951.02, Providing Proper Food and Drink to Confined Animals, Sec. 951.13, Providing Proper Shelter, Sec. 951.14

or Sec. 7-1-4 Providing Food and Drink to Confined Animals, Sec. 7-1-5 Providing Proper Shelter. My affidavit is based in part on information received from an investigation regarding a series of complaints of animal neglect at the described property between the period of 11/06/2023 and 05/23/2023. A total of 3 animal neglect complaints have occurred within this period.

8. **(B1-17-04282)** On June 21, 2017, Deputy Kastern received a report about Kim Kinglsey owning about 40 horses and they were severely emaciated. Kastern checked on the horses and noted there were about 20 horses standing in the driveway, which had a fence around it. There was not much grass pasture. The horses looked malnourished. Most of the horses looked sickly and skinny with bones clearly visible through their skin.

Kastern called the owner, Kim Kingsley, who did not answer. Kastern left message. At about 0030 Hrs, Kim called Kastern back. Kastern told Kim about the complaint. Kim claimed he was at his other property out west and he had someone care taking the horses. Kim said he just talked to them and they said everything was fine. Kastern told Kim that everything was not fine. Kastern advised Kim that the horses were contained by fencing on the drive and it did not appear they could get into the pasture. Kim was told the horses looked sickly ill and they needed help.

9. **(B1-23-514)** On November 6, 2023, Deputy Letica with the Bayfield County Sheriff's Office, received a neglect of horses, without food, water, and shelter, and one horse was deceased. The horses were in an open field near 24535 STH 13 Township of Bell, County of Bayfield, WI. The suspected owner and caretaker of the horses is Kim Kingsly at 30800 Gasperini Rd. in the City of Washburn. Letica arrived at the location of the horses, and she observed an open field without any houses around. While standing near STH 13, she could see approximately 10 horses that were displaying alarming signs of extreme malnourishment, dehydration, and suffering. Their emaciated bodies revealed prominent rib cages, visible hipbones, and lethargy, suggesting prolonged starvation and neglect. It was evident the horses did not have access to adequate shelter, food, or water. The animals were exposed to the northern elements of Wisconsin in freezing weather, without protection from extreme weather conditions. There was no visible sign of food, water, or shelter. Letica observed a deceased horse on the ground in a pen corral. The horse was extremely thin.
10. **(B1-24-03080)** On May 23, 2024, I, Deputy Luke Harnisch was on patrol for the Bayfield County Sheriff's Office. I was dispatched to assist Animal Control at 24535 State Highway 13 in the Township of Bell, Bayfield County WI. I was unable to assist animal control. Ashley Bard who is employed with animal control sent me an email with her findings at the property. Bard stated that she believed that the owner of the horses Kim Kingsley should be cited for not providing proper food, water, and shelter for the horses at the property. I spoke to Bard on the phone, and she requested that a warrant be drafted so she could walk through the entire property and further her evidence of animal neglect.

Animal Control Officer Bard's findings are as follows:

11. **(M4-3098)** On May 20, 2024, welfare call on 2 horses. The caller stated there is a mare and foal next to her property that has not had food or water brought to them for 48 hours. Also, she can see them clearly when walking behind her barn. The mare reaches through the corral to get grass from the side. The mare has no shelter from elements, they are positioned on the main road

away from trees. Mare condition score 3 thin. Neck accentuated, withers accentuated, shoulders accentuated. Fat buildup halfway on spinous but not easily discernable, slight fat cover over ribs, ribs easily discernable.

Follow-up on May 21, 2024. No food present, water bucket hallway full. No shelter still from elements. Mare still reaches outside of corral for fresh grass.

Follow-up on May 22, 2024. No food, water bucket half full. No shelter from elements. Mare reaches outside corral for fresh grass.

The average horse in moderate work conditions eats approximately 2% of their weight in hay or pasture per day. For a mare that is lactating, this increases to about 3% of body weight per day. It does not appear that there has been sufficient hay in the corrals for any horse to eat 2% or 3% of its body weight with at least 10 or more horses in the corral.

Attached are photographs from Bard;



May 20, 2024 · 4:26 PM

[Edit](#)

20240520_162607.jpg

/Internal storage/DCIM/Camera

Galaxy S24+

5.30 MB | 3000x4000 | 12MP

ISO 25 | 23mm | 0.0ev | F1.8 | 1/180 s



May 20, 2024 · 4:23 PM

[Edit](#)

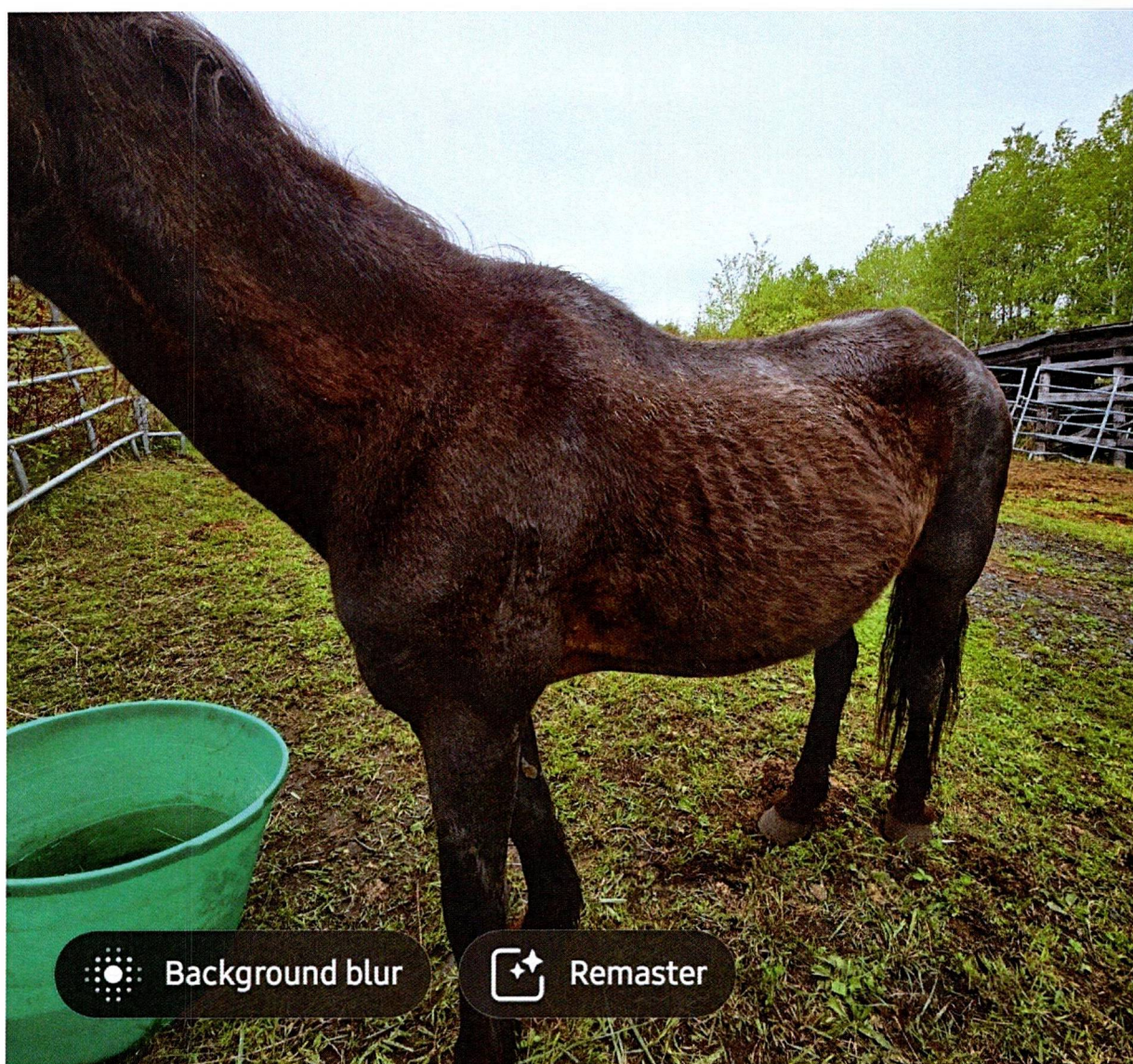
20240520_162339.jpg

/Internal storage/DCIM/Camera

Galaxy S24+

5.29 MB | 3000x4000 | 12MP

ISO 50 | 13mm | 0.0ev | F2.2 | 1/784 s



May 20, 2024 · 4:23 PM

[Edit](#)

20240520_162347.jpg

/Internal storage/DCIM/Camera

Galaxy S24+

5.29 MB | 4000x3000 | 12MP

ISO 50 | 13mm | 0.0ev | F2.2 | 1/705 s

12. On May 30th, 2024 I, Deputy Luke Harnisch was on patrol for the Bayfield County Sheriff's Office.

I spoke to Dr. Margaret Koosmann on the phone who works at Ashland Area Vet in Ashland, WI. I sent Ashland Area Vet pictures of the horses from the property that I obtained from Bard.

Margaret Koosmann, Doctor of Veterinary Medicine, said to me that it appeared the mare and foal looked thin. Koosmann said that the mare looked malnourished and based on that she questioned if the foal was too. Koosmann said that it looked like the mare was reaching out of the fence and hitting its nose on barbwire to get to food. Koosmann said it didn't look like there was any shelter for the animals.

On June 5, 2024, a special inspection warrant was executed. Below are excerpts taken from Margaret Koosmann;

On June 5, 2024, at 11am to make an assessment of the animals on the property. I met Deputy Kern and Sgt. Jeffress at the Bayfield County Sheriff's Department. We also met Ashley Bard at the department and accompanied her to the property in Cornucopia.

We entered through two sets of closed gates and upon entering the first set of gates there were roughly 25 round bales of hay on the right side of the road. That hay was not of great quality. The two bales outside of the gates were not either. We wound down a road past the first gates to a second set of gates where there were 22 more round bales of poor quality. There were signs of horses previously housed in that area but none visible at that time. There was also a Kubota tractor and a teal GMC pick-up in that area. These vehicles had not appeared to have been moved in the past 24 hours. The second set of gates were opened and live horses were encountered.

Upon entering the second set of gates it was noted that there were several pens containing horses. The first pen contained two mares with no food present, a very minimal amount of rain water in the bucket, and no shelter. They were covered in flies and other insects with no signs of insect control in the vicinity. This would be a recurring theme in that area of penned horses. There were five total penned areas. The areas which were penned off were very small in size, with mud up to the horses' hocks and carpi on all limbs (roughly 2 feet of mud with lots of suction). These pens did not contain ANY shelter, and for a prey animal like a horse, housed in the forest it gives them no place to retreat from a predator to keep themselves safe. In one of the pens was a buckskin-colored stallion that was in poor body condition. The poor body condition is very suggestive of lack of proper caloric intake (due to lack of food offered) for a large amount of time especially when housed in confinement. That particular stallion also went to his water bucket consistently with roughly 1 cup of dirty rain water in it looking for water. There was a general pasture area around the 5 pens that contained two free roaming mares. Again, there was no evidence of water, food or shelter for either of those mares. One of the mares was in particularly poor body condition (2/9 very underweight). She was gray in color and had a general odor of necrotic tissue when approaching her. She would not allow for me to get close to touch her. She was also noted to be running in circles trying to evade large amounts of insects that were biting her and she would then frequently roll on the ground in an attempt to get them away and off of her. There was one other pasture area that contained 13 mares with two foals present. One of the foals that was noted with a visibly large wound within the deep tissue of the medial aspect of the left thigh. That would have been present for an extended amount of time as the edges were quite swollen and appeared devitalized. In the group pastured animals there was also no evidence of food, water or shelter. One mare was thin with ribs visible and appearing to

be carrying a foal at this time. Overall, the animals were whinnying and calling for one another along with food and water.

In conclusion, all paddocks/pens area areas observed during the walk-through lacked appropriate fresh water, food and shelter to sustain the lives of the animals currently inhabiting this area. Based on this finding along with no adequate vet care given to patients with visible wounds I recommend immediate removal of the 24 horses I took note of as well as any other horses on the premises.

Attached are photos taken by Bard during the inspection;

6:14 39:22

44%



00:28 / 02:33



6:13 38:21

45%



6:09 34:43

45%



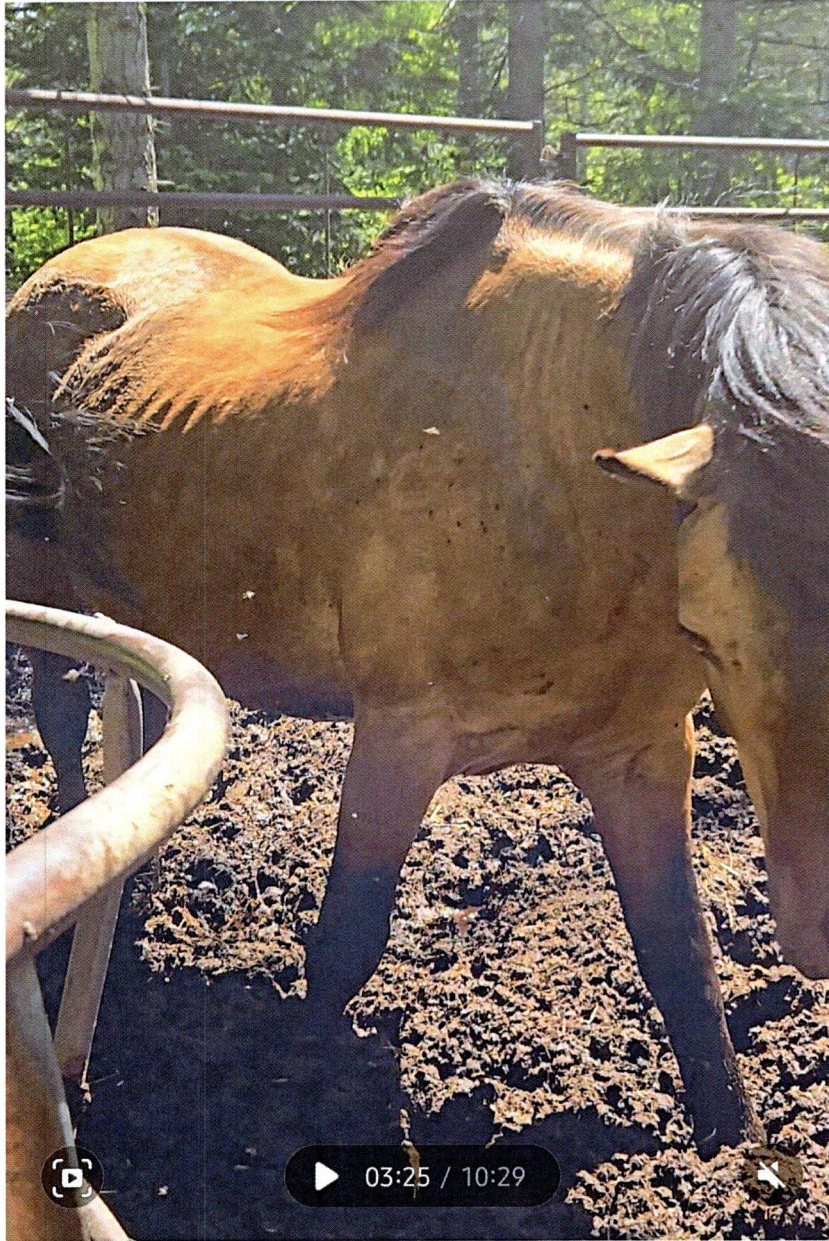
6:09 34:30

45%



6:08 33:19

45%



6:06 31:59

46%



6:12 37:42

45%



13. That affiant knows from personal observation that : NW SE LESS S 400' OF W 1100' IN V.1009 P.466 & PAR DESC IN V.1043 P.17513739N (Tax ID # 711) State Highway 13, NE SE (Tax ID 7710), and SE SE(Tax ID # 7714 total deeded acres106.90 is wooded property located on the east side of State Highway 13, the driveway to the property is shared with residential number 24535. The wooded property has fencing along State Highway 13 and has sparce pasture space. The property described as SE SE borders a utility line, which is east of Town Rd. Bayfield County Tax records show no dwelling on the property, however, may contain outbuildings is varies states of repair. This premises is located in the Township of Bell, County of Bayfield, State of Wisconsin;

NEXUS

14. Based upon affiant's training and experience, and the training and experience of other veteran law enforcement officers with whom affiant has consulted in discussing patterns, trends, and methods of operation regarding this and other similar types of crimes, that animal abusers will often neglect multiple animals in their care.
15. Also, based on information provided by Dr. Koosmann it is imperative the equines are removed from their current environment to immediately improve health conditions, access to water, food and shelter as to avoid death or further harm.
16. Furthermore, based upon the information contained in this affidavit, coupled with affiant's training and experience, affiant requests permission to execute this search warrant at the location listed on Paragraph No. 13 in an effort to search and seize, or to locate any evidence that will confirm that Kim K. Kingsly (W/M DOB 07/11/1952) is responsible for the crime of the aforementioned animal neglect; your affiant has reason to believe and does believe that there is animal neglect at the premises for which this warrant is requested because:

REQUEST

17. **LASTLY**, that affiant is aware that a search seizure warrant may be issued when the application establishes probable cause to believe that evidence connected with a crime will be found at the place to be searched; that probable cause supporting a search warrant is determined by the "totality of the circumstances" wherein the task of the Court is to simply make a practical, commonsense decision whether, given all of the circumstances as set forth in the affidavit, that there is a fair probability that contraband or evidence of a crime will be found in a particular place; furthermore, affiant is also aware that the Courts have determined that probable cause is not a technical or legalistic concept but a flexible common-sense measure of the plausibility of specific conclusions; that elaborate specificity is not required and that probable cause may be supported by inferences as well as facts;

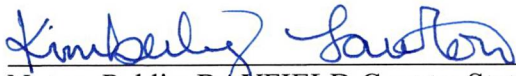
18. **WHEREFORE**, based on the above-stated information, affiant has provided the requisite amount of probable cause establishing that evidence of the crime of animal neglect in violation of

Section 951.02, 951.13, and 951.14 of the Wisconsin Statutes, does now exist at the property and location as described in Paragraph No.13.

19. This affidavit was reviewed and approved by Bayfield County Assistant District Attorney Kimberly Lawton on June 6th, 2024, at 1:03 a.m./p.m.


AFFIANT

Subscribed and sworn to before me this
6th day of June 2024.


Notary Public, BAYFIELD County, State of Wisconsin;
My Commission is permanent/expires _____.