

STATE OF WISCONSIN - VS - David A Kahl

Your complainant is aware that the female was later identified as B.Z. Your complainant is aware that B.Z. resided at 517 W. Doty Street, along with her boyfriend, J.G.

Your complainant reports that on May 28, 2008, the Madison Police Department received Deputy Coroner Jeff Sholts' report. Deputy Coroner Sholts reported that he was present on April 3, 2008, when an autopsy was performed on B.Z. Deputy Coroner Sholts reported that the manner of death of B.Z. was deemed to be homicide and that the cause of death was a combination of sharp force and blunt force injuries.

Your complainant reports that the Madison Police Department received the Medical Examiner's Autopsy report, authored by Dr. Robert Corliss. Dr. Corliss reports that he conducted the autopsy of B.Z. on April 3, 2008. The final anatomic diagnosis was "complex homicidal violence," including multiple sharp force injuries, evidence of ligature strangulation and blunt force injuries. Dr. Corliss reports that there were multiple stab wounds to the anterior chest. Dr. Corliss reports that there was a horizontal band consistent with ligature marking over the anterior neck, and surrounding the ligature mark were "superficial punctate hyperemic markings" consistent with excoriations. Dr. Corliss reports that one side of B.Z.'s face, extending from the forehead to the chin, sustained contusional injury.

April 2, 2008

Detective Esser reports that on April 2, 2008, he determined that B.Z. had attended class on the University of Wisconsin campus and had left class at approximately 11:30 a.m., with a fellow student, R.M. Detective Esser spoke with R.M., who stated that after class, she and B.Z. spoke briefly with the professor, then walked outside. R.M. stated that as they were walking on the sidewalk, a male on the deck of a building yelled out to B.Z., holding his cell phone. R.M. stated that it seemed that B.Z. knew the male and she walked towards him. R.M. stated that she left B.Z. and continued on. R.M. stated that she assumed that B.Z. was going to go home for lunch, as was her normal practice after that class.

Detective Murphy reports that she performed an analysis of the activity on April 2, 2008 on the computer located in a bedroom at 517 W. Doty Street. Detective Murphy reports that at 12:00 p.m., a UW website regarding financial aid was opened and at 12:01 p.m., B.Z.'s email account was accessed. Detective Murphy reports that it appears that B.Z. was on her computer and online from 12:00 p.m. on, and was fairly active on the computer until 12:18 p.m., when the computer activity stopped.

Detective Murphy reports that on April 2, 2008, she made contact with Supervisor Rick Lang at the 911 Dispatch Center, in Dane County, Wisconsin. Detective Murphy reports that he located a 911 call originating from the cell phone number belonging to B.Z. The call occurred on April 2, 2008, at 12:19 p.m. Supervisor Lang stated that he had reviewed the dispatch tape of the call and that at the very beginning of the call, a female could be heard screaming. Supervisor Lang stated that he could then hear muffled sounds of voices and some activity before the call was disconnected.

Detective Morgan reports that she spoke with J.G., who stated that he had observed B.Z. and a friend on campus around 11:30 a.m. J.G. called out to her from a balcony and then called her on her cell phone and talked with her. J.G. stated that B.Z. usually goes home after class.

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J.G. stated that he attended his class from 12:05 p.m. to 12:55 p.m. and then rode his moped back to the residence at 517 W. Doty Street. J.G. stated that when he first approached the house, he noticed that the lock to the outside security door was broken. J.G. said it looked like somebody had kicked open the door. J.G. walked into the entry way and noted that the door to their apartment was unlocked. J.G. stated this was very unusual. J.G. walked from the living room back towards the bedroom and observed B.Z. laying on the floor.

Detective Murphy reports that Supervisor Lang stated that a 911 call was received in the Dispatch Center originating from J.G.'s cell phone number. This call occurred on April 2, 2008, at 1:06 p.m.

Defendant's Presence Near the Homicide

502 W. Wilson Street

Your complainant reports that on April 2, 2008, he had contact with G.N., who stated that his girlfriend resided at 502 W. Wilson Street, Apartment 304. G.N. stated that on April 2, he took his dog for a walk around 11:30 a.m. and observed a male subject at the front door of the apartment complex to the east of his girlfriend's residence. The male initiated contact with him and asked him for \$40 or a ride to his house on the west side of town. The male said that he and "his wife" had a flat tire and had taken their car to a nearby mechanic. The male said the mechanic was going to charge \$40 for the tire to be patched up. G.N. told the male that he did not have any money, but that after walking the dog he might give the male a ride. G.N. stated that the male then said that he would need to "check with my friend." G.N. observed that the male seemed to be "jittery."

G.N. proceeded to walk his dog northbound on Bassett Street, then westbound on W. Doty Street, then back towards Wilson Street in an alley that cut between Doty and Wilson Streets. G.N. stated that once he was back on Wilson Street, he observed the same male on a porch of another residence. G.N. asked the male if he needed a ride and the male stated that he needed to go and let "his wife" know what was going on. G.N. observed the male walk down off the porch and walk westward on Wilson Street, towards Bedford Street. G.N. stated that he put his dog in the apartment and got into his car. G.N. stated that he drove west on Wilson and then north on Bedford Street. G.N. stated that he observed the same male standing on another porch, shaking a man's hand.

Your complainant reports that G.N. described the male as being 40-45 years of age, with salt and pepper hair and stubble on his face. G.N. stated that the male was not wearing a hat and was wearing a darker color shirt. Detective Nale reports that he administered a sequential photo array to G.N. and that G.N. identified the defendant, David A. Kahl, as being the male subject who had approached and asked him for money.

519 W. Wilson Street

Detective Helgren reports that on April 2, 2008, he had contact with a female identified as A.G. at 519 W. Wilson Street. A.G. stated that she was at this location at approximately 11:50 a.m. when a male subject knocked on the door. A.G. stated that the male stated that he had a flat tire on West Washington Avenue and needed \$40 to repair the tire. A.G. told the male that she did not have any money, but that she would call her fiancé and see if he had any money in the residence. A.G. stated that the male told her he would return around noon to find out if she

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could locate any money. At approximately 11:58 a.m., the male returned. A.G. stated she called her fiancé, who stated that he was busy at work and could not speak with her. A.G. told the male she did not know if her fiancé had any money in the house. The male asked A.G. to make another call to her fiancé, asking where the money might be. A.G. pretended to make a call on the phone at approximately 12:01 p.m., but told the male that she was unable to contact her fiancé and did not know where any money might be. A.G. described the male's demeanor as frustrated. The male then said, "I have somebody" that could possibly give him a ride. A.G. then shut the door.

Detective Dyhr reports that she made contact, by telephone, with A.G. on March 4, 2020. A.G. stated that April 2, 2008, was a day she would never forget. A.G. remembered having two contacts with the male who came to her door. Detective Dyhr reports that on March 5, 2020, she prepared a sequential photo array, utilizing a photograph of the defendant taken on April 3, 2008. Detective Dyhr made arrangements with Detective Russell Helmueller, a detective from a law enforcement agency in the State of Minnesota, near A.G.'s current location, to receive the photos and to show the array to A.G. Detective Helmueller did so and A.G. identified the defendant, David Kahl, as being the male who knocked on her door and asked for money at 11:50 a.m. and 11:58 a.m. on April 2, 2008.

118 S. Bedford Street

Officer Brad Ware reports that on April 2, 2008, he was approached by a female, identified as S.A., who stated that she works at the radio station WORT, located at 118 S. Bedford. S.A. observed a white male come into the WORT lobby at approximately 12 p.m. that day. S.A. described the male as being approximately 5'5" to 5'6" tall, weighing approximately 190 pounds and having a "stocky" build. S.A. further described the subject as having dark, short, receding hair, combed forward. S.A. said that the male came into the lobby and stated, "I wonder if you can help me out." The male then talked about how he had a car problem and mentioned a "flat tire." The male "mentioned forty dollars." S.A. heard the male state that he had to borrow \$40 for an hour or so, so that he could get his car fixed. S.A. heard the male offer his I.D. card as collateral for the \$40. S.A. stated that everyone in the lobby told the male "no."

526 W. Doty Street

Officer Ware reports that S.A. stated that at approximately 12:05 p.m., she observed the same male subject walking in the 500 block of W. Doty Street. S.A. observed the defendant walk between the houses somewhere in the area of 526 W. Doty.

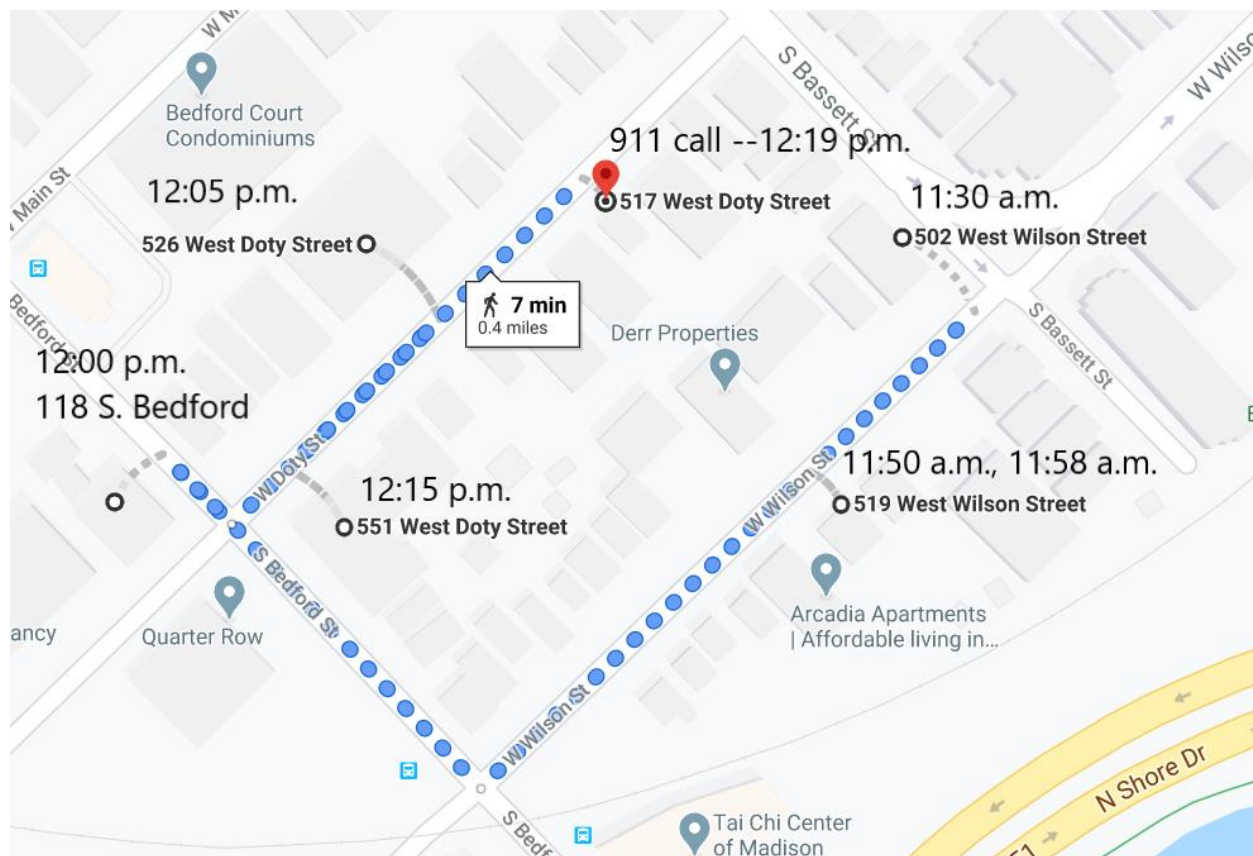
551 W. Doty Street

Officer Kane reports that on April 2, 2008, she had contact with B.F., a resident of 551 W. Doty Street. B.F. stated that at approximately 12:15 p.m. on April 2, a white male had knocked on his door and asked for money to help fix his vehicle. B.F. described the male as approximately 50 years old, with gray hair, approximately 6'1", 230 pounds. B.F. stated that the male was wearing a flannel shirt with a blue t-shirt underneath. B.F. stated that he "shooed" the male off of his porch, and last saw the male walking east on W. Doty Street, towards the capitol.

Detective Woods reports that on April 18, 2008, he had contact with B.F. When asked to provide a description of the male who contacted him at approximately 12:15 p.m. on April 2, B.F. stated, "Well, it'd be the guy that's on Channel 27's website." B.F. identified the photo on

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the website as being of the defendant, David Kahl. B.F. stated that he is 100 percent sure that the defendant was the person who came and tried to panhandle on April 2 at 12:15 p.m.



525 W. Washington Avenue

Detective Woods reports that on April 2, 2008, he made contact with H.D., at her residence, 525 W. Washington Avenue, in the City of Madison. Detective Woods reports that H.D. contacted 911 earlier in the day to report an unwanted male in her residence. H.D. stated that she was home alone when she heard the doorbell ring twice. H.D. then heard the front door open and heard a male voice say "hello." When H.D. exited her second-floor bedroom to see who was in the house, she observed a male subject approximately 9 steps below her. The male subject, later identified in person by H.D. as the defendant, said that he and his wife had a flat tire and their car was broken down on East Washington Avenue. The defendant said that he left his credit and debit cards at home. The defendant then asked to borrow \$40 from H.D., implying that he was going to purchase a tire. When H.D. refused to give him money, the defendant asked her if she would stay with him for 35-40 minutes while he attempted to get his car fixed. H.D. told the defendant to leave, which he did, but he chastised her for leaving the door open, and said that he tested the door to find it unlocked and came into the residence on his own. Detective Woods reports that H.D. described the male as wearing a gray shirt with some sort of logo on the front, a red sweatshirt tied around his waist, and blue jeans. H.D. stated that the male had a beer belly, a weathered complexion, and gray hair approximately one-inch long. H.D. stated that she would definitely be able to recognize the man if she saw him again. H.D. stated that she waited approximately ten minutes before calling 911. Your complainant reports that H.D.'s 911 call came in at 1:13 p.m.

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119 N. Bedford Street

Detective Kellogg reports that on April 2, 2008, at approximately 4:15 p.m., she responded to 119 N. Bedford Street and met with resident M.P., who handed her a Wisconsin Department of Corrections (DOC) Offender ID card with the name and photo of the defendant, David A. Kahl. M.P. stated that at approximately 2:00 p.m. that day, the defendant had come to his door and asked for money to buy a spare tire to fix a flat tire. M.P. stated that he offered to give the defendant a ride, but the defendant refused. M.P. stated that the defendant stated he would give M.P. his DOC card in exchange for money and promised to come back in 35-40 minutes with a check for the money. M.P. gave the defendant \$20 cash and took the defendant's DOC card. Detective Kellogg reports that M.P. described the defendant as having a short beard, balding, wearing a flannel shirt over a t-shirt, jeans and brown boots.

Defendant's 1st Contacts with Police (4/2/08-4/3/08)

Detective Kellogg reports that on April 2, 2008, she observed a male subject, later identified as the defendant David Kahl, enter his residence at 114 N. Franklin Street, at approximately 6:11 p.m. Detective Kellogg observed that the defendant was wearing a red coat, jeans and brown boots.

Detective Kellogg reports that a short time later, she made contact with the defendant and transported him to the police department. When asked about his day, the defendant stated that he woke up around noon, watched soap operas, then went to try to borrow money for food. The defendant stated that he would go to people's houses, ring the door bell, then tell people he needed \$40 for a spare tire. The defendant stated that he would use people's cell phones and pretend to talk. The defendant admitted to being on the streets near W. Washington Avenue. The defendant stated that he gave his DOC card to another person and promised to come back to repay the money. The defendant stated that he used the money for crack and had no intention of coming back to pay anyone for the money. The defendant stated that he did not recall going inside anyone's house.

Detective Kellogg reports that the defendant stated that he had a crack cocaine addiction and was high that day. The defendant stated that he left his DOC card with someone that he took money from and he would not have done that if he were not high.

Detective Kellogg reports that the defendant stated that when he first got money that day, he bought a rock (of crack cocaine), went home and smoked it, then went back out to get more money. The defendant stated that he stopped by a crack house and met up with a black male named "Hank." Detective Kellogg reports that the defendant later identified the crack house as being located at 424 W. Wilson Street. The defendant also stated that he met up with a white female named "Dawn," whom he walked with for a while.

Detective Kellogg reports that the defendant said he was aware of an incident on Doty Street because he heard sirens while he was panhandling and later walked past the crime scene tape on Bassett Street. When asked if he knew of anyone who was panhandling today who had an accent, the defendant stated that "Hank" had been with a white male with a blond ponytail, a scar on his right cheek and a dimple in his chin.

Detective Kellogg reports that the defendant consented to a buccal swab.

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Detective Kellogg reports that she dropped the defendant back at his apartment around 8:00 p.m., but re-contacted him at approximately 9:30 p.m. This is when the defendant pointed out the crack house at 424 W. Wilson Street. Detective Kellogg reports that the defendant agreed to sit with Officer Yahnke to do a sketch of the white male with a ponytail.

Detective Kellogg reports that she observed some small cuts on the palm of the defendant's hand.

Officer Yahnke reports that he met with the defendant on April 2, 2008. The defendant's first comment was "I wish I'd never gotten involved in this shit." Officer Yahnke reports that the defendant attributed his situation to "bad associations."

Officer Yahnke reports that while he sketched, the defendant described a white male with a blond ponytail. The defendant described the white male as having sparse eyebrows, heavy-lidded eyes and a full upper lip. The defendant described the white male's most distinctive facial feature as being a cleft chin. Officer Yahnke reports that the defendant was very particular about how the white male's beard line, cleft and other features were depicted in the sketch.

Officer Yahnke reports that he also met with the defendant on April 3, 2008. This time, the defendant described a black male whom he knew as "Hank," for a sketch.

Officer Yahnke reports that during both of his contacts with the defendant, the defendant stated that he subsisted on defrauding downtown residents, generally young women, out of money by surprising them in their apartments and fabricating a story about needing \$40 to replace a flat tire. The defendant stated that this was easy to do because many of his "marks" failed to lock their front doors. Officer Yahnke reports that the defendant stated that he had "steered" both "Hank" and the pony-tailed white male into the W. Doty neighborhood.

Defendant's Second Statement to Police (4/7/08)

Detective Summers reports that on April 7, 2008, he had contact with the defendant. The defendant indicated that he had gotten out of prison approximately four months ago, had lived in a halfway house, and then had moved into his residence at 114 N. Franklin Street, apartment 1, in the City of Madison, approximately three months ago.

Detective Summers reports that the defendant stated that he was diagnosed with paranoid schizophrenia approximately two to three years ago and is presently off his medication.

When asked about his activities on April 2, 2008, the defendant stated that from approximately 11:00 a.m. to 12:00 p.m., he was in the neighborhood west of the Capitol, including W. Wilson Street and W. Doty Street, going door to door asking people for money using a tire scheme. The defendant described his scheme as asking for money to repair a flat tire on his car. The defendant indicated that he used other variations of this scheme as well.

The defendant recounted that between 11:00 a.m. and 3:00 p.m., he was scamming at various locations and smoking crack with a female he identified as D.G. The defendant stated he had gotten high a couple of times prior to running into D.G. The defendant claimed that D.G. had

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two males with her, who he identified as "Mitchell/Michael" and "Hank". The defendant stated that he knows "Mitchell/Michael" and "Hank" to commit thefts and burglaries, crawling through windows to "go into college kid's places" because they knew when college kids weren't home. The defendant stated that in the W. Doty neighborhood, "Mitchell/Michael" and "Hank" went "scamming on their own" while he was accompanied by D.G.. The defendant stated that he approached a number of people at residences and on the sidewalk, soliciting them for money. The defendant estimated that he made more than one hundred dollars.

Detective Summers reports that the defendant told him about three separate encounters in which he was given money by college-aged white females on April 2, 2008. The defendant stated that each time, it appeared the females had more cash on them than the \$40 each gave to him. Detective Summers reports that while describing one encounter, it appeared possible that the defendant described himself as knocking on the door of 517 W. Doty Street, but then leaving the doorway when he saw a female getting out of a vehicle she had parked in a nearby driveway. Detective Summers reports that the defendant stated that he and D.G. rang nearly all of the doorbells on W. Doty Street.

The defendant stated that he and D.G. then met up again with "Mitchell/Michael" and "Hank," perhaps around 12:00 pm. The defendant claimed that D.G. detailed to the other two how successful the defendant had been in obtaining money. The defendant claimed that D.G. encouraged that she and "Mitchell/Michael" and "Hank" should return to the same area and obtain more money. The defendant stated that D.G. commented that they "could go back and rob" one of the college-aged females.

Detective Summers reports that the defendant stated that he smoked crack with D.G., "Mitchell/Michael" and "Hank" a few times on April 2, 2008. The defendant stated that they went to a "smokehouse," located at 424 W. Wilson Street, and that "Mitchell/Michael" and "Hank" would leave to go to a crack house, located in the 500 block of W. Doty, to buy crack and then would bring it back to the smokehouse. The defendant stated that after smoking crack a few times, "I got out of there because I knew they were up to no good." The defendant also stated that he and D.G. left the smokehouse on W. Wilson after "Mitchell/Michael" failed to return. The defendant stated that he walked past W. Doty Street and there were no police present.

Detective Summers reports that the defendant stated he used the bathroom at a restaurant located at 380 W. Washington Avenue, and then he entered a residence at 525 W. Washington Avenue. The defendant stated that he still wanted to get high, so he and D.G. walked toward the smokehouse and observed police vehicles and fire trucks. The defendant stated he then smoked crack at the smokehouse and then walked on W. Wilson Street to the Williamson Street Co-op, continuing to run his scam for money. The defendant stated he turned around and walked back to his residence on N. Franklin Street, where he was later contacted by detectives.

Detective Summers reports that the defendant stated, "I'm thinking they could have gone back there and robbed that girl."

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Defendant's 3rd Statement to Police (4/8/08)

Detective Kellogg reports that on April 8, 2008, she again had contact with the defendant. The defendant stated that on April 2, he had not forced his way into any apartments and had not forced women to give him money when he did his tire scam. The defendant stated that some of the women even offered to let him come into their houses, and gave him soda or let him use the bathroom. The defendant indicated that on several occasions he did go into people's houses, get a soda, or sit down. The defendant stated that D.G. was very forceful, but that he was calm. The defendant stated that "Hank" and "Mitchell" were also selling crack. The defendant stated that "Hank" and "Mitchell" would get money together from a group of people and then go to Milwaukee to buy an 8-ball and return to Madison to break it up.

Defendant's 4th Statement to Police (7/2/08)

Detective Miller reports that on July 2, 2008, he met with the defendant at Fox Lake Correctional Institution. Detective Miller reports that the defendant first indicated that he woke up and left his apartment around noon on April 2, 2008. When confronted about the known time that the defendant was at 525 W. Washington Avenue on April 2, the defendant indicated that his times may not be accurate.

The defendant stated that when he got up in the morning of April 2, 2008, he went out two separate times by himself soliciting money. The defendant stated that he then returned to his N. Franklin apartment where he ordered crack cocaine from his source, which he smoked. The defendant stated that each time, he went to the W. Washington Avenue area to solicit money, then returned to his residence to order and smoke the crack.

The defendant stated that after the second time smoking crack, he went back to the Capitol Centre Foods area and ran into D.G.. The defendant stated they spent time soliciting on W. Main Street and W. Doty Street. The defendant said he and D.G. went to approximately five to ten doors in that neighborhood. The defendant said they then walked to the Paradise bar in the 100 block of W. Main Street where he purchased more crack.

The defendant stated that he and D.G. ran into two males he knew as "Hank" and "Mitchell." The defendant stated that Mitchell was holding a 40-ounce beer and wanted money for more beer. The defendant stated that the four of them began working the W. Doty and W. Main Street neighborhood. The defendant stated that "Hank" and "Mitchell" and D.G. went into a residence in the 500 block of W. Doty Street to purchase crack, and that they went to a different residence to smoke it. Detective Miller reports that he believed that the residence from which they purchased the crack was 525 W. Doty Street.

Detective Miller reports that the defendant then stated that he met up with D.G. after he went into the residence at 525 W. Washington Avenue, which was shortly after 1:00 p.m. on April 2, 2008. The defendant stated that he was with D.G. for approximately 20 minutes before meeting up with Hank and Mitchell. The defendant stated that they ultimately ended up at the Echo Tap and that they then split up.

Detective Miller reports that he asked the defendant if it was possible that he had been at B.Z.'s residence that day, 517 W. Doty Street, and the defendant said it was possible because

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he had gone to almost every residence on W. Doty Street. The defendant stated he could not recall whether anybody answered the door at B.Z.'s residence. The defendant stated he was concerned that his DNA or fingerprints would be on the doorbell or the front door of B.Z.'s residence as it is possible he did knock at that door at some point during the day.

Detective Miller reports that the defendant stated that he met "Hank" about three months prior and has purchased crack from him in the past. The defendant stated that "Hank" sometimes stays at D.G.'s residence. The defendant stated that he never met "Mitchell" before April 2. The defendant stated that his neighbors at 114 N. Franklin Street also know "Hank" and "Mitchell."

July 10, 2008

Detective Kellogg reports that on July 10, 2008, she had contact with the defendant's mother, C.K. Detective Kellogg reports that C.K. stated that she ended up moving from the Madison area to Milwaukee in part to get away from the defendant, as he was becoming more and more verbally abusive when using crack cocaine. C.K. stated that there is a night and day difference in the defendant's personality when he uses drugs and alcohol.

December 5, 2008

Detective Rickey reports that on December 5, 2008, he made contact with R.P. at Fox Lake Correctional Institution. R.P. stated that he and the defendant spoke over the summer, in June or July, at the institution. R.P. stated that the defendant stated that he had been revoked and was wondering if he was going to be charged with the B.Z. homicide. R.P. stated that the defendant had mentioned being worried about his fingerprints being on her skin, specifically her throat area. R.P. stated that he and another inmate asked the defendant questions, but he would answer in a limited fashion. R.P. stated that the defendant said that he had broken into B.Z.'s residence and choked B.Z., and that his prints might be on her throat. R.P. stated that the defendant did not admit to killing B.Z., but he was still worried about his fingerprints or DNA being on her. R.P. stated that the defendant said that at the time of the homicide he was on crack and that he and others had a scam going. R.P. stated that the defendant said he would go to different residences and tell the people who answered the door that he was having problems with his tires and would ask to borrow \$40 from them.

Defendant's 5th Statement to Police (10/20/11)

Detective Miller reports that on October 20, 2011, he and Detective Luedtke made contact with the defendant in the Detective Bureau interview room. The defendant indicated that he remembered talking to Detective Kellogg about the B.Z. investigation. Detectives informed the defendant that they wanted to speak with him again due to new information. The defendant was told that some DNA evidence had been developed.

When asked about April 2, 2008, the defendant stated that he was "partying with them guys I was with." The defendant stated that he had been smoking crack all day with two males as well as a female. The defendant indicated that the two males were doing burglaries and would

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forcibly enter homes. The defendant stated, "I was out hustling money all that day." The defendant said that he had been smoking crack at a house on the corner of two unknown intersections, and that he had previously pointed out this residence to Detective Kellogg. Detective Miller reports that the defendant also stated that he had been smoking crack at a place just down the street from B.Z.'s house.

Detective Miller reports that when asked about the two males he said were doing burglaries, the defendant stated that they would go into residences and steal items. The defendant stated that on April 2, 2008, he had been standing outside of a house acting as a lookout for the two males when they exited a house carrying a big-screen television. The defendant stated that the last time he saw the two males, they were pushing the big screen television up the street, believed to be S. Bassett Street. Detective Miller reports that a check of Madison Police Department reports in that area from March 28, 2008 through April 3, 2008, shows no burglary reports involving a stolen television.

Detective Miller reports that he told the defendant that his DNA has been found inside of B.Z.'s residence. The defendant responded by saying he did not know what that would be about unless maybe he had burglarized B.Z.'s residence earlier that day or in the past. The defendant said, "sometime they looked out, sometimes I looked out." When asked how many houses he had burglarized on April 2, 2008, he said, "probably six or seven." When asked if he remembered B.Z.'s house, he said, "not really."

Detective Miller reports that the defendant asked what his DNA was found on. Detective Miller told the defendant that his DNA was on an item belonging to B.Z. The defendant immediately stated, "I shook hands with people, too, that day." The defendant also said, "That one girl I gave a hug, too."

Defendant's Statement to his Mother

Detective Esser reports that on December 9, 2014, he had contact with the defendant's mother, C.K. C.K. stated that the defendant had lived in downtown Madison and was investigated for the murder of "that girl." C.K. stated that she lived in Milwaukee at the time of the murder. C.K. stated that the defendant admitted to police that he had been scamming money off of people and had been at B.Z.'s house earlier, but the "two colored guys [the defendant] had been with went back to [B.Z.]'s house." C.K. stated that the defendant had been hanging out with "two colored guys and a white girl" the day of the homicide, and that she received this information from the defendant. C.K. stated that the defendant admitted to being at B.Z.'s house that day, but "the two colored guys or the white girl went back where the girl had died." C.K. stated that she had learned from the defendant that B.Z. had given him money and a beer, but he left her at the apartment. C.K. stated that the defendant swore up and down to her that he did not murder B.Z.

Detective Esser reports that C.K. recalled that the defendant had come to Milwaukee to help her move, probably in 2010. C.K. stated that she asked the defendant at that time if he was involved with the murder. C.K. told the defendant that she wanted to know if he was involved, but did not want to know any details about the murder. C.K. stated that this was the only conversation they had about the homicide.

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C.K. stated that the defendant told her he did not have anything to do with B.Z.'s death, but he had been to her apartment. C.K. stated that she learned from the defendant that he had knocked on B.Z.'s door and told her he needed money. C.K. stated that the defendant said that B.Z. had given him money and offered him a beer and ended up in her kitchen. C.K. stated that the defendant told her "one of the colored guys had a gun, and the other colored guy had a knife" and they went back to B.Z.'s apartment to get money. C.K. stated that the defendant told the other parties where to find B.Z.'s residence, but he did not go back with them.

C.K. stated that the defendant knew the street names of the people he had been with and told her that they had been staying at the church. The defendant told C.K. that he took the cops to where the "two colored guys" had been staying.

Defendant's Sixth Statement to Police (12/10/14)

Detective Miller reports that on December 10, 2014, he had contact with the defendant in an interview room. Detective Miller reports that he told the defendant that they were investigating the B.Z. case, to which the defendant responded, "I've been questioned before about it." Detective Miller reports that the defendant then became somewhat defensive and said, "You shoulda been looking at that prostitute [D.G.] and those 2 black guys who were all scammin' that day and smoking crack that day and drinkin' that day..." The defendant said he believed "they did it," because of the way they were acting and talking that day. The defendant said that he saw them after they were going to rob her and they all smoked more crack. When asked why the three would target B.Z., the defendant said, "something; about money and jewelry."

Detective Miller reports that the defendant described the two males accompanying D.G. as being two black males. Detective Miller reports that on April 2, 2008, the defendant had described one of the males as being white, with a ponytail and a tongue ring.

Detective Miller reports that the defendant's description of the events of April 2, 2008 was inconsistent. The defendant said at one point, one of the males "said they were going back to rob some bitch." The defendant said that they had already gotten money from this female, B.Z. The defendant stated that D.G. and the two males came back later and D.G. was crying, and one of the two males said they had to "get the fuck out of here." The defendant stated that he left the three and went down to Williamson Street to panhandle more money.

Detective Miller reports that he asked the defendant if he had knocked on B.Z.'s door that day. The defendant responded, "not that I remember." When asked if he would remember if he had ever knocked on the door, he said, "I'm sure I would. I've seen her picture on TV." The defendant stated that he has only ever seen B.Z. on the news. When asked if he had ever been to B.Z.'s house and been given a beer, the defendant said, "I can't remember, I was in so many houses and I was fucked up." The defendant stated that he did not remember ever telling his mother that he had been in B.Z.'s house.

Additional Information from Defendant's Mother (12/12/14)

Detective Esser reports that on December 12, 2014, he made contact with C.K. at her residence. C.K. stated that she had a little more information about the murder. She stated

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that the defendant had told her that he had been at B.Z.'s house earlier on April 2, 2008. C.K. stated that the defendant told her that B.Z. had given him some money and offered him a drink. C.K. stated that somehow "these guys," referring to other people allegedly with the defendant, had wanted to go back and do a big scam in the area. They wanted the defendant to show them the places that people had been "nice." C.K. stated that the defendant did go back with these guys and that's when the murder happened. C.K. stated that the defendant didn't witness the murder and didn't see what they did to her. C.K. stated that the defendant told her that they showed the defendant a gun and another guy showed him a knife, so the defendant stated, "I'm out of here" and went home. C.K. stated that the defendant is worried that he is an accomplice.

Detective Esser reports that officer provided C.K. a ride to the police department. During the ride, C.K. asked officers what they had been looking for earlier in the defendant's room. C.K. stated that there were no guns in the house, but that the defendant had a pocket knife.

Detective Esser reports that he continued his conversation with C.K. at the police department. C.K. stated that in April of 2008, she was living in Milwaukee, so the defendant had to find his own place to live. C.K. stated that the defendant would scam to get drugs, and he always did it alone. When asked what the defendant's scam was, C.K. stated that the defendant would say he had a flat tire, sometimes saying that his daughter or wife was in the car. C.K. stated that people would give him \$20. The defendant had been doing this scam for a long time, on and off.

Detective Esser reports that C.K. stated that in the fall of 2010, she had a conversation with the defendant about B.Z. C.K. told the defendant that she did not want any of the details, but she wanted to know if he did it or not. The defendant told her "no" that he had not done it. The defendant teared up while telling her this and they both had a "good cry." C.K. said that she never really discussed it much with the defendant after that.

C.K. stated that then the case had come up recently again. "...[T]hen he told me that they went back. And then now he kind of said that, 'well I was there.' And when they brought the gun and the knife out—I am out of here and he left, and he don't know what happened after he left."

C.K. stated that she does talk with the defendant about the homicide when it comes up every year on April 2. C.K. stated that the defendant has commented that B.Z. was a very pretty girl and she did not deserve what happened to her and that she was nice.

Detective Esser reports that C.K. confirmed, to the best of her knowledge, that the defendant said that he saw the gun and the knife and the people he was with threatened B.Z., and that is when the defendant decided to leave. C.K. stated, "...yes, he might have been there and heard a threat or something like that and that is what he is holding back, because if he was there then he is an accessory to a crime. And he doesn't want to put me in that situation...for not coming forward with more information, earlier."

C.K. told Detective Esser that the defendant had said to her, "Mom, you put me right at the scene," and "mom I was geeked most of the time," and "I don't remember everything either about that day anymore." C.K. said that this was a recent conversation and that the defendant

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told her, "well, I am tired of being questioned over and over and over about the same thing, I can't remember that stuff anymore."

February 2016

Detective Luedtke reports that on June 22, 2016, he had contact with M.W., who stated that he had lived in a halfway house with the defendant in February 2016. M.W. stated that initially he got along fine with the defendant, but that they later became involved in a dispute. M.W. stated that the defendant suspected that M.W. had stolen \$20 from him. They engaged in a verbal dispute on February 19, 2016. M.W. stated that after the defendant accused him of taking money, the defendant stated, "I'm under investigation for a homicide. I'll do you like I did her." M.W. stated that the defendant did not mention B.Z. by name and M.W. had no idea to whom the defendant was referring. M.W. stated that he recently read an article in a newspaper which connected the defendant to B.Z.'s homicide.

July 2016

Detective Dolsen of the Madison Police Department reports that on July 7, 2016, she made contact with J.D., who stated that she had known the defendant for several years and believes he was in his twenties when she met him. J.D. stated that everyone referred to the defendant as Kookie, because he used to do some "goofy" things.

Detective Dolsen reports that she and the defendant "had a long conversation" about BZ's homicide "a few months afterward." J.D. stated that the defendant came to her residence and she observed that he had been drinking. The defendant stated that he needed to get something off his chest. J.D. stated that "He appeared real nervous." J.D. stated that they chatted for a while and then the defendant said, "I gotta talk, I gotta talk." J.D. believed that the defendant was "quite upfront" with her. J.D. stated that the defendant said he had spoken with B.Z. on several occasions and he liked her. J.D. stated that the defendant talked about going and seeing B.Z. and borrowing 10 dollars from her. The defendant said that he gave B.Z. a hug and then left, but the guy he was with, some other homeless guy, went in to borrow money. J.D. stated that the defendant said that all of the sudden he heard screams and took off, he could not handle it. J.D. stated, "Kookie was there, I think he knows who did it."

Detective Dolsen reports that J.D. told the defendant that he needed to go to the police, and the defendant responded that he had already talked to the police. The defendant told J.D. that the suspect is a "homeless guy who came up to walk" with him. When asked if the defendant had given her a description of the suspect, J.D. stated, "no, he just lost it. He started bawling." J.D. stated that the defendant then explained that there were three men there, including himself. The defendant stated that he was with another homeless man and then a third homeless guy came up to them, and it was the third man who went into B.Z.'s apartment. J.D. stated that the defendant stated he came out of the residence and told the other two about getting \$10. The third male went into the residence. J.D. stated that the defendant told her he heard screams coming from inside and ran away.

J.D. stated that she and the defendant discussed the homicide again recently, just before the defendant returned to jail again. Your complainant is aware that according to Department of Corrections records, the defendant was taken into custody in May of 2016. Detective Dolsen

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reports that J.D. stated that the defendant told her, "I think they are going to hang me for that [B.Z.] thing." J.D. again told the defendant to talk to the police, to which the defendant replied that he already had and that they don't believe him. J.D. asked the defendant if he was telling her the absolute truth and the defendant said that he was "there" but did not "do it."

When asked if it was possible that the defendant could be violent because he needed cash or drugs, J.D. stated that she had observed the defendant be more aggressive years ago when he was on crack, but people "talked him down." When asked what she meant by how the defendant would be aggressive, J.D. stated that the defendant would "stand over you" and yell "give me your fucking money." J.D. stated that the defendant would use his size and aggressive language as intimidation.

DNA

Investigator Parr reports that on April 3, 2008, he attended the autopsy of B.Z., conducted by Forensic Pathologist Dr. Corliss at the Dane County Morgue. Investigator Parr reports that he observed the sealed body bag and observed Deputy Coroner Sholts cut the seal.

Investigator Parr reports that Dr. Corliss clipped each fingernail of the victim, which were recovered and placed into an envelope for each hand. These were given property tag numbers 201606 (left) and 201607 (right). Investigator Parr recovered a pair of blue jeans from B.Z. These were placed into evidence and given property tag number 201611. Investigator Parr also recovered two shirts that B.Z. had been wearing at the time of her death and placed them into evidence, the outermost shirt was given property tag number 201613. Investigator Parr observed that the shirt was a long-sleeved gray striped shirt. Investigator Parr observed that the long-sleeved shirt had several linear cuts in it. Investigator Parr reports that after the autopsy was completed, he took all items of evidence to the Evidence Processing Facility. He secured the items in double locked storage. Investigator Parr reports that on April 6, 2008, he transported the evidence from the Evidence Processing Facility to the City-County Building property room.

Detective Kellogg reports that on April 2, 2008, she had contact with the defendant, who consented to providing a buccal swab. Detective Kellogg reports that she collected the buccal swabs of the defendant and placed them into a locker, giving them property tag number 201594.

Detective Miller reports that on April 18, 2008, he transported the item property tagged 201594 to the Wisconsin State Crime Laboratory, where it was received and identified as WSCL Item AE.

Fingernails

Detective Summers reports that on April 10, 2008, he removed items from the Property Room, including the item property tagged 201607, which contained the autopsy fingernail clippings from the right hand of B.Z. Detective Summers transported the items directly to the WSCL, where item 201607 was identified as WSCL Item R.

Your complainant has reviewed a report from the WSCL dated June 24, 2011. Analyst Lisa Misner reports that some items had been resubmitted for further analysis, including Item R1, a fingernail clipping taken from B.Z.'s right hand. This was amplified with the PCR method using the Promega PowerPlex® Y amplification kit and typed for twelve short tandem repeat (STR) markers on the Y chromosome. A partial Y-STR DNA profile was detected from Item R1.

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Analyst Misner reports that the defendant, David Kahl, is included as a possible contributor to the Y-STR DNA profile detected from Item R1. At the time of the report, this Y-STR profile was searched against 18,547 individuals in the U.S. Y-STR Database and found to occur 3,713 times.

Shirt

Detective Miller reports that on October 2, 2009, he removed items from the Property Room and transported them to the Wisconsin State Crime Lab. One item was property tag numbers 201613, a shirt belonging to B.Z. Once received at the WSCL, property tag 201613 was labeled as item BJ. It was described as a gray striped shirt.

Your complainant has reviewed a report from the WSCL dated October 26, 2009. Laboratory Analyst Lisa Misner reports that swabbings were taken for recovery of any residual cellular/biological material. Item BJ2 was the bottom nine inches of the right sleeve of the gray striped shirt. Item BJ3 was the bottom six-and-a-half inches of the left sleeve of the gray striped shirt. Analyst Misner reports that STR profiles that are mixtures of DNA from three or more individuals were detected from swabbings BJ2 and BJ3. Each of these mixtures included the same major component female STR DNA profile and at least one minor male contributor. Analyst Misner reports that the defendant is included as a possible contributor to the DNA mixture profile from items BJ2 and BJ3.

Your complainant has reviewed a report from the WSCL dated December 16, 2014. Laboratory Analyst Amanda Hahn reports that the profile previously detected from the swabbing of the right sleeve (BJ2) of the gray striped shirt was not eligible for entry into the Combined DNA Index System (CODIS) at the time of previous reports. Due to changes in FBI guidelines regarding CODIS eligibility, the STR DNA mixture profile is now eligible for entry into CODIS. Analyst Hahn reports that a deduced foreign STR DNA profile previously detected from the swabbing of the right sleeve (BJ2) was entered into the Forensic Index of CODIS on December 5, 2014. Analyst Hahn reports that on that same date, a search of this evidentiary profile against the Forensic and convicted Offender Indices revealed a candidate match between the evidentiary profile and the profile of a convicted offender in the Wisconsin DNA Databank. The personal information on record related to the matching offender profile of the defendant, David A. Kahl.

Analyst Hahn reports that a Y-STR DNA profile that is a mixture of DNA from at least two male individuals was detected from the swabbing of approximately the bottom 6.5 inches of the left sleeve of the striped shirt (BJ3). Analyst Hahn reports that a major contributor could be determined at thirteen genetic markers. The major contributor Y-STR DNA profile detected is consistent with the Y-STR DNA profile detected from the defendant. The major contributor Y-STR DNA profile detected was searched against 5,259 profiles from male individuals in the U.S. Y-STR Database and found to occur zero times. Applying a 95% upper confidence interval, this Y-STR DNA profile is not expected to occur more frequently than approximate 1 in every 1,757 individuals in the U.S. Y-STR Database population.

Your complainant reports that on November 27, 2017, he forwarded electronic signatures of B.Z.'s DNA (WSCL Item O), J.G.'s DNA (WSCL Item G), the defendant's DNA (WSCL Item AE) and two DNA mixtures (WSCL Items BJ2 and BJ3) to Cybergenetics, a Pittsburgh-based bioinformation company. Using advanced mathematics, its computers translate DNA data into useful information. The evidence forwarded to Cybergenetics included WSCL Item BJ2, taken

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from MAPD property tag number 201613, a swabbing from the bottom nine inches of the right sleeve of BZ's shirt. The evidence also included WSCL Item BJ3, taken from MAPD property tag number 201613, a swabbing of the bottom six and a half inches of the left sleeve of BZ's shirt.

Your complainant received a report from Cybergentics, dated November 30, 2018. The Cybergentics report indicates that a DNA match was found between the right sleeve (WSCL Item BJ2) and the defendant that is 226 thousand times more probable than a coincidental match to an unrelated Caucasian person. The chance of a false positive for this comparison is one in 12.7 million.

The Cybergentics report indicates that a match was found between the left sleeve (Item BJ3) and the defendant that is 12.4 million times more probable than a coincidental match to an unrelated Caucasian person.

Jeans

Detective Miller reports that on June 28, 2010, he took possession of the jeans, property tagged 201611, and transported them to the Wisconsin State Crime Laboratory, where it was designated as WSCL Item IO.

Your complainant has reviewed a report from the WSCL dated August 3, 2010, and authored by Analyst Lisa Misner. Analyst Misner reports that human DNA isolation was attempted from the swabbing of the bottom of the right leg (WSCL Item IO1) of B.Z.'s jeans. Due to the limited amount or lack of DNA detected, no further analysis was performed.

Analyst Misner reports that human DNA was isolated from the swabbing of the bottom of the left leg (WSCL Item IO2) of the jeans. Using the Promega PowerPlex® 16 amplification kit, the DNA obtained was amplified by the polymerase chain reaction (PCR) method and typed for fifteen STR genetic markers and the gender specific marker, amelogenin. Analyst Misner reports that a STR profile that is a mixture of three or more individuals was detected from the swabbing of the bottom of the left leg (WSCL Item IO2) of the jeans. This mixture included at least one male contributor. Analyst Misner reports that due to the limited amount of genetic information available, no inclusionary statements would be made regarding this STR DNA profile. The possible contribution of DNA from J.G. (WSCL Item G) and the defendant (WSCL Item AE) in the STR DNA profile detected from the swabbing of the bottom of the left leg (WSCL Item IO2) cannot be determined.

Your complainant has reviewed a WSCL report dated December 16, 2014, and authored by Analyst Amanda Hahn. Analyst Hahn reports that the male DNA previously obtained from the swabbings of the bottom right leg (WSCL Item IO1) and bottom left leg (WSCL Item IO2) of the jeans and the buccal swab standards from J.G. and the defendant was amplified with the polymerase chain reaction (PCR) method and typed for 23 STR genetic markers located on the Y-chromosome (Y-STR) using the Promega PowerPlex® Y23 amplification kit. Analyst Hahn reports that a partial Y-STR DNA profile that is a mixture of DNA from at least two male individuals was detected from WSCL Item IO1. Due to the complexity of the mixture and limited amount of genetic information available, no inclusionary statements were made regarding the Y-STR DNA profile. Based on the Y-STR profiles detected, the possible contribution of DNA from J.G. and the defendant in this Y-STR profile is inconclusive.

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Analyst Hahn reports that a Y-STR DNA profile that is a mixture of DNA from at least three male individuals was detected from the swabbing of the bottom left leg (WSCL Item IO2). Due to the complexity of the mixture, no inclusionary statements were made. Based on the Y-STR DNA profiles detected, the possible contribution of DNA from J.G. and the defendant in this Y-STR DNA profile is inconclusive.

Your complainant has reviewed a WSCL report dated October 4, 2016, authored by Analyst Amanda Hahn. Analyst Hahn reports that swabbings were taken from the right and left upper front leg, approximately from the waist to the knee area of the jeans (WSCL Item IO). These swabbings were labeled as WSCL Item IO4 (right) and WSCL Item IO5 (left). Human DNA was isolated from the two swabbings. Analyst Hahn reports that similar partial STR DNA mixture profiles were detected. These profiles are mixtures of DNA from at least three individuals. The STR data obtained from these items does not support any comparisons to other STR DNA profiles due to the complexity of the mixture and limited amount of genetic information available.

Analyst Hahn reports that the male DNA obtained from the two swabbing (WSCL Items IO4 and IO5) was amplified with the PCR method and typed for 23 STR genetic markers located on the Y-chromosome (Y-STR) using the Promega PowerPlex® Y23 amplification kit. Similar Y-STR DNA profiles that are mixtures of DNA from at least three male individuals were detected from the two swabbings (WSCL Items IO4 and IO5). Based on the Y-STR DNA profiles detected, the possible contribution of DNA from J.G. and the defendant in the Y-STR DNA profiles detected is inconclusive.

Your complainant reports that on December 5, 2019, he filled out a Cybergenetics Evidence Submission form, and forwarded electronic signatures of three DNA mixtures labeled by the WSCL as Items IO2 (bottom left leg), IO4 (upper right leg) and IO5 (upper left leg).

Your complainant received a report from Cybergenetics, dated February 12, 2020. The Cybergenetics report indicates that a DNA match was found between the bottom left leg of the jeans (Item IO2) and the defendant that is 18.7 million times more probable than a coincidental match to an unrelated Caucasian person. Cybergenetics reports that for a match strength of 18.7 million, only 1 in 498 million people would match as strongly.

Cybergenetics reports that a DNA match was found between the upper right leg of the jeans (Item IO4) and the defendant that is 341 billion times more probable than a coincidental match to an unrelated Caucasian person. Cybergenetics reports that for a match strength of 341 billion, only 1 in 3.8 trillion people would match as strongly.

Cybergenetics reports that a DNA match was found between the left upper front leg of the jeans (Item IO5) and the defendant that is 28.5 million times more probable than a coincidental match to an unrelated Caucasian person. Cybergenetics reports that for a match strength of 28.5 million, only 1 in 1.38 billion people would match as strongly.

DNA on letter

Detective Miller reports that on April 1, 2009, he received a letter with the return address of Fox Lake Correctional Institution. The letter indicated that the writer of the letter overheard inmate F.R. discussing how he was involved in the killing of B.Z. The writer indicated that he was a fellow inmate of F.R.'s at Fox Lake. The letter stated, "I have heard inmate [F.R.] talk

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about the murder of that girl [B.Z.] and how he and his friend's killed her he was telling some other person's outside how he lived down the street from her...he knew when she was home alone...there [sic] plan was to rape her and rob her but thing's [sic] went wrong. This is what I heard him say a couple of time's [sic] and I thought I should say something to the police and I don't want to get involved any further..." Detective Miller reports that he placed the letter into evidence under property tag number 224342.

Your complainant reports that on April 12, 2019, he removed the envelope from the evidence bag with property tag number 224342 and placed it into a new evidence bag with property tag number 430465. Your complainant reports that on April 15, 2019, he transported the envelope to the Wisconsin State Crime Laboratory for DNA analysis. The envelope was marked by the laboratory as WSCL Item QD.

Your complainant reports that on August 23, 2019, he received a supplemental report from the Wisconsin State Crime Laboratory, dated August 15, 2019. In that report, analyst Amanda Hahn found that a cutting from the center of adhesive sealed area of the envelope, WSCL Item QD1, had a single source of DNA. Analyst Hahn reported that the defendant, David Kahl, was the source of the DNA profile.

****THIS COMPLAINT IS BASED ON the information and belief of your complainant, who is a Lieutenant with the Madison Police Department, and who learned of the above offense from the reports of the following City of Madison law enforcement officers: Detective Taya Dolsen, Detective Angie Dyhr, Detective Gregory Esser, Detective Thomas Helmgren, Officer Jennifer Kane, Detective Samantha Kellogg, Detective Gregg Luedtke, Detective David Miller, Officer Cynthia Murphy, Detective William Murphy, Detective Marion Morgan, Lieutenant Daniel Nale, Investigator Thomas Parr, Detective Alan Rickey, Detective John Summers, Officer Brad Ware, Detective Sidney Woods, and Officer Philip Yahnke, which report(s) your complainant believes to be truthful and reliable inasmuch as they were prepared during the course of the officer(s) official duties.**

Your complainant believes the information furnished by Deputy Coroner Jeffrey Sholts to be truthful and reliable as it was produced during the normal course of his duties as a Deputy Coroner for the Dane County Coroner's Office.

Your complainant believes the information furnished by Dr. Robert Corliss to be truthful and reliable inasmuch as it was produced during the normal course of his duties as a Forensic Pathologist for the University of Wisconsin School of Medicine and Public Health.

Your complainant believes the information furnished by Amanda Hahn and Lisa Misener from the Wisconsin State Crime Lab to be truthful and reliable inasmuch as it was produced during the normal course of their duties as analysts at the Wisconsin State Crime Lab.

Your complainant believes the information furnished by Cybergeneics Labs to be truthful and reliable as it was produced during the lab's normal course of duties in analyzing probabilistic genotyping validation using the TrueAllele® Casework Method.

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Further, your complainant believes the information furnished by witnesses to be truthful and reliable inasmuch as they are citizen informant(s) and witnessed the events described.

Your complainant believes the statements of the Defendant to be truthful and reliable insofar as they are admissions against penal interest.

Subscribed and sworn to before me on
03/20/20

Electronically Signed By:

Matthew Moeser

Deputy District Attorney

State Bar #: 1034198

Electronically Signed By:

Daniel Nale

Complainant