

FILED

06-20-2024

Clerk of Circuit Court

Trempealeau County

2024CF000126

STATE OF WISCONSIN CIRCUIT COURT TREMPEALEAU COUNTY

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 2024TR000417

Court Case No.: 2024 CF

vs.

CRIMINAL COMPLAINT**TODD ERIC GIECK**

N2506 OSLEY ROAD

MELROSE, WI 54642

DOB: JULY 14, 1962

Defendant.

For Official Use

The undersigned complaining witness, being first duly sworn, states that:

Count 1: FIRST DEGREE RECKLESS HOMICIDE, REPEATER, USE OF A DANGEROUS WEAPON

The above-named defendant on or about Wednesday, May 15, 2024, in the Town of Gale, Trempealeau County, Wisconsin, did recklessly cause the death of VICTIM, under circumstances which show utter disregard for human life, contrary to sec. 940.02(1), 939.62(1)(c), 939.63(1)(b) Wis. Stats., a Class B Felony, and upon conviction may be sentenced to a term of imprisonment not to exceed sixty (60) years.

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of a felony, Assault by Prisoner in violation of California Penal Code § 4501(b), within the preceding five years, which conviction remains of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than six years.

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

Count 2: DISCHARGING A FIREARM FROM A VEHICLE - TOWARDS A BUILDING OR VEHICLE, REPEATER

The above-named defendant on or about Wednesday, May 15, 2024, in the Town of Gale, Trempealeau County, Wisconsin, did intentionally discharge a firearm at or towards a vehicle while on a highway that is open to the public, contrary to sec. 941.20(3)(a)2, 939.62(1)(c) Wis. Stats., a Class F Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) years and six (6) months, or both.

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of a felony, Assault by Prisoner in violation of California Penal Code § 4501(b), within the preceding five years, which conviction remains of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than six years.

Count 3: POSSESSION OF A FIREARM BY OUTSTATE FELON, REPEATER

The above-named defendant on or about Wednesday, May 15, 2024, in the Town of Gale, Trempealeau County, Wisconsin, did possess a firearm, having been convicted of a crime elsewhere that would be a felony if committed in this state, contrary to sec. 941.29(1m)(b), 939.62(1)(b) Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of a felony, Assault by Prisoner in violation of California Penal Code § 4501(b), within the preceding five years, which conviction remains of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than four years.

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

PROBABLE CAUSE: That your complainant is an employee of the Trempealeau County District Attorney's Office and is informed upon review of official reports of the Trempealeau County Sheriff's Office (TCSO), with reports authored by Detective Michael Anderson, Captain David Lyngen, Detective Ronnie Molitor, Deputy Austin Markham, and Deputy Summer Watters. Your complainant is also informed upon review of official reports of the Wisconsin Department of Justice, Division of Criminal Investigation (DCI), with reports authored by Special Agents Adam Frederick, David Kleinhans, Jay Greeno, and Brian Townbridge. Your complainant is also informed upon review of digital evidence records associated with and attached to the above official reports. Your complainant is also informed upon review of records maintained by the National Crime Information Center (NCIC) and California Department of Corrections and Rehabilitation (CDCR). The reports and records in this action indicate as follows:

On Wednesday, May 15, 2024, at approximately 8:32 PM, Deputy Austin Markham was on duty for the Trempealeau County Sheriff's Department. At that time, Deputy Markham was dispatched to a report of a one-vehicle crash with injuries on United States Highway 53 near County Road TT in the Town of Gale, Trempealeau County, Wisconsin.

On scene, Deputy Markham observed a sedan in the southbound ditch of Highway 53, facing northbound. Inside the vehicle Deputy Markham observed a single occupant, a 37 year-old man positively identified at the scene as "VICTIM." Deputy Markham observed that VICTIM displayed significant head trauma and bleeding, and it appeared as if some object or debris was imbedded near VICTIM's right eye. While several citizens had assembled at the scene, none observed what caused VICTIM's car to leave the highway.

VICTIM's parents arrived and spoke to Deputy Markham. VICTIM's father said VICTIM had been at their nearby family farm, planting crops until approximately 7:30 to 7:45 PM that evening. VICTIM's father believed VICTIM was going to be driving back to his residence, which was also in the area.

VICTIM was flown to Gundersen Lutheran Medical Center in La Crosse, Wisconsin to receive emergency care.

INITIAL CRASH INVESTIGATION

Deputy Markham conducted an initial crash investigation. Based upon observations at the scene, Deputy Markham believed VICTIM was driving his car northbound on Highway 53 when it crossed the centerline and entered the southbound ditch. VICTIM's car continued for approximately 45 yards through the ditch before it struck a field road and culvert embankment, where it finally came to a rest. Damage to the car was primarily to the front fenders and hood area where the car struck the embankment. Deputy Markham also observed the rear passenger-side window was shattered. Deputy Markham observed a large amount of blood and bodily material within the interior of the vehicle.

INFORMATION ABOUT GUNSHOT WOUND - GUNDERSEN LUTHERAN

At approximately 10:30 PM, Trempealeau County Dispatch received a call from Gundersen Lutheran Medical Center advising that the wound to VICTIM's head appeared to be the result of a gunshot.

Deputy Summer Watters went to Gundersen Lutheran Medical Center in La Crosse, Wisconsin. At the hospital, Deputy Watters observed VICTIM in the Intensive Care Unit. Deputy Watters spoke to staff members in the ICU who advised that VICTIM was not yet deceased, however, he had sustained a non-survivable injury.

Deputy Watters was allowed to observe VICTIM at the hospital, where she saw and photographed VICTIM's injuries, which included extensive facial swelling, bruising, and bleeding. Hospital staff advised they located a metal object that was protruding from below VICTIM's right eye. The metal object had been removed and was turned over to Deputy Watters, who described it as a brass-colored object.

Deputy Watters was advised that VICTIM had a significant wound above his right eye, which was described as a large and deep entrance wound. The attending doctor advised Deputy Watters that he observed the noted entrance wound but found no exit wound. Deputy Watters was further advised that a metal penetrating object remained inside VICTIM's head. The doctor advised VICTIM suffered no other injuries except those to his head and face.

CAUSE OF DEATH

VICTIM succumbed to his injuries while at Gundersen Lutheran Medical Center. Thereafter, his body was transported to the Midwest Medical Examiner's Office in Ramsey County, Minnesota.

On May 17, 2024, Forensic Pathologist Kendra Palmer conducted an autopsy on VICTIM while in the presence of Detective Ronie Molitor. Detective Molitor spoke to Dr. Palmer about her findings. Dr. Palmer determined VICTIM died from a gunshot wound above his right eye. Dr. Palmer explained the wound was caused by a "tumbling bullet," or a bullet that first passed through some other object. Dr. Palmer classified VICTIM's death as a homicide.

Detective Molitor recalled she previously inspected VICTIM's car as part of this investigation, where she noted damage to blue plastic molding above the shattered rear passenger side window. Detective Molitor observed the damage to the blue plastic molding was more extensive on the interior portion of the molding than the exterior, suggesting a projectile caused the damage by entering the cabin from outside the car, near the rear passenger window. Detective Molitor observed a small piece of what appeared to be blue plastic molding embedded in a piece of cardboard above the driver's side door on the interior of the car. Given the damage observed in the car, Detective Molitor believed the "tumbling bullet" that caused VICTIM's death was consistent with a bullet being shot into VICTIM's car near the rear passenger side window.

SURVEILLANCE VIDEO OF A SUSPICIOUS RED CAR

During the investigation, deputies received information from a citizen who observed VICTIM's vehicle as it was followed closely by an older, red sedan in an area not far from the crash scene.

Detective Michael Anderson retrieved surveillance footage from Frenchville Trailers, which captures the intersection of County Road TT and Highway 53. Detective Anderson reviewed surveillance video captured on May 15, 2024, at approximately 8:28 PM. In the recording, Detective Anderson observed the VICTIM's car traveling northbound on Highway 53, approaching the intersection of County Road TT. A red car is seen traveling behind VICTIM's car. As VICTIM's car appeared to slow down for the intersection with County Road TT, the red car went around VICTIM's car in the right-side passing lane and continued northbound on Highway 53. VICTIM's car then follows behind the red car, northbound on Highway 53 toward Ettrick, before both cars travel out of view. Approximately one minute later, the red car is captured again on the Frenchville Trailers surveillance footage traveling in the opposite direction, southbound on Highway 53 toward Galesville.

SURVEILLANCE VIDEO FROM WOYCHIK RESIDENCE

On the morning of May 16, 2024, Detective Michael Anderson spoke with a party identified as Shelly Woychik at her residence in the Town of Gale. Shelly lives at a residence on Highway 53 just south of the location where VICTIM's vehicle went off the road. The Woychik residence

is located north of the intersection of County Road TT on Highway 53, where VICTIM's car and the suspicious red car were captured on the Frenchville Trailers surveillance video.

Shelly advised Detective Anderson that a man named Todd left her residence just before the crash happened. Shelly explained that Todd drives a darker, maroon colored vehicle, but she did not know the make or model.

Special Agent Brian Townbridge spoke to Jacob Woychik, Shelly's son, who resides at the same residence. Jacob explained that a man by the name Todd Geick was at his residence on May 15th, and was driving his red 1990s era Ford Crown Victoria.

Deputies later retrieved surveillance footage from the Woychik residence. The surveillance video captured the driveway from a detached garage to where the driveway meets with Highway 53. The Woychik surveillance video captured the suspicious red car and VICTIM's car after they left view of the Frenchville Trailers surveillance on May 15, 2024. The video first captured the suspicious red car as it drove northbound on Highway 53. The red car stopped at the entrance to the Woychik residence driveway, parking parallel to the roadway and in line with the shoulder. VICTIM's car entered view several seconds later, also traveling northbound on Highway 53. VICTIM's car traveled past the location where the red car was parked without stopping or slowing, before going out of view. After a few seconds, the red car rapidly spins out of the Woychik driveway and turns around to travel southbound on Highway 53.

The same suspicious red car appeared to be at the Woychik residence earlier in the day and was captured on video surveillance along with the driver of the vehicle. The driver was wearing a white t-shirt with the number 17 displayed prominently on the back. The red car and driver appeared consistent with the information from Jacob that Todd Geick had been at the residence earlier in the day in his red Ford Crown Victoria.

SEARCH WARRANT AT TODD ERIC GEICK RESIDENCE

Law enforcement executed a search warrant at the Jackson County residence of the Defendant, Todd Eric Geick, on May 18, 2024. During execution of the search warrant, Geick's red 1998 Ford Crown Victoria was found parked in a detached pole building. Also recovered was a white t-shirt with the number 17 prominently displayed on the back. In Geick's bedroom, law enforcement observed unfired 12 gauge shotgun shells and unfired .22 caliber rifle cartridges.

.40 CALIBER PISTOL RECOVERED

On May 22, 2024, Special Agent Jay Greeno met with a man named Jim Newman at his residence in West Salem, Wisconsin. Special Agent Greeno interviewed Newman the day prior, as Newman was an associate of Todd Geick. On May 22, Newman told Special Agent Greeno that during the first interview, he lied when he said he had no knowledge about Geick possessing firearms. Newman explained Geick was at Newman's residence on May 18, 2024, when Geick left two firearms with Newman, a handgun and a shotgun. Newman said Geick

told him he needed Newman to hang on to the guns for a little while. Newman advised that Gieck told him that Newman may be the new owner of the guns.

Newman explained he knew the handgun belonged to Gieck, because Gieck talked about the handgun before. Newman estimated Gieck talked about the handgun for the last couple of months. Newman believed Gieck bought the handgun through a relative.

Newman said that on Thursday or Friday of the week prior, May 16 or 17, Gieck told him about "blowing out somebody's back window." Newman said he remembered Gieck telling him that someone pissed him off and he blew out their back window. Gieck explained to Newman the vehicle he shot at was a car, not a truck.

The firearms Newman said he received from Gieck were collected by law enforcement and described as an Springfield XDM .40 caliber handgun and a 12 gauge New England Firearms Shotgun, as well as ammunition for the firearms recovered and additional ammunition, including .22 caliber long rifle, 32 short Colt, and .38 Special, a leather holster, and gun cleaning supplies.

.40 CALIBER SHELL CASING LOCATED

On May 22, 2024, Captain David Lyngen went to the crime scene with a Special Agent from the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, in an attempt to locate a shell casing used in the crime. The ATF agent utilized an explosives-detecting K-9. With the assistance of the K-9, a shell casing was found in the gravel just off the paved portion of the roadway, in an area also used as part of the driveway servicing the Woychik residence. The casing was for a .40 caliber pistol.

DUSTIN ROMMEL INTERVIEW

On May 23, 2024, Detective Anderson, Detective Molitor, and Special Agent Adam Frederick made contact with Dustin E. Rommel at a business located in Jackson County, Wisconsin. In a non-custodial interview, Rommel advised that on Wednesday, May 15, 2024, he rode with his friend Todd Gieck to a residence in Trempealeau County occupied by "Jake." Law enforcement were aware that "Jake" referred to Jacob Woychik.

Rommel advised that when they arrived at Woychik's residence, he remained within Gieck's vehicle while Gieck entered Woychik's garage. Rommel advised that Gieck returned to the vehicle and drove them to a convenience store in the Village of Ettrick. Rommel advised that, after leaving the convenience store, they drove on a "back road" that "circled around" behind Woychik residence. On information and belief, law enforcement identified the road as Dopp Road.

Rommel advised law enforcement that Gieck was "high amped," and "fast paced" during the drive. Rommel told law enforcement that, at one point, Gieck stopped the vehicle to inspect a pontoon boat that had been deposited beside the roadway. Rommel advised that while they were looking at the pontoon, he observed a vehicle approaching their location from behind.

Rommel indicated that the vehicle was driving very slowly as it passed their location. Rommel told law enforcement that the vehicle's presence elevated Gieck's level of agitation. Rommel stated that Gieck was "on edge," and asked him, "What this guy is about? What is he doing?"

Rommel told law enforcement that after approximately five minutes, he and Gieck continued traveling westbound on Dopp Road toward Highway 53. Rommel advised that Gieck caught up to the car that had passed their location earlier. Rommel indicated that the car was still driving slowly.

Rommel told law enforcement that Gieck pulled up behind the car at the intersection of Dopp Road and Highway 53. Rommel indicated that Gieck followed the slow-moving car northbound onto Highway 53. Rommel advised that Gieck passed the car on the right and continued driving northbound on Highway 53, in front of the slow-moving car.

Rommel advised that Gieck drove onto the shoulder of Highway 53 that formed the entrance to Woychik's driveway. Rommel indicated that Gieck's vehicle was parallel with Highway 53. Rommel advised that Gieck had a black pistol on him, and that Gieck's window was open while Rommel's window was up. Rommel advised that Gieck seemed "pretty on edge" at that point. As VICTIM's vehicle drove past, Rommel advised he heard the rack of a gun and Gieck said something like "watch this." Rommel said he heard the handgun go off, followed by the sound of glass breaking. Rommel said he saw VICTIM's vehicle "kind of go off the road." Rommel asked Gieck if they were going to go check on the driver, however Gieck drove his car the other direction.

JAIL PHONE CALLS

Detective Anderson reviewed a jail call recorded on June 2, 2024, between Gieck and Gieck's sister, Tammy L. Doctor. During the call, Gieck asked Doctor if she had spoken with Rommel. When Doctor responded affirmatively, Gieck responded "OK, well then I'm fucked, if he... you know." Gieck told Doctor, "Well all I can say is it was an accidental discharge. There was no intentional fucking, you know, thing gun." Gieck acknowledged to Doctor that he had pulled into Woychik's driveway, then chambered a round into his firearm. Gieck told Doctor that "the fucking gun went off right in my chest."

Detective Anderson reviewed a jail call recorded on June 9, 2024, between Gieck and Tammy Doctor. During the call, Doctor expressed that Rommel was "freaking the fuck out." Gieck responded that Rommel, "doesn't have to freak out [...] he knows exactly what happened." Gieck stated, "You can tell them it's all on me, man. This isn't going any further than it has to." Gieck stated "tell Dustin, you know, it's all gonna come out in the wash later on. He doesn't have to trip about nothing, 'cause this ain't going to a trial. It's like this, 'cause it ain't gonna go that far. I mean, I'm gonna do at least 15-20 years."

DEFENDANT'S HISTORY OF PRIOR FELONY CONVICTIONS

Your complainant has reviewed records maintained by the National Crime Information Center (NCIC) and California Department of Corrections and Rehabilitation (CDCR) that indicate that

on March 24, 2016 Todd E. Gieck was convicted of a felony, Assault by Prisoner in violation of California Penal Code § 4501(b), an offense that would be a felony if committed in the State of Wisconsin, which conviction remains of record and unreversed. On information and belief, Todd E. Gieck remained in confinement from the date of conviction until his release to Post Release Community Supervision on November 24, 2020.

Subscribed and sworn to before me on 06/20/24

Electronically Signed By:

John H. Sacia

District Attorney

State Bar #: 1088316

Electronically Signed By:

Amanda Daffinson

Complainant