

STATE OF WISCONSIN

CIRCUIT COURT

KENOSHA COUNTY

KPD Case Number: 2020-00047360

SEARCH WARRANT

IN THE CIRCUIT COURT OF THE COUNTY OF KENOSHA:
THE STATE OF WISCONSIN TO ANY LAW ENFORCEMENT OFFICER:

WHEREAS, Detective Martin Howard #592 has this day complained in writing to the said Court upon oath that on the 24th of September, in said County, in and upon 912 56th St (Kenosha County District Attorney's Office) in the City of Kenosha, in said County, possessed by Gaige P Grosskreutz and more particularly described as follows:

1) Gaige Grosskreutz's cell phone

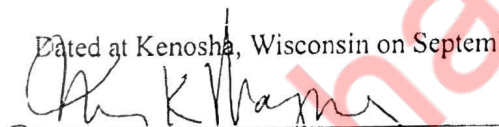
Detective Howard believes the cell phone will contain evidence to include: images, videos, text messages, phone calls, voicemails, social media messages, social media posts, other forms of electronic data, which:

- ☐ possessed for the purpose of evading or violating the laws of the state of Wisconsin and contrary to Wis. Stat. §940.02 First-degree Reckless Homicide
☐ were used in the commission of a crime, to-wit: Wis. Stat. §940.02 First-degree Reckless Homicide
☒ which things may constitute evidence of a crime, to-wit: First-degree Reckless Homicide- contrary to Wis. Stat. §940.02

and pray that a search warrant be issued to search said cell phone.

Now, therefore, in the name of the State of Wisconsin you are commanded forthwith to search the said cell phone, and return this warrant within 48 hours before this court, to be dealt with according to law.

Dated at Kenosha, Wisconsin on September 23rd, 2020

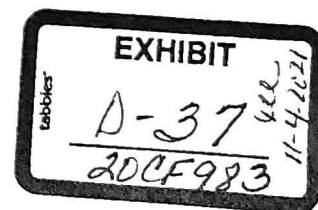

☒ Circuit Judge ☐ Reserve Judge
☐ Court Commissioner Branch _____

This warrant was received by me on:

DATE 9 / 23 / 2020

TIME 8:12 ☐ a.m. ☒ p.m.

Det Martin Howard #592
Officer's signature



STATE OF WISCONSIN

CIRCUIT COURT

KENOSHA COUNTY

KPD Case Number: 2020-00047360

AFFIDAVIT FOR SEARCH WARRANT

WHEREAS, Detective Martin Howard #592 has this day complained in writing to the said Court upon oath that on the 24th of September, in said County, in and upon 912 56th St (Kenosha County District Attorney's Office) in the City of Kenosha, in said County, possessed by Gaige P Grosskreutz and more particularly described as follows:

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Detective Howard believes the cell phone will contain evidence to include: images, videos, text messages, phone calls, voicemails, social media messages, social media posts, other forms of electronic data, which:

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The facts tending to establish the grounds for issuing a search warrant are as follows:

1. I base this affidavit on personal knowledge and information provided to me which I believe to be reliable; statements made in my presence, as well as information provided by other law enforcement officers.
2. Affiant, Martin G. Howard #592, is a Detective with the Kenosha Police Department and has been employed by said department for nine (9) years. I am currently working a Death Investigation, reported 8/25/20 at 2349hrs. The incident occurred in the 6200blk of Sheridan Rd, which is located within the City and County of Kenosha, State of Wisconsin.
3. On 8/25/20 at 2000hrs, an emergency curfew had been imposed east of I-94 in Kenosha County due to civil unrest.
4. On 8/25/20 at 2349hrs, Dispatch received multiple 911 calls for a report of Shots Fired / Med Call. 1 caller stated he was watching a livestream video and observed 7 or 8 shots fired and someone "laid out" at the Car Source at Sheridan Rd / 63rd St. Another caller yelled for "medics." Another Dispatch note stated, "one down in the middle of the road CPR in progress."

5. Multiple angles of cell phone footage were obtained of this incident. Officers from multiple agencies responded to the scene.
6. In a video obtained from Twitter user Drew Hernandez, a male later identified as Kyle Rittenhouse can be seen running southwest across the Car Source parking lot, with Joseph Rosenbaum chasing him. Kyle can be seen possessing a Smith & Wesson AR-15 style .223 rifle. Joseph threw a plastic bag at Kyle while chasing him and appeared to be unarmed.
7. A loud bang was heard, a male shouted, "Fuck you!", then Joseph continues to approach and get close to Kyle. 4 more bangs are heard and then Joseph falls to the ground.
8. Kyle then circled around the vehicle and observed Joseph on the ground, while reporter Richard McGinnis applied medical aid. Kyle then retrieved his cell phone and appeared to make a call. He then ran N/B away from the scene, and can be heard talking on the phone, "I just killed somebody."
9. Joseph Rosenbaum was transported to Froedtert South – KMH (6308 8th Ave). A doctor there declared him to be deceased on 8/26/20 at 0047hrs.
10. Kyle then ran northbound on Sheridan Rd, with a crowd chasing him. People can be heard yelling, "Beat him up!", "Hey, he shot him!", "Get him! Get that dude!"
11. In a video obtained by witness Kyle Cook, I observed Gaige Grosskreutz run up to the left side of Kyle Rittenhouse while he was running N/B on Sheridan Rd after he had shot Joseph Rosenbaum. I observed Gaige hold what appeared to be a cell phone up to the left side of Kyle's face. I observed an illuminated screen facing Gaige. Gaige was next to Kyle for several seconds before stopping, while Kyle continued running N/B on Sheridan Rd.
12. Twitter user ElijahRiot posted a video which depicted a screen recording of Gaige Grosskreutz's livestream. The screen showed Gaige's livestream started on 8/25/20 at 2231hrs, and was 1:18:10 into the recording. At that time, Gaige ran up to Kyle's left side. Kyle told Gaige, "I'm going to the Police." This contact lasted several seconds, and appeared consistent with the independent recording obtained directly from Kyle Cook's phone.
13. As Kyle Rittenhouse continued running N/B in Sheridan Rd, a male in a light-colored top ran towards Kyle from the rear and punched the area of his head, knocking Kyle's hat off. Kyle continued to run and then tripped and fell.
14. While on the ground, an unidentified male jumps at and over Kyle. Kyle appears to shoot twice at this subject, and misses both times.
15. A male with a skateboard, later identified as Anthony Huber, then approached Kyle and pushed his skateboard into the area of Kyle's face with his right hand and attempted to grab

Kyle's rifle with his left hand. Kyle then fired 1 round into Anthony. Anthony then took several steps away and collapsed to the ground. Anthony subsequently died from that gunshot wound.

16. Gaige Grosskreutz had begun to re-approach Kyle while he was on the ground. Gaige stopped and put his hands in the air. Gaige then moved towards Kyle, and Kyle shot Gaige once in the right bicep, causing Gaige to retreat and scream for a medic. Gaige appeared to be holding a handgun in his right hand while he was shot.
17. Det. Antaramian #583 spoke with Dominic Black, a friend of Kyle's. Dominic stated on 8/26/20 at 2346hrs, he received a call from Kyle in which Kyle told Dominic he had just shot someone.
18. Dr. Kelley of the Milwaukee Medical Examiner's Office conducted an autopsy on Joseph Rosenbaum. Dr. Kelley indicated that Joseph had a gunshot wound to the right groin which fractured his pelvis, a gunshot wound to the back which perforated his right lung and liver, a gunshot wound to the left hand, a superficial gunshot wound to his lateral left thigh, and a graze gunshot wound to the right side of his forehead.
19. Dr. Kelly also conducted an autopsy on Anthony Huber. Dr. Kelly indicated that Anthony had a gunshot wound to his chest that perforated his heart, aorta, pulmonary artery, and right lung.
20. Detectives scheduled a meeting with Gaige Grosskreutz on 9/24/20 at 1500hrs at the Kenosha County District Attorney's office. It is anticipated that Gaige will be in possession of his cell phone at the meeting. Investigators are hoping to seize Gaige's cell phone and obtain evidence of the incident.

Your affiant is a duly sworn law enforcement officer for the City of Kenosha who bases this affidavit on:

- ☒ Affiant's personal knowledge, training and experience.
- ☒ Reports of other sworn law enforcement officers.

Wherefore, your affiant prays that a search warrant be issued to search said property for the said items and to bring the same, if found, before the Court to be dealt with according to law.

Det. Matt Jovan #592

Affiant

Dated September 23rd, 2020 by the court:

Chris K. Wagner

Circuit Court Judge Branch 6 / Commissioner Kenosha County

STATE OF WISCONSIN

CIRCUIT COURT

KENOSHA COUNTY

KPD #20-00047360

RETURN OF OFFICER

STATE OF WISCONSIN)
) ss.
COUNTY OF KENOSHA)

CIRCUIT COURT

This warrant was not served due to new information coming forward.

Dated this September 28, 2020.

Det. Benjamin Antaramian #583

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