

**FILED**  
**04-12-2024**  
**Anna Maria Hodges**  
**Clerk of Circuit Court**  
**2024CF001713**  
**Honorable Jean Marie**  
**Kies-45**  
**Branch 45**

**STATE OF WISCONSIN                      CIRCUIT COURT                      MILWAUKEE COUNTY**

**STATE OF WISCONSIN**  
**Plaintiff,**  
  
**DA Case No.: 2024ML009164**  
**Court Case No.:**

vs.

**CRIMINAL COMPLAINT**

COLE, JAMES A  
2024 WEST ROOSEVELT DRIVE #222  
MILWAUKEE, WI 53209  
DOB: 04/09/1967

**Defendant(s).**

*For Official Use*

THE BELOW NAMED COMPLAINANT BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

**Count 1: FIRST DEGREE SEXUAL ASSAULT (USE OF A DANGEROUS WEAPON)**

The above-named defendant on or about Monday, April 8, 2024, at or near 910 East Keefe Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did have sexual intercourse with VGT, without that person's consent, and by threat of use of a dangerous weapon, contrary to sec. 940.225(1)(b), 939.50(3)(b) Wis. Stats.

Upon conviction for this offense, a Class B Felony, the defendant may be sentenced to a term of imprisonment not to exceed sixty (60) years.

**Count 2: KIDNAPPING (CARRIES FORCIBLY), USE OF A DANGEROUS WEAPON**

The above-named defendant on or about Monday, April 8, 2024, at 275 West Wisconsin Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, by threat of imminent force, did carry VGT from one place to another without their consent and with intent to cause the victim to be held to service against their will, contrary to sec. 940.31(1)(a), 939.50(3)(c), 939.63(1)(b) Wis. Stats.

Upon conviction for this offense, a Class C Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

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 3: ROBBERY, ARMED (THREAT OF FORCE)**

The above-named defendant on or about Monday, April 8, 2024, at 275 West Wisconsin Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, with intent to steal, by the use or threat of use of a dangerous weapon did take property from the person of VGT, the owner, by threatening the imminent use of force against the person of the owner with intent thereby to compel the said owner to acquiesce in the taking or carrying away of said property, contrary to sec. 943.32(1)(b) and (2), 939.50(3)(c) Wis. Stats.

Upon conviction for this offense, a Class C Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

**Probable Cause:**

Complainant is an officer of the Milwaukee police department and bases this complaint upon the reports of Detective Nicholas Johnson, Detective James Pittman, Detective James Hunter, Detective Paul Miner, Detective Matthew Bughman, and Detective Guy Fraley. Those reports reveal the following:

On April 8, 2024, Detectives were dispatched to Aurora Sinai Hospital regarding a sexual assault and kidnapping investigation. At that location, Detective Nicholas Johnson spoke with VGT, who provided the following information.

**First Location:**

VGT stated that she left her home to go to work around 9am in the morning, and stated she pays to park in the parking garage at the Grand Avenue Mall which has an address of 275 W. Wisconsin Ave, in the City and County of Milwaukee, WI. VGT stated that at 9:17am, she entered the garage from an access drive on W. Michigan Ave.

VGT then stated she drove up two ramps and parked on the second floor of the garage along the side of W. Michigan Ave. She sat in her car with the engine running and she was scrolling on social media. She stated she was early and didn't want to go into work just yet so she sat in her car. VGT stated after a few minutes the suspect approached the driver side front seat where she was seated. She stated she had her window up and the suspect knocked on the window. She stated she rolled her window down halfway and the suspect told her that something was wrong with her car. She further mentioned the suspect said something about a brick in the back of her car.

She stated she disregarded him and told him she would deal with it later and rolled her window back up. VGT then stated the suspect walked towards the back of her car and stood behind her vehicle for about 10 seconds and then disappeared. She stated approximately 30 seconds he was back at her window and she believed he came again from the rear of the vehicle. She stated she again rolled her window down halfway and the suspect told her that he worked for the garage and that she couldn't be sitting there on her phone. She stated he also told her that he worked for the parking garage; however she did not see any insignia with the name or logo of the parking garage on his clothing.

VGT then stated the suspect pulled a knife from his left side of body and described it as an 8-9 inch butcher/kitchen knife with a brown handle. She stated he was holding the knife to her arm through the window and he did poke her with it.

VGT then stated the suspect told her to give him her purse; however she told him that she did not have one but only had a wallet. She stated she handed him her wallet through the open window and told him that there was \$40 in cash in her wallet. She stated the suspect looked through the wallet and gave it back to her and did not take anything out including the cash. She then stated the suspect told her to let him in the back seat and at this time he opened the back driver side door and got into the back seat of the vehicle. She stated he kept the knife out and had it in one of his hands that she could see. VGT stated the suspect told her that she was going to get him out of the area and drop him off somewhere.

**Second Location:**

VGT then stated she pulled out of the parking spot at the defendant's direction, drove down a different ramp and exited the ramp onto N. 2nd St. She stated she took a right onto N. 2nd St., going

southbound, and she then took a right on W. Michigan Ave. going westbound. VGT further mentioned that to exit the ramp she had to use the QR code again to exit the parking garage.

VGT stated as she was driving the suspect was telling her where to go and when to turn. She further stated that while driving around the suspect would get mad at her for driving too fast or too slow. VGT stated as she was driving the suspect kept talking to her and was stating "Don't worry I'm not going to kill you unless you don't do what I tell you." He was further telling her he was going to stab her in the neck.

VGT said that the suspect stated he did a "Dope Exchange" and someone snitched on him so he was going to kill that person. As she continued to drive, the suspect said he wanted to find a place where he can masturbate as she talks dirty to him. VGT further stated at one point while she was driving the suspect stabbed the roof of the vehicle twice with his knife.

### **Third Location:**

VGT stated that they then ended up behind a Goodwill store, later determined to be 3900 N. Palmer St., in the City and County of Milwaukee. She stated she parked in the back parking lot of the store and there were no other cars there. She stated when she parked; she turned the car off the suspect told her get into the back seat. VGT then stated she laid on her back and the suspect told her to take down her pants and underwear. She stated the defendant directed her to touch her genitals. She stated as she was touching herself, the suspect was standing outside of the rear driver's side seat and watching her touch herself. She stated at this time he had his penis exposed and was masturbating. VGT stated the suspect was telling her to "talk dirty" and telling her what to say as he was masturbating.

VGT stated this lasted less than one minute because the suspect started talking about there being cameras in the area. She stated the suspect told her to get out and drive them somewhere else, so she got out of the vehicle from the rear passenger side door, pulled up her pants and underwear and got back into the driver's seat, and the suspect got back into the rear drivers side seat.

VGT stated as she drove she ended up on N. Humboldt Blvd. and then took a right onto E. Capitol Dr. She stated the suspect started talking about needing to get rid of the knife, get his gun, and that he was looking for a place to "kill the guy who snitched on him."

### **Fourth Location:**

VGT then stated she took a left turn into Estabrook Park onto Estabrook Pkwy. She stated at one point she drove into a parking lot in the park and turned around and got back on E. Capitol Dr. She stated she was following the directions of the suspect and he was stating he was trying to find an alley. VGT then stated that they did end up in an unknown alley in the same neighborhood and on the south side of E. Capitol Dr. Detective Johnson later determined with VGT that this alley was located near the intersection of East Abert Place and North Hubbard Street, in the City and County of Milwaukee, WI.

VGT stated at this location, the suspect told her to climb into the back and after she did he told her to take off her pants and underwear, which she did. She stated the suspect also got out of the rear driver side door and he again told her to touch herself as he watched and masturbated. She then stated the suspect told her to touch his penis and masturbate him. VGT stated she sat up and began masturbating him. She stated as she was doing this he told her "I'm not going to rape you" and that after this, he can drop her off. VGT stated the suspect did not ejaculate and again he became nervous about cameras in the area. He stated he told her to climb back over to the front seat and he then got back into the rear

driver side seat. She stated at this time she was not wearing her pants and underwear. She stated he again demanded that she drive around.

VGT stated as they were driving around, they again ended up in Estabrook Park and at one point he told her to drive on the bike path. She stated after she drove a little ways on the bike path, he told her to drive around and as he looked for another spot. VGT stated they ended up by a White Building behind the Capitol Dr. Wal-Mart. Detective Johnson later determined with VGT that this location was 910 East Keefe Avenue, in the City and County of Milwaukee, WI.

#### **Fifth Location:**

VGT stated again the suspect told her to climb into the back seat and when she did he told her to lift up her shirt and bra to expose her breasts. She stated when she did the suspect touched her breasts. She stated the suspect then said to her that he was now going to rape her and told her to lay down on the seat. The suspect further stated to her "Don't worry I won't finish inside you". She stated the suspect got on top of her and told her to put his penis inside her vagina. She stated he penetrated her vagina a few times; however he did not put his penis all the way inside of her vagina. She stated after about 30 seconds the suspect said he finished and she believed he ejaculated outside of her vagina because she felt his semen on her.

VGT stated the suspect got out of the vehicle and asked her for her car keys. VGT stated she leaned over the front seat and grabbed the car keys from the ignition and gave the keys to the suspect. She stated the suspect then walked to the back of the car, set his bags on her trunk and pulled his pants back up. She then stated she saw him jog away from her car and at this point she doesn't know which way she was facing so she was unable to determine which

VGT stated she put her jeans back on and got out of her car. She stated at this time she saw her keys on a metal grate next to the car, grabbed her keys, and drove away from the scene, and called 911.

VGT indicated that she did not at any point consent to sexual contact or sexual intercourse with the suspect.

On April 8, 2024, MPD Latent Print Examiner Chet St. Clair examined five latent fingerprints recovered from the exterior passenger side rear door of VGT's vehicle, and identified a sufficient comparison to James A. Cole (AKA James E. Cole), the above named defendant.

On April 10, 2024, Detective Paul Miner presented VGT with a photo array and she positively identified the above named defendant as the person who had kidnapped, robbed, and sexually assaulted her on April 8, 2024.

#### **Mirandized Statement:**

On April 10, 2024, Detective Guy Fraley and Detective Matthew Bughman conducted a mirandized interrogation of the above named defendant. The defendant initially denied ever seeing the victim or her vehicle. Upon further questioning, the defendant stated that he did recognize photos of VGT, but had had a consensual sexual encounter with her that she had initiated. Upon more questioning, the defendant stated the following:

The defendant stated "I did what she said I did". He stated that he met her in the parking structure, he had a knife, got into the backseat of her car, everything "she said that I did." He stated that he told her to park behind the Goodwill and she was using her hand to masturbate him and then they went to another location and she did it again. He stated that he most likely did have sex with her, she "grabbed

his dick” and he was on top of her. He stated that she was not worried or anything while this was happening. He stated that she just kept saying sex things, which is what was getting him off.

Detective Bughman asked the defendant if he told the victim to say the sex things and he stated "I might have did". He stated that he was 90% sure that he did tell her to say those things. He stated that he did masturbate to the victim while he was standing up. He stated that he tossed the knife as he was running away from the scene. He stated that he was about ten blocks away when he threw the knife down on the ground in a park by Locust Ave. He stated that he kept the knife in his coat. He stated that he cut a slit on the inside of his coat and he kept it inside his coat. He stated that he is sorry, he's never done "any stupid shit like this before."

He stated that he was initially trying to trick her out of her car and he was not sure what his intentions were at that time. He stated that he didn't know if he wanted to assault her or take her car because his mind was in a rush. He stated that she wouldn't get out of the car so he got into the backseat. He stated that he opened the door, got inside and ducked down because there was a security guard right there.

He stated that was the first time that he ever saw the victim. He stated that he didn't know why he did that stupid shit because he didn't need any money or anything. He stated that he believes that he told her where to drive because he knew the area near the Goodwill store. He stated that they left the Good Will parking lot because he saw the camera. He stated that he told her that he was not going to kill her or anything. He stated that he doesn't know why he was stabbing the ceiling of her vehicle.

The defendant stated that he initially thought about robbing the victim. He stated that she rolled her window down when he approached the second time and he tried to trick her out of her car then he took out the knife and put it inside of the driver's side window by her arm. He stated that when she drove him out of the parking garage is when the "weird shit" started coming into his mind.

He stated that while she was looking at him through the rear view mirror, he started thinking about sex. He stated that he told her where to drive. He stated that she might have talked dirty to him because he might have told her to talk dirty. He stated that most of the stuff that she did might have been done because he told her to do it. He stated that he just stabbed the ceiling of the victim's vehicle for fun, he could have poked her in the neck if he wanted to.

He stated that he would like to say sorry to the victim. He stated that he picked her out because she was young looking and she was vulnerable. He stated that she was on the phone and wasn't paying attention to her surroundings. He stated that he informed her that she wasn't going to get hurt as long as she did what he told her to do. He stated that he threw the knife because he was scared. He stated that he was scared of everything because "normal motherfuckers don't do shit like that."

\*\*\*\*End of Complaint\*\*\*\*

**Electronic Filing Notice:**

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a \$ 20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Subscribed and sworn to before me on 04/12/24  
Electronically Signed By:  
Samuel Tufford  
Assistant District Attorney  
State Bar #: 1099952

Electronically Signed By:  
Police Officer Katie Thiel  
Complainant