

FILED
02-16-2024
Walworth County
Clerk of Circuit Court
2024CF000078

STATE OF WISCONSIN	CIRCUIT COURT	WALWORTH COUNTY
STATE OF WISCONSIN	DA Case No.: 2024WL000310 Assigned DA: Zeke S Wiedenfeld Agency Case No.: 24-001553 ATN:	
Plaintiff,		
vs.		
THOMAS A ROUTT 1100 E Pinecrest La Elkhorn, WI 53121 DOB: 01/18/1967 Sex/Race: M/W Eye Color: Blue Hair Color: Red Height: 5 ft 7 in Weight: 250 lbs Alias:	CRIMINAL COMPLAINT	
Defendant.		

The undersigned, being first duly sworn, on information and belief, states that:

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

The above-named defendant on or about February 1, 2024, in the City of Elkhorn, Walworth County, Wisconsin, did cause the death of Victim 1, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.63(1)(b), 939.62(1)(c) Wis. Stats., a Class A Felony, and upon conviction shall be sentenced to imprisonment for life.

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

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeat offender, having been convicted of a felony or at least three misdemeanors, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 6 years if the prior conviction was for a felony.

Count 2: FIRST DEGREE INTENTIONAL HOMICIDE, USE OF A DANGEROUS WEAPON, REPEATER

The above-named defendant on or about February 1, 2024, in the City of Elkhorn, Walworth County, Wisconsin, did cause the death of Victim 2, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.63(1)(b), 939.62(1)(c) Wis. Stats., a Class A Felony, and upon conviction shall be sentenced to imprisonment for life.

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

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeat offender, having been convicted of a felony or at least three misdemeanors, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 6 years if the prior conviction was for a felony.

Count 3: ATTEMPT FIRST DEGREE INTENTIONAL HOMICIDE, USE OF A DANGEROUS WEAPON, REPEATER

The above-named defendant on or about February 1, 2024, in the City of Elkhorn, Walworth County, Wisconsin, attempted to cause the death of Victim 3, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.32, 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 repeat offender, having been convicted of a felony or at least three misdemeanors, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 6 years if the prior conviction was for a felony.

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

Count 4: ARMED ROBBERY, REPEATER

The above-named defendant on or about February 1, 2024, in the City of Elkhorn, Walworth County, Wisconsin, with intent to steal, did take property from the person or presence of the owner, by use or threatening use of a dangerous weapon, contrary to sec. 943.32(2), 939.62(1)(c) Wis. Stats., a Class C Felony, and upon conviction 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. 939.62(1)(c) Wis. Stats., because the defendant is a repeat offender, having been convicted of a felony or at least three misdemeanors, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 6 years if the prior conviction was for a felony.

Count 5: POSSESSION OF A FIREARM BY A FELON, REPEATER

The above-named defendant on or about February 1, 2024, in the City of Elkhorn, Walworth County, Wisconsin, did possess a firearm, having been convicted of a felony in this state, contrary to sec. 941.29(1m)(a), 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 repeat offender, having been convicted of a felony or at least three misdemeanors, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

PROBABLE CAUSE:

1) Your complainant makes this complaint based upon the following, all of which your complainant believes to be reliable. The information in this complaint does not exhaust your complainant's knowledge of this incident.

2) Complainant has reviewed the reports of the City of Elkhorn Police Department and other assisting law enforcement agencies which reflect that on February 1, 2024 at approximately 12:13 AM, Sergeant Rayfield of the Elkhorn Police Department was on duty and was dispatched to the Sports Page Barr located on Wisconsin Street in the City of Elkhorn, Walworth County, Wisconsin, for a report of shots being fired. Sergeant Rayfield reports that he arrived on scene shortly after deputies from the Walworth County Sheriff's Office and observed the body of a deceased female, later identified as Victim 1, on the floor behind the bar area with a large amount of blood on the ground around her head. Sergeant Rayfield reports that he also observed the body of a deceased male, later identified as Victim 2, on the floor near the bar area with a large amount of blood around his head. Sergeant Rayfield reports that he observed two spent shell casings and a bullet on the floor near Victim 2. Sergeant Rayfield reports that he observed that the cash register behind the bar had the drawer open and the cash tray was empty and not seated in the drawer properly.

3) Detective Bass of the Elkhorn Police Department reports that on February 1, 2024, she was called into duty and spoke with a female identified as Victim 3. Detective Bass reports that Victim 3 was upset and had to take a lot of deep breaths while speaking to Detective Bass. Detective Bass reports that Victim 3 stated that Victim 3 was at the Sports Page Barr that evening. Victim 3 stated that there was a time where it was just Victim 1, Victim 2, Victim 3, and a white male whose age appeared to be in his 50 to 60's, who was using a video gaming machine in the bar. Victim 3 stated that Victim 1 was a bartender at the bar and Victim 2 was Victim 1's husband. Victim 3 stated that Victim 1 was working behind the bar and Victim 2 and 3 were seated at the bar. Victim 3 stated that the male at the video gaming machine stood up and pointed a handgun at Victim 1, telling Victim 1 not to move. Victim 3 stated that Victim 3 stood up from her barstool and the male with the gun pointed the gun at Victim 3 and told Victim 3 not to move. Victim 3 stated that the male with the gun shot at Victim 1 and Victim 3 instinctively ran out of the back door of the bar. Victim 3 stated that she heard additional gunshots as she was running out of the bar and through an alley.

4) Sergeant Shaw of the Walworth County Sheriff's Office reports that on February 4, 2024, at approximately 3:20 AM, he conducted a traffic stop on a vehicle driven by Thomas A. Routt Jr., age 57, (d.o.b. 1/18/67), hereafter "the defendant", on I-43 in the Town of LaFayette, Walworth County, Wisconsin. Sergeant Shaw reports that the defendant was found to be in possession of contraband. Sergeant Shaw reports that the defendant was confined at the Walworth County Jail.

5) Detective Dodge of the Walworth County Sheriff's Office reports that on February 6, 2024 he was notified by the Walworth County Jail that the defendant had requested to speak with someone regarding the homicides in Elkhorn. Detective Dodge reports that he and Detective Worland of the City of Elkhorn Police Department spoke with the defendant after the defendant was advised of the defendant's "Miranda" rights.

6) Detective Dodge reports that the defendant eventually admitted to being the male with the gun at the Sports Page Barr. The defendant stated that he did all of this "more than likely for the money" The defendant stated that he wanted the female bartender to get down on the ground. The defendant stated that the female bartender told him to "put it away or she'd call the cops." The defendant stated that the female bartender slapped the gun and it went off, causing the female bartender to fall down and go limp. The defendant stated that he shot the male who was sitting at the bar. The defendant stated that he took \$120-\$140 from the open cash register and the male was still alive. The defendant stated that he then shot the male again. The defendant also admitted to following the fleeing female out the back door and firing two or three shots at her.

7) Detective Dodge reports that the defendant stated that the defendant went home after the shooting and the next morning the defendant attempted to dispose of the firearm and ammunition at a gas station. Detective Dodge reports that the gas station described by the defendant was subsequently searched and a handgun and ammunition were located in bags in a dumpster at the gas station.

8) Complainant has reviewed a criminal history for the defendant which indicates that the defendant has multiple felony convictions, including convictions for burglary and arson. Complainant has reviewed records for Waushara County case 08CF33 which reflects that on November 24, 2008, the defendant was convicted of battery to a prisoner, a class H felony. This conviction remains of record and unreversed. Complainant has reviewed records from the Wisconsin Department of Corrections which indicate that, after the defendant was convicted on November 24, 2008, the defendant remained confined in prison serving criminal sentences until he was paroled on August 11, 2020.

Subscribed and sworn to before me on 02/16/24 Electronically Signed By:

Electronically Signed By:

Zeke S Wiedenfeld

District Attorney

State Bar #: 1069306

Detective Worland

Complainant