

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2-22-2000

BILL NO. SB 213

OR

SUBJECT _____

SENATOR JIM

BACMART
(NAME)

(Street Address or Route Number)

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
Room 109-LL One East Main
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2-22-2000

BILL NO. SB 213

OR

SUBJECT _____

ROBERT WELLS
(NAME)

D.A. Stboys
(Street Address or Route Number)

LOUNTY
(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

Senate Committee on Judiciary and Consumer Affairs
Request for Paper Ballot Executive Action on 1999 Senate Bill 213

Due to the difficulty of getting all of the members together in one place, the Senate Committee on Judiciary and Consumer Affairs is unable to hold an Executive Session on Senate Bill 213 as planned. We would like to conduct a paper ballot on the bill. **Please return your ballot to Sen. George's office (Room 118 South) by noon Monday, March 13, 2000.**

Introduction and Adoption of Substitute Amendment (LRB s0399/1):

_____ Moved (Optional -- Please check if you wish to Move Introduction and Adoption of the Substitute Amendment)

_____ Seconded (Optional -- Please check if you wish to Second Introduction and Adoption of the Substitute Amendment)

 X Aye (In Favor of Adoption of the Substitute Amendment)

_____ No (Oppose Adoption of the Substitute Amendment)

Passage of Senate Bill 213 As Amended:

_____ Moved (Optional -- Please check if you wish to Move Passage of the Bill as Amended)

_____ Seconded (Optional -- Please check if you wish to Second Passage of the Bill as Amended)

 X Aye (In Favor of Passage of the Bill as Amended)

_____ No (Oppose Passage of the Bill as Amended)

Signed: _____

Roberta Darling

March 13, 2000

Please return to Sen. George's Office by noon Monday, March 13, 2000.

Senate Committee on Judiciary and Consumer Affairs
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- _____ Seconded (Optional -- Please check if you wish to Second Introduction and Adoption of the Substitute Amendment)
- _____ Aye (In Favor of Adoption of the Substitute Amendment)
- _____ No (Oppose Adoption of the Substitute Amendment)

Passage of Senate Bill 213 As Amended:

- _____ Moved (Optional -- Please check if you wish to Move Passage of the Bill as Amended)
- _____ Seconded (Optional -- Please check if you wish to Second Passage of the Bill as Amended)
- _____ Aye (In Favor of Passage of the Bill as Amended)
- _____ No (Oppose Passage of the Bill as Amended)

Signed: _____

March 13, 2000

Please return to Sen. George's Office by noon Monday, March 13, 2000.

Senate Committee on Judiciary and Consumer Affairs
Request for Paper Ballot Executive Action on 1999 Senate Bill 213

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_____ Moved (Optional -- Please check if you wish to Move Introduction and Adoption of the Substitute Amendment)

_____ Seconded (Optional -- Please check if you wish to Second Introduction and Adoption of the Substitute Amendment)

Aye (In Favor of Adoption of the Substitute Amendment)

_____ No (Oppose Adoption of the Substitute Amendment)

Passage of Senate Bill 213 As Amended:

_____ Moved (Optional -- Please check if you wish to Move Passage of the Bill as Amended)

_____ Seconded (Optional -- Please check if you wish to Second Passage of the Bill as Amended)

Aye (In Favor of Passage of the Bill as Amended)

_____ No (Oppose Passage of the Bill as Amended)

Signed: _____

Alice Clausen

March 13, 2000

Please return to Sen. George's Office by noon Monday, March 13, 2000.

Senate Committee on Judiciary and Consumer Affairs
Request for Paper Ballot Executive Action on 1999 Senate Bill 213

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_____ Moved (Optional -- Please check if you wish to Move Introduction and Adoption of the Substitute Amendment)

_____ Seconded (Optional -- Please check if you wish to Second Introduction and Adoption of the Substitute Amendment)

_____ **Aye** (In Favor of Adoption of the Substitute Amendment)

_____ **No** (Oppose Adoption of the Substitute Amendment)

Passage of Senate Bill 213 As Amended:

_____ Moved (Optional -- Please check if you wish to Move Passage of the Bill as Amended)

_____ Seconded (Optional -- Please check if you wish to Second Passage of the Bill as Amended)

_____ **Aye** (In Favor of Passage of the Bill as Amended)

_____ **No** (Oppose Passage of the Bill as Amended)

Signed:


ca

March 13, 2000

Please return to Sen. George's Office by noon Monday, March 13, 2000.



State Senator
James R. Baumgart

State Capitol: P. O. Box 7882, Madison, WI 53707-7882 • Telephone (608) 266-2056
Toll-free: 1-888-295-8750 • E-Mail: sen.baumgart@legis.state.wi.us

December 28, 1999

Senator Gary George
State Capitol, 118 South
Madison, WI 53072

Dear Senator George:

As you know, Senate Bill 213, relating to inducing or causing self-mutilation of a child, has been referred to your committee. I would like to request that, at your earliest convenience, the bill be scheduled for a public hearing in order for the committee to have the opportunity to hear testimony.

At this time, current law does not prohibit individuals from physically harming themselves. However, this became an issue in my district when it was discovered that an individual was provoking children and teenagers to cut themselves and would then consume the blood that arose from the cut. The Sheboygan County Sheriff's office contacted me in regards to this matter because they found it hard to charge him with a crime due to the fact that he had not personally physically harmed his victims. The State Statutes do not directly deal with this type of activity.

Included with this letter is some background information. The criminal complaint and a few newspaper articles that reported on the case. It is my hope that this law does not need to be enforced often, but when circumstances such as this occur we ought to have laws on the books that make such actions illegal.

I look forward to working with you on this issue and thank you for your time and consideration to having a public hearing on this bill. If you have any questions, please feel free to contact me.

Sincerely,

JIM BAUMGART
State Senator
9th Senate District

JB/ph
Enclosures

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Senator Supports Vampire Law

Prosecutor Blames 'Loophole' In Recent Sheboygan Co. Case

MADISON, Posted 9:37 p.m. July 13, 1999 -- The Sheboygan County man sentenced for engaging in vampire-like behavior with young girls may have faced additional charges if state law was tighter.

The prosecutor who handled the case, Christopher Stock, says there's a loophole in the law that doesn't always hold Phillip Buck accountable for encouraging juvenile girls to cut themselves.

Senator James Baumgart has proposed legislation that penalizes anyone who entices juveniles to harm themselves by cutting their flesh. The proposed penalties increase if the minor is injured and if the perpetrator drinks the juvenile's blood.

The 40-year-old Buck was recently sentenced to ten years and nine months in prison after juvenile girls testified that he cut them with a razor or encouraged them to cut themselves, then sucked their blood.

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Man gets 10 years in prison for child abuse

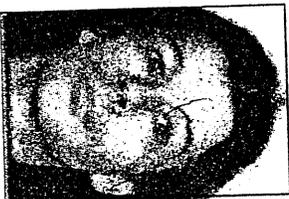
Had parties that involved self-mutilation, drinking blood

By Tom Waller
of The Press Staff

S.L.W. Press
6/15/99

A town of Scott man was sentenced to more than 10 years in prison Monday for child abuse that included drinking parties that led to sex, ritualistic self-mutilation and drinking of blood.

Phillip K. Buck, 40, of N2035 Highway 28, got nine months for having sexual intercourse with a minor girl, four years for being party to the crime of



BUCK

Turn to SENTENCING/A4

Sentencing/Could be released in four years

Continued from A1

harming that girl, and six years for harming three other young girls.

Buck also was convicted on two counts of obstructing law enforcement officers. He was given a two-year sentence on each count, and each was suspended. That punishment can be applied if Buck reoffends after leaving prison.

With good behavior, Buck could be released in less than four years.

Sheboygan County Circuit Judge John Murphy said the sentence was not punishment for a bizarre lifestyle, but for behavior that was criminal.

"We are not here because you are a vampire or a witch," Murphy told Buck before sentencing. "You are not a vampire or witch, and there is no law against being a witch. I believe that ended in Salem in 1690."

Murphy referred to photographs of injuries and scars from mutilation that took place during drinking parties at Buck's residence near Batavia.

One of the pictures showed a young girl wearing a dog collar.

The Sheboygan County Sheriff's Department began its investigation of Buck in July 1997 when it received information about suspicious photos developed at Wal-Mart's photo lab.

Prosecutors presented evi-

dence of the whipping of a girl who was bound to Buck's bed.

Sven U. Volkert, 19, of N1764 Sauk Trail Road, Oostburg, has been charged with chasing the girl with a scalpel, cutting her forearm and whipping her while she was bound. He is awaiting trial.

"The lifestyle itself is not criminal, but some of the activities depicted are criminal acts," the judge said. "You created kind of a bizarre funhouse."

Sheboygan County District Attorney Robert Wells asked that Buck be sentenced to 30 years. Defense attorney Barbara Kirchner recommended 3 1/2 years.

Afterward, Wells said the public message of the sentence imposed is that Buck is being held responsible for criminal behavior.

In his pre-sentencing statement, Wells said Buck went to a library in Random Lake to learn about teen-agers whose emotional problems are so severe that they practice self-mutilation to feel in control.

Items seized in a search of Buck's residence included a book about vampires and a diary.

Wells said the diary told of relationships in which Buck and a partner would be cut, drink each other's blood and make love. The goal, expressed by Buck to partners, was maximum intimacy, bonding and connectedness.

"Mr. Buck's not a vampire," Wells boomed. "Mr. Buck is a pervert."

Wells said Buck preyed on the pain of young females, using their emotional needs to control them, and manipulating them to satisfy his sexual urges. He said the oldest victim was 17.

Diary references described two "wives" and one more young woman whom Buck wanted to be able to call a wife as well.

Wells said Buck tried to keep his behavior secret and wrote letters from jail to his young victims, urging them also to keep quiet.

Some of the girls, in victim statements to the court, spoke of Buck as a good person.

Buck also addressed the judge before sentencing.

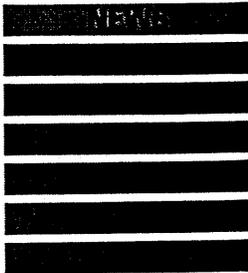
"I'm here to take full responsibility for my actions," he began.

Buck said self-mutilation is an emotional problem he wouldn't wish on anyone. He said he was depressed and thought self-mutilation and drinking someone else's blood to bond helped him.

However, Buck said he no longer has any desire to do that, not since he was arrested and stopped drinking eight months ago. "I was not as stable then as I am now," he said.

Buck said although he developed an interest in the supernatural, he "would never force anyone to participate in something they didn't believe in."

The Sheboygan Press - Stories

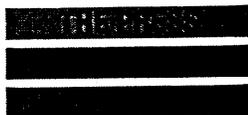


The Sheboygan Press

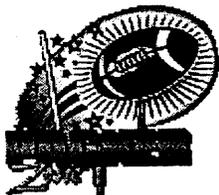
CITY NEWS
Wed 14-Jul-1999

Baumgart proposes law against 'vampire' behavior

Press staff, AP



MADISON - The bizarre case of vampire-like parties in Sheboygan and constraints in prosecuting the host has prompted proposed legislation against drinking the blood of juveniles.



Sen. James R. Baumgart, a Democrat from Sheboygan, has drafted legislation he says closes loopholes in the law used to prosecute a man recently sentenced for engaging in vampire-like behavior with young girls.

Phillip K. Buck, 40, of the town of Scott, recently was sentenced to 10 years and nine months in prison after juvenile girls testified that he cut them with a razor or encouraged them to cut themselves, then sucked their blood.



Buck pleaded no contest last December to fourth-degree sexual assault and causing bodily harm to a child, among other counts.

Baumgart's proposal would penalize anyone who entices juveniles to harm themselves by cutting their flesh.

The proposed penalties would increase if the minor is injured and if the perpetrator drinks the juvenile's blood.

The proposed statute against "causing mutilation of a child" includes penalties ranging from 2 to 5 years in prison and a \$10,000 fine upon conviction.

"This would protect juveniles from exploitation of people that want to get into this kind of sadistic ritual. If adults want to do that, it's one thing," Baumgart said.

The problems in prosecuting Buck's case stemmed from loopholes in the law for holding the person responsible who's encouraging the juveniles, said former Sheboygan County Deputy District Attorney Christopher Stock.

"The difficulties were mainly that these were troubled kids who were cutting themselves at the encouragement of others," said Stock, who handled the case.

Baumgart said he expects the proposed legislation will be scheduled for

committee discussion and hearings after the state budget is passed.

[Top of Page](#)

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CWS:11b

#98-0697
SHIELD

STATE OF WISCONSIN

SHEBOYGAN COUNTY

CIRCUIT COURT

STATE OF WISCONSIN,

Plaintiff,

AMENDED
CRIMINAL COMPLAINT

-vs-

Court No. 98 CF 35

PHILLIP K. BUCK,
d.o.b. 8-5-58
N2035 State Highway 28
Adell, WI

Defendant.

Det. R.W. Shield, Sheboygan County Sheriff's Department, being first duly sworn on oath deposes and says on information and belief:

Count 1

That on or about December 27, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to a child, to wit: Melissa J. DOB 2-1-81 contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 2

That on or about December 27, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck, as party to a crime thereto, with intent to cause bodily harm to a child, to wit: Melissa J. DOB 2-1-81 did cause the child to go into a building, contrary to section 948.07(5) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 3

That during December, 1997 through January 9, 1998, on or about December 27, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to a child, to wit: Melissa J. DOB 2-1-81 contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 4

That on January 13, 1998, in the County of Sheboygan, State of

STATE OF WISCONSIN,

Plaintiff

AMENDED
CRIMINAL COMPLAINT

-vs-

Page 2

PHILLIP K. BUCK,

Defendant.

Wisconsin, Phillip K. Buck did unlawfully, knowingly obstruct a law enforcement officer by giving the officer false information with the intent to mislead him in the performance of his duties, while said officer was doing an act in an official capacity and with lawful authority, to wit: did state that no one had cut themselves at his residence within the past two years, contrary to section 946.41(1) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(a) of the Wisconsin Statutes.

Count 5

That on January 13, 1998, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did unlawfully, knowingly obstruct a law enforcement officer by giving the officer false information with the intent to mislead him in the performance of his duties, while said officer was doing an act in an official capacity and with lawful authority, to wit: did state that he had never encouraged anyone to cut themselves, contrary to section 946.41(1) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(a) of the Wisconsin Statutes.

Count 6

That on January 13, 1998, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did unlawfully, knowingly obstruct a law enforcement officer by giving the officer false information with the intent to mislead him in the performance of his duties, while said officer was doing an act in an official capacity and with lawful authority, to wit: did state that he had never seen cuts as severe as those in the photographs shown to him when he had actually witnessed the cuts in person, contrary to section 946.41(1) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(a) of the Wisconsin Statutes.

Count 7

That on January 14, 1998, in the County of Sheboygan, State of

STATE OF WISCONSIN,

Plaintiff

-vs-

PHILLIP K. BUCK,

Defendant.

AMENDED
CRIMINAL COMPLAINT
Page 3

Wisconsin, Phillip K. Buck did unlawfully, knowingly obstruct a law enforcement officer by giving the officer false information with the intent to mislead him in the performance of his duties, while said officer was doing an act in an official capacity and with lawful authority, to wit: stated that he hasn't drank blood since 1996, contrary to section 946.41(1) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(a) of the Wisconsin Statutes.

Count 8

That on January 14, 1998, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did unlawfully, knowingly obstruct a law enforcement officer by giving the officer false information with the intent to mislead him in the performance of his duties, while said officer was doing an act in an official capacity and with lawful authority, to wit: did state that J.K. DOB 5-23-79 had cut herself but he did not know where she had done so, contrary to section 946.41(1) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(a) of the Wisconsin Statutes.

Count 9

That on January 14, 1998, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did unlawfully, knowingly obstruct a law enforcement officer by giving the officer false information with the intent to mislead him in the performance of his duties, while said officer was doing an act in an official capacity and with lawful authority, to wit: did state that the restraints on his bed had only been used with a girl named Sharone when he had tied up J.H. DOB 1-5-80, contrary to section 946.41(1) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(a) of the Wisconsin Statutes.

Count 10

That between June 1, 1996, and September 1, 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did have sexual intercourse with a child who had attained the age of 16 years, to wit: J.H., d.o.b. 1-

STATE OF WISCONSIN,

Plaintiff

-vs-

AMENDED
CRIMINAL COMPLAINT

Page 4

PHILLIP K. BUCK,

Defendant.

5-80, contrary to section 948.09 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit said crime as an habitual criminal, in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(a) of the Wisconsin Statutes.

Count 11

That between June 1, 1996, and September 1, 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did have sexual intercourse with a child who had attained the age of 16 years, to wit: J.H., d.o.b. 1-5-80, contrary to section 948.09 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit said crime as an habitual criminal, in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(a) of the Wisconsin Statutes.

Count 12

That between June 1, 1996, and September 1, 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did have sexual intercourse with a child who had attained the age of 16 years, to wit: J.H., d.o.b. 1-5-80, contrary to section 948.09 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit said crime as an habitual criminal, in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(a) of the Wisconsin Statutes.

Count 13

may - June
That during the Spring of 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to a J.H., d.o.b. 1-5-80, by whipping her, contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 14

✓
That between late August of 1996 to mid September of 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to J.K., d.o.b. 5-23-79, contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit

STATE OF WISCONSIN,

Plaintiff

AMENDED
CRIMINAL COMPLAINT

-vs-

Page 5

PHILLIP K. BUCK,

Defendant.

this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 15

That between late August of 1996 to mid September of 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to J.K., d.o.b. 5-23-79, contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 16

That between late August of 1996 to mid September of 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to J.K., d.o.b. 5-23-79, contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 17

That between late August of 1996 to mid September of 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to J.K., d.o.b. 5-23-79, contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 18

That during 1996 and December 26, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to S.S., d.o.b. 12-26-79, contrary to

STATE OF WISCONSIN,

Plaintiff

AMENDED

CRIMINAL COMPLAINT

-vs-

Page 6

PHILLIP K. BUCK,

Defendant.

sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 19

That during 1996 and December 26, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to S.S., d.o.b. 12-26-79, contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 20

That during 1996 and December 26, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to S.S., d.o.b. 12-26-79, contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 21

That during 1996 and December 26, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to S.S., d.o.b. 12-26-79, contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 22

Hit in face

That during October of 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to a child, to wit: did choke J.H., d.o.b. 1-5-80, contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit

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this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

POSSIBLE PENALTY: Counts 1, 3, 13, 14, 15, 16, 17, 18, 19, 20, 21 & 22: Class D Felony - A fine of not more than \$10,000 or imprisonment not to exceed 5 years, or both, on each count.

Count 2: Class C Felony - A fine of not more than \$10,000 or imprisonment not to exceed 10 years, or both.

Counts 4 - 12: Class A Misdemeanor - A fine of not more than \$10,000 or imprisonment not to exceed 9 months, or both, on each count.

PENALTY ENHANCER: Counts 1, 2, 3, 13, 14, 15, 16, 17, 18, 19, 20 & 21: Incarceration may be increased by not more than 6 years, on each count.

Counts 4 - 12: Incarceration may be increased to not more than 3 years, on each count.

Wherefore, complainant prays that said defendant be dealt with according to the law and that the basis for complainant's charge is upon a review of the written police reports of Deputy Dennis TenHaken and Detective R.W. Shield of the Sheboygan County Sheriff's Department, whose reports complainant has found to be reliable as they have proven to be reliable in the past.

Complainant alleges that on or about January 4, 1998, Deputy TenHaken spoke with Christopher Nelson, an adult citizen. Christopher stated that on the previous weekend, on Saturday, which would have been December 27, 1997, he was at the Phillip Buck residence for an underage alcohol party. Christopher Nelson admitted he was drinking alcohol at the party even though he is not old enough to legally do so. He stated that one of the girls there was Melissa, who, for the purposes of this complaint, will be identified as Melissa J., d.o.b. 2-1-81. Christopher Nelson stated that Phillip Buck was in a back room with Melissa and he could hear Phillip Buck telling her that he had a wooden stake and he was going to kill himself. Christopher Nelson stated that Melissa was drunk and that he saw Phillip about to give Melissa a razor blade and heard Phillip say to her, "It would make you feel better". He stated that Melissa then proceeded to cut her arms with the razor blade. Christopher Nelson stated that Melissa cut her

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arms along her inner forearms on both arms. Christopher Nelson stated that Melissa cut four or five vertical cuts on each inner forearm and several horizontal cuts on her inner forearms. Christopher Nelson stated the cuts were criss-cross and her arms were bleeding profusely. Christopher Nelson stated that after Melissa had cut her arms and they were bleeding, Phillip put his mouth on her inner forearms and was sucking her blood. Christopher Nelson stated that Phillip was sucking on her arms for several minutes when he decided that he should get Melissa out of the residence. Christopher Nelson stated he took Melissa from the residence and her arms bled for approximately 15 to 20 minutes. He stated this was not the first time that this activity had gone on at the Buck residence.

Adam Gildemeister, an adult citizen, stated that he had been at parties at Phillip Buck's residence where Phillip was supplying alcohol to juvenile females. He stated that he was not sure if Buck had ever cut the girls himself but believed that Buck got the girls drunk and then lured them into cutting themselves so that he could take advantage of them. He stated that Buck would get the girls drunk and cut his own arms in front of the girls and then hand the razor to them.

Christopher Nelson stated that one time at Buck's residence, Buck told everyone that there is a narc among them and if he ever found out who it was, he would crush their throat.

Complainant states that Complainant has stated in a sworn statement that he is aware of the date of birth of the juvenile female identified as Melissa J., d.o.b. 2-1-81, based on prior contacts with her.

Complainant states that on January 13, 1998, Complainant spoke with Phillip Buck. He stated that kids were coming over to his house all the time and he had no control over them. He admitted that the Melissa in question had been at his house. He stated that all he knows about her is that she came up to him with fresh cuts on her arms which were bleeding and told him that she did that for him.

Complainant states that during Complainant's interview with Phillip Buck, Phillip Buck told Complainant that no one has cut themselves at his house within the last two years. He further stated that the kids that came over to his house were crazy and he does not encourage anyone to cut themselves. Phillip Buck went on to state that he has not participated or witnessed anyone cutting themselves within the last two years at his house. Complainant reports that he then showed Phillip Buck several photographs showing arms or legs of persons who had cut themselves. Phillip Buck stated that he had never seen cuts that severe and would like to have the photographs. Complainant states that he is aware from viewing the inside of Phillip Buck's residence that the photographs were taken inside of the

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Phillip Buck residence. Complainant asked him if he was sure that he had never seen any cuts that severe and he said that he had not. Complainant then showed Phillip Buck a picture of Phillip Buck sitting next to the juvenile female who had been cut in the previous pictures. At that time Phillip Buck stated, "Wow, that's me". Phillip Buck then stated the photographs were older and probably were from when he was drinking. Complainant then advised Phillip Buck that the photographs were from the past summer of 1997. Phillip Buck stated that he then remembered the incident, that it was his birthday and his friends were telling him he should drink and he believes he was intoxicated. He stated he did not cut the juvenile female in question.

Complainant states that on January 14, 1998, Complainant continued his interview with Phillip Buck. At that time, Phillip Buck stated that he hadn't drank anyone's blood since 1996. He further stated that J.K. DOB 5-23-79 had cut herself but he did not know where she had done so. He further stated that he had only used the restraints on his bed to tie up an old girlfriend named Sharone and no one else.

Complainant states that on January 30, 1998, Complainant spoke with a juvenile who, for the purposes of this complaint, will be identified as N.K., d.o.b. 6-19-80. N.K. displayed to Complainant cuts on N.K.'s arm which N.K. stated were from when N.K. cut N.K.'s self at Phillip Buck's residence but he didn't know why. N.K. stated that on occasion when N.K. was there, N.K. walked into the small room in the upstairs at Phillip Buck's residence where N.K. observed several girls sitting with Phil Buck and they were in the process of cutting themselves. N.K. stated that Phillip was holding the knife and asking Melissa J. to cut herself, at which time Melissa J. asked N.K. for a knife. N.K. stated that Melissa eventually cut herself with a different knife and then Phillip Buck drank Melissa's blood. In a written statement, N.K. stated that he started going over to Phil Buck's house in December, which your complainant indicates would have been December of 1997.

Complainant states that he believes the statements of Christopher Nelson to be truthful and reliable as Christopher Nelson admits to consuming intoxicants at Phillip Buck's house. Because of Christopher Nelson's age, such statements would be a statement against his own penal interest.

Complainant states that on January 16, 1998, at approximately 4:30 p.m. Complainant met with J.H., d.o.b. 1-5-80, J.H. indicated that she met Phillip Buck when she was 16 years old at his residence and the next week they started going out and having sexual intercourse. She said that the sexual intercourse occurred on numerous occasions during the summer. She indicated that the sexual intercourse occurred at Phillip Buck's residence

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in Adell, Sheboygan County, Wisconsin. Complainant further states that on February 16, 1998, J.H. indicated that she had sexual intercourse with Phillip Buck at least nine times maybe a dozen times during the summer of 1996.

Complainant further states that on February 16, 1998, J.H. advised Complainant that on one occasion in the Spring of 1997 she was tied to an upstairs bed in Phillip Buck's residence and Sven Volkert was whipping her with a cat-o-tails. She indicated that she had bruises which ran from her knee to her hip. She indicated that Phillip Buck was jumping up and down next to the bed while Sven was beating her.

Complainant states that Detective Marie Joers of the Washington County Sheriff's Department has provided a police report to Complainant. Your complainant states that he believes the police report of Detective Joers to be truthful and reliable as it is a business record kept in the normal and ordinary course of business of the Washington County Sheriff's Department. Detective Joers reports that on January 28, 1998, she spoke with J.K., d.o.b. 5-25-79. J.K. stated that she met Phillip Buck at a warehouse party in Milwaukee and had been invited to Buck's daily parties at his barn in Adell, Sheboygan County, Wisconsin. She stated that she started attending the parties in August of 1996. She stated that Buck supplied much of the alcohol although everyone brought their own alcohol as well. She stated that Buck always supplied vodka, Southern Comfort, beer and wine. She stated that between late August of 1996 to mid September of 1996 Phillip Buck cut her on at least 10 different occasions on her arms or chest. J.K. showed Detective Joers scars on her chest and arms which were cuts by Phillip Buck. Detective Joers observed five one inch long scars on J.K.'s chest. She indicated that these cuts were made by Phillip Buck. She also showed Detective Joers a one and one-half inch cross on her right wrist that she was also cut by Phillip Buck. She also indicated that on her left forearm were two one and one-half inch cuts that she said were made by Phillip Buck. She also indicated that on approximately 10 different occasions during the same time Phillip Buck did drink her blood. She described the drinking of the blood as after cutting her Phillip would place his mouth over her arms sucking out the blood. She stated that on these occasions she would either be drinking vodka or vodka and orange juice supplied by Phillip Buck. She indicated that Phillip knows who to manipulated young girls who are "broken". She indicated that he brings the girls down to his level and slowly builds up their self-esteem. She stated that he had total control over the girls.

Detective Joers reports that she also spoke with S.S., d.o.b. 12-26-79. S.S. indicated that Phillip Buck cut her at his residence utilizing a razor blade either five or six times. On her left arm at her wrist was a scar from where Phillip Buck had cut her at his residence.

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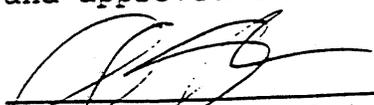
J.H., d.o.b. 1-5-80 indicated that in October of 1996 there was a physical altercation at Phillip Buck's residence where Phillip became very violent and choked her and also came at her with a hammer.

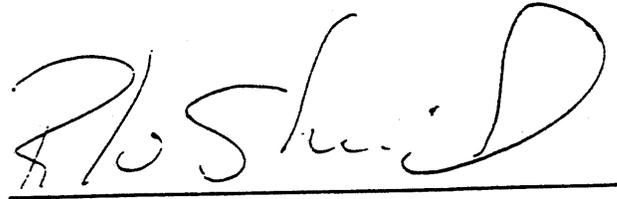
J.H. told Complainant that back in July of 1997, she was at Phillip Buck's residence with Sven Volkert and Phillip Buck. She stated that she was depressed. She stated that she did not remember getting there and doesn't remember Phillip arriving or how Sven got to the house. She stated that she did remember music and Sven giving her a scalpel. She then cut herself repeatedly and deeply on her legs and arms. She stated that she then remembered Phillip sitting next to her and trying to drink her blood and she was pushing him away. She stated that she was quite intoxicated and did not recall all of the events. She stated that Phillip was very intelligent and studied up on psychology and death. She stated that Sven Volkert would always have scalpels.

Complainant states that on January 27, 1998, Complainant spoke with Sven Volkert. During the interview Sven Volkert indicated that there were constantly other people over at the Buck residence but all the people who would come over were already intoxicated. He stated that there were three or four girls and a guy named Adam. Complainant asked Sven Volkert if he ever saw anyone cut or have any cuts made on them. Sven Volkert stated that he never saw any of the girls cut themselves or have any cuts. He was asked if he ever provided any type of scalpels or knives to anyone and he said that he had not. He stated that he did bring over an Exacto knife to Phillip Buck's because he was a model builder. Sven Volkert said that Phillip Buck does occasionally drink blood.

Complainant states that he has examined a document captioned "Office of the District Attorney, Arrest and Conviction Record" for Phillip K. Buck, d.o.b. 8-5-58, which indicates that on November 18, 1996, Phillip Buck was convicted of the felony charge of escape, contrary to section 946.42(3)(a) of the Wisconsin Statutes, in Case No. 96CF386.

Subscribed and sworn to before me
this 13 day of March, 1998,
and approved for filing.


Deputy District Attorney
Sheboygan County, Wisconsin


Complainant

STATE OF WISCONSIN,

Plaintiff,

2nd AMENDED
INFORMATION

-VS-

Case No. 98 CF 35

PHILLIP K. BUCK,
d.o.b. 8-5-58

Defendant.

I, Christopher W. Stock, Deputy District Attorney in and for the County of Sheboygan, State of Wisconsin, hereby inform the court as follows:

Count 1
(Previously Count 8)

That between June 1, 1996, and September 1, 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did have sexual intercourse with a child who had attained the age of 16 years, to wit: J.H., d.o.b. 1-5-80, contrary to section 948.09 of the Wisconsin Statutes and against the peace and dignity of the State.

Count 2
(Previously Count 9)

That between June 1, 1996, and September 1, 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did have sexual intercourse with a child who had attained the age of 16 years, to wit: J.H., d.o.b. 1-5-80, contrary to section 948.09 of the Wisconsin Statutes and against the peace and dignity of the State.

Count 3
(Previously Count 10)

That between June 1, 1996, and September 1, 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did have sexual intercourse with a child who had attained the age of 16 years, to wit: J.H., d.o.b. 1-5-80, contrary to section 948.09 of the Wisconsin Statutes and against the peace and dignity of the State.

Count 4
(Previously Count 12)

That on or about August 4, 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to J.K., d.o.b. 5-23-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State.

Count 5
(Previously Count 13)

That between late August of 1996 to mid September of 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to J.K., d.o.b. 5-23-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State.

Count 6
(Previously Count 27)

That on or about October 19, 1996, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to a child, to wit: J.H., d.o.b. 1-5-80, contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State.

Count 7
(Previously Count 14)

That between January 1, 1997 and February 28, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to J.K., d.o.b. 5-23-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 8
(Previously Count 15)

That between January 1, 1997 and February 28, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to J.K., d.o.b. 5-23-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 9
(Previously Count 16)

That between January 1, 1997 and February 28, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to J.K., d.o.b. 5-23-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 10
(Previously Count 17)

That between January 1, 1997 and February 28, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to J.K., d.o.b. 5-23-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 11
(Previously Count 18)

That between January 1, 1997 and February 28, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to J.K., d.o.b. 5-23-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 12
(Previously Count 19)

That between January 1, 1997 and February 28, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to J.K., d.o.b. 5-23-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 13
(Previously Count 20)

That between January 1, 1997 and February 28, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to J.K., d.o.b. 5-23-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 14
(Previously Count 21)

That between January 1, 1997 and February 28, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to J.K., d.o.b. 5-23-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and

did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 15
(Previously Count 23)

That on or about January 18, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to S.S., d.o.b. 12-26-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 16
(Previously Count 11)

That during the Spring of 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck was intentionally concerned as a party to the crime of causing bodily harm to a J.H. d.o.b. 1-5-80, by whipping her, contrary to sections 948.03(2)(b) and 939.05 of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 17
(Previously Count 24)

That on or about June 28, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to S.S., d.o.b. 12-26-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 18
(Previously Count 25)

That on or about August 2, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to S.S., d.o.b. 12-26-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime, as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 19
(Previously Count 22)

That on or about August 22, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to S.S., d.o.b. 12-26-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 20
(Previously Count 26)

That on or about August 23, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did intentionally cause bodily harm to S.S., d.o.b. 12-26-79, contrary to section 948.03(2)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 21
(Prevoiusly Count 1)

That on or about December 27, 1997, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did recklessly cause bodily harm to a child, to wit: ~~Melissa J. DOD~~ 2-1-81 contrary to section 948.03(3)(b) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(b) of the Wisconsin Statutes.

Count 22
(Previously Count 2)

That on January 13, 1998, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did unlawfully, knowingly obstruct a law enforcement officer by giving the officer false information with the intent to mislead him in the performance of his duties, while said officer was doing an act in an official capacity and with lawful authority, to wit: did state that no one had cut themselves at his residence within the past two years, contrary to section 946.41(1) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(a) of the Wisconsin Statutes.

Count 23
(Previously Count 3)

That on January 13, 1998, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did unlawfully, knowingly obstruct a law enforcement officer by giving the officer false information with the intent

to mislead him in the performance of his duties, while said officer was doing an act in an official capacity and with lawful authority, to wit: did state that he had never encouraged anyone to cut themselves, contrary to section 946.41(1) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1) (a) of the Wisconsin Statutes.

Count 24

(Previously Count 4)

That on January 13, 1998, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did unlawfully, knowingly obstruct a law enforcement officer by giving the officer false information with the intent to mislead him in the performance of his duties, while said officer was doing an act in an official capacity and with lawful authority, to wit: did state that he had never seen cuts as severe as those in the photographs shown to him when he had actually witnessed the cuts in person, contrary to section 946.41(1) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1) (a) of the Wisconsin Statutes.

Count 25

(Previously Count 5)

That on January 14, 1998, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did unlawfully, knowingly obstruct a law enforcement officer by giving the officer false information with the intent to mislead him in the performance of his duties, while said officer was doing an act in an official capacity and with lawful authority, to wit: stated that he hasn't drank blood since 1996, contrary to section 946.41(1) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1) (a) of the Wisconsin Statutes.

Count 26

(Previously Count 6)

That on January 14, 1998, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did unlawfully, knowingly obstruct a law enforcement officer by giving the officer false information with the intent to mislead him in the performance of his duties, while said officer was doing an act in an official capacity and with lawful authority, to wit: did state that J.K. DOB 5-23-79 had cut herself but he did not know where she had done so, contrary to section 946.41(1) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1) (a) of the Wisconsin Statutes.

Count 27
(Previously Count 7)

That on January 14, 1998, in the County of Sheboygan, State of Wisconsin, Phillip K. Buck did unlawfully, knowingly obstruct a law enforcement officer by giving the officer false information with the intent to mislead him in the performance of his duties, while said officer was doing an act in an official capacity and with lawful authority, to wit: did state that the restraints on his bed had only been used with a girl named Sharone when he had tied up J.H. DOB 1-5-80, contrary to section 946.41(1) of the Wisconsin Statutes and against the peace and dignity of the State, and did commit this crime as an habitual criminal in that he had been convicted of at least one felony during the 5-year period immediately preceding the commission of the charged crime, pursuant to section 939.62(1)(a) of the Wisconsin Statutes.

POSSIBLE PENALTY: Counts 1 - 3 & 22 - 27: Class A Misdemeanor - A fine not to exceed \$10,000 or imprisonment not to exceed 9 months, or both on each count.

 Counts 4 - 20: Class D Felony - A fine not to exceed \$10,000 or imprisonment not to exceed 5 years, or both on each count.

 Count 21: Class E Felony - A fine not to exceed \$10,000 or imprisonment not to exceed 2 years, or both.

PENALTY ENHANCER: Counts 7 - 21: Incarceration may be increased by not more than 6 years, on each count.

PENALTY ENHANCER: Counts 22 - 27: Incarceration may be increased to not more than 3 years, on each count.

Dated this _____ day of _____, 19____.

Christopher W. Stock
Deputy District Attorney



State Senator
James R. Baumgart

State Capitol: P. O. Box 7882, Madison, WI 53707-7882 • Telephone (608) 266-2056
Toll-free: 1-888-295-8750 • E-Mail: sen.baumgart@legis.state.wi.us

**SENATE COMMITTEE ON JUDICIARY AND CONSUMER AFFAIRS -
Public Hearing - February 22, 2000, ROOM 201 SOUTHEAST**

RE: **SENATE BILL 213**, Relating to inducing or causing
self-mutilation by a child.

STATEMENT OF SENATOR JIM BAUMGART, Author

.....

Thank you for allowing me to testify before you today. Senate Bill 213 is a bill that protects children from those individuals that prey on adolescents with low self-esteem and who have difficulty fitting in with his or her own peers.

Unfortunately, this became an issue in my district in 1998. A resident of Sheboygan County, Phillip Buck enticed minors to his residence by holding alcohol and drug parties. While these parties were going on Mr. Buck would perform some type of outrageous action in front of the "guests". Those that were offended would not return to another party, but those that did return Mr. Buck would then know that they were accepting or at least somewhat interested in his lifestyle. He would get to know these children and learn where they were lacking in social development. He filled a void and

his victims would begin to look to him as a leader. He certainly did not have their best interest in mind. To test their loyalty, Mr. Buck would cut himself and then encouraged others to follow suit. He expressed to them that the act of cutting their skin would make them feel better, that they would receive a "high" from it and the pain they were feeling would be relieved. In the process, many times they would offer themselves to Mr. Buck to drink their blood.

Once this activity was discovered by the Sheboygan County Sheriff it was found that he had been abusing children since 1995 and had three different groups of victims ranging in ages from 12 to 17. Unfortunately, the State Statutes do not allow for penalties for encouraging and/or causing the self-mutilation. Local law enforcement was limited until it was found that Mr. Buck had acted and cut a youth. We ought not to not allow another Phillip Buck to avoid prosecution simply because he or she does not physically make the scars. If they are the cause of that mutilation they must be held accountable! Because there is no statute that specifically address this activity, Mr. Buck received only 10 years of incarceration for three years and countless acts of violence directed at the youth of

Sheboygan County. That is unacceptable! It is my hope that it will be a law that will not need to be enforced often. However, when it does, law enforcement must have the tools to effectively deal with the offenders. Senate Bill 213, does just that and I urge your support.

Mr. Steal of the Sheriff's Department in Sheboygan County believes that it is uncommon for such groups to form, but it is not an isolated issue (Cults and Satan groups, etc.).

**OFFICE OF THE SHERIFF
SHEBOYGAN COUNTY****525 North 6th Street****Sheboygan, WI 53081***Loni Koenig, Sheriff**Tim A. Grasse, Inspector*

To The Honorable Ladies & Gentlemen assembled here today, please forgive me for not appearing in person, but due to unforeseen events I am not able to make it in person. Please accept this letter as a read-in to my thoughts and opinions on the matter involving the legislation presented to you today. At first glance, you may feel that this is unnecessary to enact a law because of the acts of one individual. Unfortunately, during the course of my investigation, I have found that this act that Phillip Buck was involved in is more common than the general public is aware of.

The act of self-mutilation is a growing trend among adolescents and there are only a few mental health workers that specialize in this field. One such facility, and the only facility in the continental U. S., is Rock Creek out of Chicago, IL. Individuals involved in the act of self-mutilation have a low self-esteem and are usually outcasts from their peers. These are the types of individuals that Phillip Buck would prey on. He would select his victims by the process of elimination. He would have large drinking/drug parties at his residence and would perform some outrageous act in front of the individuals. Those that were offended would not return to another party of his, but those who accepted this type of behavior, would. Of those few people who would return, Phil Buck would select the young female juveniles that he would want. During this process, he would find where these juveniles were lacking in social development, that being through their peers or a broken home life. He would then build up their self-esteem and have them look up to him as a father figure. He would gain their trust and ascertain whether they were acceptable to his beliefs and morals. Phil Buck would often become depressed in front of these individuals and cut himself, advising that cutting oneself relieves the pain that they may be feeling. Phil Buck would then attack their vulnerabilities and cause them emotional pain. At times he would either hand them a knife personally or tell them if they would cut themselves it would make them feel better. At this point in the process, Phil Buck has already gained their respect and through his belief system, they felt that this would be the right thing to do. They would cut themselves to show that they believed in Phil Buck and many times, would offer themselves to Phil Buck to drink from.

Of the three (3) known groups that Phil Buck assimilated from 1995 until the time of his arrest, the ages consisted of 12 to 17 year old females. Of those 3 groups, I was only able to identify partial members of two (2) of the groups. Of those members identified, we had problems getting them to testify against someone that they looked up to as a leader, role model and father figure. Some of the individuals that were located had moved on with their lives and did not want to open those old wounds again.

Phone: (920) 459-3111
FAX (920) 459-4305

One of the bravest individuals I know is a young girl who did come forward. She, too, had moved on with her life, but saw that Phil Buck was forming another group of young girls. She knew the next step in the process of belonging to Phil Buck and she could not see this happening to another person. When I spoke to her, she told me the circumstances that you see depicted in some of the photographs. Those are her legs cut open and she told me what happened that day. She had moved on with her life, but she felt an emptiness that Phil Buck had provided. She felt as if there was no other place and no other lifestyle that she could be accepted into, and went back to Phil Buck. She had broken away but Phil Buck provided something that was missing in her life. She became so depressed to be in that situation again, that she caused those wounds to her legs by her own hand. Phil Buck was present and Phil Buck, too, cut himself. That, ladies and gentlemen, is why we need a law to protect these individuals from people like Phil Buck. Even though she cut herself, Phil Buck knew she was depressed and knew from her past history with him that to get her out of depression, she would cut herself. She will not only have to live with the physical scars on her arms, chest, stomach and legs, but also the emotional scars that cannot be healed over.

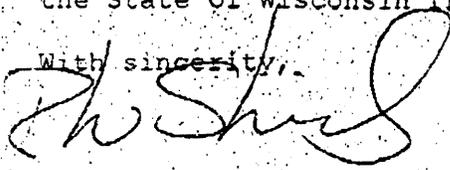
This individual is not unique as far as the juveniles that were involved with Phillip Buck. They all carry physical and emotional scars. Unfortunately, we may be able to charge Phillip Buck for causing some of the physical scars, but those emotional scars cannot be fixed. The problems that we came up with in this case, were that these individuals would often cut themselves by their own hand without Phil Buck either providing the implement to cut themselves or Phil Buck cutting them personally. We could not find any way to cover this under the criminal law and there were at least 40 counts involving numerous individuals, that Phillip Buck could not be charged with causing injury to. Phillip Buck was not the primary care giver and therefore we could not charge him with causing mental abuse.

I believe other cases similar to Phillip Buck have been brought to the attention of various law enforcement officials and they also felt their hands were tied. If an investigation did ensue and it was found that the individuals caused harm to themselves, more than likely charges could not be brought against the individual who encouraged the self-mutilation. Therefore no arrests would have been made and people would not have been made aware of the incident. This case has been sensationalized through the media due to the fact that Phil Buck admitted that part of his belief system is drinking of blood and being a Vampire. I believe this was part of the ruse in encouraging and enticing the juveniles to partake in his rituals. Phil Buck is no different than any other leader of a cult or sect, whose followers look up to him as a role model and will do just about anything he says. We often read about these in the paper after a mass suicide. Although Phil Buck's groups were not as large nor the crimes as heinous, we still need to categorize it to make his acts accountable. Therefore I had recommended to Senator Baumgart's office to look into enacting a law to prevent a person like Phil Buck from slipping through the cracks. I do not believe our judicial system will be seeing many cases like Phil Buck, but if law enforcement have the

unfortunate occasion to run across another Phil Buck, we need a tool, that being a law, to stop the offender.

I thank the Honorable Ladies and Gentlemen of the Assembly and legislation for taking time out to listen to Senator Baumgart's proposal for this bill. Please consider Senator Baumgart's bill to pass the Assembly for Legislation so we may protect the children of the State of Wisconsin from people like Phil Buck.

With sincerity,



Det. R. W. Shield

State of Wisconsin



GARY R. GEORGE
SENATOR

TO: Members, Senate Committee on Judiciary and Consumer Affairs

FROM: Dan Rossmiller, Clerk
Senate Committee on Judiciary and Consumer Affairs

RE: Paper Ballot on Bills That Have Previously Received a Public Hearing in the Senate Committee on Judiciary and Consumer Affairs and on Which There Appears to be a Consensus In Favor

DATE: March 9, 2000

Attached please find paper ballots as well as proposed amendments and proposed substitute amendments to bills that have previously received a public hearing. Included are: AB 62; AB 72; AB 111; AB 533; and SB 63. These are bills that I reviewed and discussed with your staff yesterday (March 8, 2000).

A substitute amendment is being drafted to address concerns raised about the way the offense is defined in SB 213 and the penalty structure set up in the original bill. After we have reviewed the substitute amendment with the author of the bill, we will forward a copy to your office along with a paper ballot on SB 213.

Note: Please return the paper ballots by noon tomorrow (Friday, March 10, 2000)

State of Wisconsin



GARY R. GEORGE
SENATOR

TO: Members, Senate Committee on Judiciary and Consumer Affairs

FROM: Dan Rossmiller, Clerk
Senate Committee on Judiciary and Consumer Affairs

RE: Paper Ballot on Bills That Have Previously Received a Public Hearing in the Senate Committee on Judiciary and Consumer Affairs and on Which There Appears to be a Consensus In Favor

DATE: March 10, 2000

Attached please find paper ballots as well as proposed substitute amendments to two bills that have previously received a public hearing in the Senate Committee on Judiciary and Consumer Affairs. Included are: SB 125 (OWI Legislation) and SB 213 (Causing a Child to Mutilate Himself or Herself).

A Legislative Council memorandum describing the substitute amendment to SB 125 will be delivered to your office on Monday morning.

The substitute amendment to SB 213 was drafted to address concerns raised about the way the offense is defined and the penalty structure was set up in the original bill. The author of the bill has reviewed the substitute amendment to SB 213 and approves of the changes.

Note: Please return the paper ballots by noon Monday, March 13, 2000.

SB 213

February 22, 2000 Judiciary Committee Hearing

Special Testimony Requests

Elected Officials

- Sen. Baumgart and his DA (Robert Wells/Sheboygan Co.) want to testify first about his bill SB 213.
- Rep. Ladwig wants to testify next about her bill AB 72.
- Rep. Goetsch wants to testify next about his bills AB 562 and AB 84.

Others

- Sen. Clausing's office contacted us to let us know that Johnnie Smith from the DEA will be testifying on AB 318. He has some time constraints and has to leave by 10:00 am. They wanted to know if you could make arrangements so that he can get his testimony in before he has to leave?

Bills On the Hearing Agenda

Here is the order of bills, the likely witnesses and a brief comment about amendments I know of :

AB 614 (Your bill on piracy and bootlegging of recorded material)

Don Valdez V.P. Anti-piracy Legislation RIAA will probably testify with a multimedia show-and-tell presentation.

I am not aware of any amendments although Sen. Risser is apparently concerned about how the new penalties under the bill will mesh with Truth-In-Sentencing given the fact that we haven't adopted the code reclassification yet.

SB 395 (The DHFS bill on sexually violent persons commitment rules)

Dr. Thomalla (PhD.) is likely to testify for DHFS. I don't know whether Sec. Leraan will testify or not. I don't know

There is a substitute amendment (LRB s0315/1) that has been prepared to reflect the agreement between the DHFS and the DOJ. It is ready to be introduced.

AB 174 (Rep. Kreuser's bill to allow of-duty peace officers to carry concealed weapons)

Rep. Kreuser will testify. He may have a local law enforcement official testify on behalf of his drug or gang task force folks.

I am not aware of any amendments.

AB 562 (Rep. Goetsch's committee bill to establish a Southeast Wisconsin crime abatement task force)

Rep. Goetsch will testify. (See note above)

There are two amendments.

- 1) Reps. Riley and Krug asked us to add the City of Milwaukee Chief of Police as a member of the Task Force. The first amendment (LRB 1379/1) does this.
- 2) The State Bar Criminal Law Section asked us to add to the task force a member of the State Bar of Wisconsin's Criminal Law Section who lives in the affected area, as well as a member of a local bar association for every county enumerated as part of the task force in the bill (i.e., Milwaukee, Kenosha, Racine, Rock and Waukesha). This second amendment has been requested but has not yet been received at the time of this writing.

SB 533 (The Leg. Council bill on Restorative Justice and faith-based approaches to crime reduction.)

I would expect there will be testimony from several sources. The Interfaith Conference has, for example, expressed support for the restorative justice provisions.

I am not aware of any proposed amendments.

SB 214 (Sen Burke's bill re: When a victim must be given notice of the right to make a statement at sentencing.)

Jon Reddin, Deputy DA for Milwaukee County and Mike Nieskes, Deputy DA for Racine County will be testifying on SB 214.

I am not aware of any proposed amendments.

AB 318 (Sen. Clausing's bill on Methamphetamine penalties.)

Johnnie Smith from the DEA will be testifying on AB 318. I am not sure whether DOJ will have anybody testify or not. I expect Sen. Clausing may testify.

I am not aware of any proposed amendments.

AB 391 (Garnishment technical correction)

Rep. Gunderson's staffer will probably testify.

I am not aware of any proposed amendments.

SB 213 (Sen. Baumgart's bill on inducing or causing self-mutilation by a child.)

Sen. Baumgart and his DA (Robert Wells/Sheboygan Co.) will testify. (See note above)

I am not aware of any proposed amendments.

AB 72 (Rep. Ladwig's bill on disclosure of juvenile records by a juvenile or municipal court).

Rep. Ladwig will testify. (See note above.)

The State Bar Children and the Law Section recommends an amendment to Sect. 5 of the bill to specify that a GAL and the attorney of record can view the juvenile's record in cases where a juvenile or municipal court asks another juvenile or municipal court for records for purposes of any other proceeding.

AB 84 (Rep. Goetsch's bill on factors to be considered when sentencing a person convicted of committing a crime.)

Rep. Goetsch will testify. (See note above.)

In response to a request from the Judicial Conference an amendment has been drafted to delete the material in Assembly Substitute Amendment 1 to AB 84 at page 2, line 14. This would delete the factor "(j) The length of pretrial detention of the person, if applicable." I don't know whether this is advisable or not. I always assumed that judges considered time served when sentencing.

Bills From Previous Hearings On Which We Can Take Executive Action

AB 45 (Rep. Kelso's bill to create a Dangerous Weapons in Schools Hotline)

In response to a request from the Atty. Gen./Department of Justice we have drafted an amendment (LRB a1436/1) that basically adds threats to harm persons or damage school property to the list of items that may be reported. Rep. Kelso is o.k. with the bill with the change and so is DOJ.

AB 111 (Rep. Suder's bill on Embezzlement from Vulnerable (elderly) Adults)

In response to a request from the Elder Advocate in the Department of Justice we have drafted a substitute amendment (LRB s0307/1) that expands the bill to cover all financial crimes (e.g., attempted theft, theft, misappropriation of personal identifying information or documents, forgery, fraudulent writings, fraudulent destruction of certain writings.) against all elderly people regardless of capacity, place of residence or

participation in programs. It also makes the definition of "vulnerable adult" identical to the definition of that term used elsewhere in the statutes (e.g., Chapters 55, 813 and 940) and includes all Powers of Attorney, whether durable or non-durable.

Rep. Suder the author of the bill doesn't object to the substance of the substitute amendment but argues that adopting the amendment will kill the bill procedurally. He thinks the bill won't be able to go through both houses before the end of March.

SB 106 (Sen. Wirch's CASA bill)

Sen. Wirch's office has worked with Legal Aid of Milwaukee to craft a compromise that everybody seems to be happy with. A substitute amendment (LRB s270/3) reflects the compromise.)

SB 110 (Sen. Moen's bill on Prisoner's Throwing Bodily Substances)

There are two simple amendments.

The first one (LRB a1180/1) is at the request of the State Hygiene Lab and expands the list of bodily substances covered by the bill.

The second one (LRB a1298/1) reduces the maximum penalty under the bill from 5 years to 2 years, consecutive to the current sentence.

SB 284 (Your court reporter's bill)

No amendments as far as I know. We had voted on this at the last exec. session but haven't yet reported the bill out of committee.

In deference to you as chair, Sen. Huelsman will let the bill come out of committee and maybe try to amend it on the floor.

I hope this is helpful.

Rossmiller, Dan

From: Cory Mason [CMason@wisbar.org]
Sent: Monday, February 21, 2000 8:00 AM
To: Dan.Rossmiller@legis.state.wi.us
Subject: Language Crim Law Section would like to see in AB562 and other matters



Cory Mason.vcf

Dan,

Sorry about all the phone tag.

Perhaps we can catch up this afternoon.

Below is the language that you wanted from the Section on AB 562

Support with amendment-add language to add a member of the task force who is on the State Bar of Wisconsin's Criminal Law Section who lives in the affected area, as well as a member of a local bar association for every county enumerated as part of the task force in the bill.

AB 562 SOUTHEAST WISCONSIN CRIME ABATEMENT - (By Committee on Criminal Justice) -
To create a southeast Wisconsin crime abatement task force, attached to the department of administration for administrative purposes only. Members generally to be appointed by specified government officials. To list conditions of membership. Task force to make recommendations that are applicable to Milwaukee, Kenosha, Racine, Rock and Waukesha counties and concern: rehabilitation of criminal offenders within a community setting; establishment of drug-diversion and teen courts, and community-based alternatives to incarceration for offenders who violate community supervision; methods to retain community corrections agents; communications among courts and criminal justice and rehabilitation agencies; and judicial and prosecutorial confidence in effectiveness of community corrections. Task force to report to legislature and governor by January 24, 2001.

In terms of SB213, the Section will recommend opposing it, but did not feel very strongly about it. Someone also raised the issue of First Amendment problems since some religions allow for bloodletting as part of their practice. Mostly though, the Section was uncomfortable about passing another crime bill without having completed Truth in Sentencing.

We also looked at AB355 as you requested. The Section still supports the bill with an amendment to make the sentence in line with the truth in sentencing changes. The Section did reiterate its support for the bill, however.

Call me anytime after 2 p.m. if you have the time today. 608/347-9615

Sincerely,

Cory Mason

Sincerely,

Cory Mason
Government Relations Coordinator
State Bar of Wisconsin