

FILED
03-17-2023
Clerk of Circuit Court
Outagamie County
2023CF000249

STATE OF WISCONSIN	CIRCUIT COURT	OUTAGAMIE COUNTY
STATE OF WISCONSIN Plaintiff, vs. BRENNON R. WHITE 3153 Jonas Circle Oneida, WI 54115 DOB: 06/17/1990 Sex/Race: M/I Eye Color: Green Hair Color: Brown Height: 6 ft 3 in Weight: lbs Alias: Also Known As Brennon Ray White Defendant.	DA Case No.: 2023OU001074 Assigned DA/ADA: Elysia B. Nguyen Agency Case No.: T23002786 Court Case No.: ATN:	CRIMINAL COMPLAINT
		<i>For Official Use</i>

The undersigned, being first duly sworn, states that:

Count 1: FELONY INTIMIDATION OF A VICTIM, DOMESTIC ABUSE

The above-named defendant on or about Wednesday, March 15, 2023, in the Town of Oneida, Outagamie County, Wisconsin, knowingly and maliciously did attempt to prevent MC, who has been the victim of a crime, from making a report of the victimization to a law enforcement agency, where the underlying crime is an act of domestic abuse, as defined in s. 968.075 (1) (a), that constitutes the commission of a crime or a crime that, following a conviction, is subject to the surcharge in s. 973.055, contrary to sec. 940.45(7), 939.50(3)(g), 968.075(1)(a), 973.046(1r), 973.047(1f) 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. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And furthermore, invoking the provisions of Wisconsin Statute 973.047(1f), if the court imposes a sentence or places a person on probation, the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis. The court shall inform the person that he or she may request expungement under s. 165.77 (4).

Count 2: FALSE IMPRISONMENT, DOMESTIC ABUSE

The above-named defendant on or about Wednesday, March 15, 2023, in the Town of Oneida, Outagamie County, Wisconsin, did intentionally restrain MC, without that person's consent,

and with the knowledge that he had no lawful authority to do so, contrary to sec. 940.30, 939.50(3)(h), 968.075(1)(a), 973.046(1r), 973.047(1f) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And furthermore, invoking the provisions of Wisconsin Statute 973.047(1f), if the court imposes a sentence or places a person on probation, the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis. The court shall inform the person that he or she may request expungement under s. 165.77 (4).

Count 3: STRANGULATION AND SUFFOCATION, DOMESTIC ABUSE

The above-named defendant on or about Wednesday, March 15, 2023, in the Town of Oneida, Outagamie County, Wisconsin, did intentionally impede the normal breathing by applying pressure on the throat or neck of another person, contrary to sec. 940.235(1), 939.50(3)(h), 968.075(1)(a), 973.046(1r), 973.047(1f) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And furthermore, invoking the provisions of Wisconsin Statute 973.047(1f), if the court imposes a sentence or places a person on probation, the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis. The court shall inform the person that he or she may request expungement under s. 165.77 (4).

Count 4: FELONY BAIL JUMPING

The above-named defendant on or about Wednesday, March 15, 2023, in the Town of Oneida, Outagamie County, Wisconsin, having been charged with a felony and having been released from custody under Chapter 969 Wis. Stats., did intentionally fail to comply with the terms of his bond, contrary to sec. 946.49(1)(b), 939.50(3)(h), 973.046(1r), 973.047(1f) Wis. Stats., a

Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And furthermore, invoking the provisions of Wisconsin Statute 973.047(1f), if the court imposes a sentence or places a person on probation, the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis. The court shall inform the person that he or she may request expungement under s. 165.77 (4).

Count 5: MISDEMEANOR BATTERY, DOMESTIC ABUSE

The above-named defendant on or about Wednesday, March 15, 2023, in the Town of Oneida, Outagamie County, Wisconsin, did cause bodily harm to MC, by an act done with intent to cause bodily harm to that person, without that person's consent, contrary to sec. 940.19(1), 939.51(3)(a), 968.075(1)(a), 973.046(1r), 973.047(1f) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And furthermore, invoking the provisions of Wisconsin Statute 973.047(1f), if the court imposes a sentence or places a person on probation, the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis. The court shall inform the person that he or she may request expungement under s. 165.77 (4).

Count 6: RESISTING AN OFFICER

The above-named defendant on or about Wednesday, March 15, 2023, in the Town of Oneida, Outagamie County, Wisconsin, did knowingly resist an officer, while such officer was doing an act in an official capacity and with lawful authority, contrary to sec. 946.41(1), 939.51(3)(a), 973.046(1r), 973.047(1f) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And furthermore, invoking the provisions of Wisconsin Statute 973.047(1f), if the court imposes a sentence or places a person on probation, the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis. The court shall inform the person that he or she may request expungement under s. 165.77 (4).

Count 7: MISDEMEANOR BAIL JUMPING

The above-named defendant on or about Wednesday, March 15, 2023, in the Town of Oneida, Outagamie County, Wisconsin, having been charged with a misdemeanor and having been released from custody under Chapter 969 Wis. Stats., did intentionally fail to comply with the terms of his bond, contrary to sec. 946.49(1)(a), 939.51(3)(a), 973.046(1r), 973.047(1f) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And furthermore, invoking the provisions of Wisconsin Statute 973.047(1f), if the court imposes a sentence or places a person on probation, the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis. The court shall inform the person that he or she may request expungement under s. 165.77 (4).

Count 8: DISORDERLY CONDUCT, DOMESTIC ABUSE

The above-named defendant on or about Wednesday, March 15, 2023, in the Town of Oneida, Outagamie County, Wisconsin, while in a public place, did engage in abusive, boisterous, indecent, profane, unreasonably loud, violent, or otherwise disorderly conduct, under circumstances in which such conduct tended to cause a disturbance, contrary to sec. 947.01(1), 939.51(3)(b), 968.075(1)(a), 973.046(1r), 973.047(1f) Wis. Stats., a Class B Misdemeanor, and upon conviction may be fined not more than One Thousand Dollars (\$1,000), or imprisoned not more than ninety (90) days, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And furthermore, invoking the provisions of Wisconsin Statute 973.047(1f), if the court imposes a sentence or places a person on probation, the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis. The court shall inform the person that he or she may request expungement under s. 165.77 (4).

PROBABLE CAUSE:

AND PRAYS SAID DEFENDANT BE DEALT WITH ACCORDING TO LAW; AND THAT THE BASIS FOR THE COMPLAINANT'S CHARGE OF SUCH OFFENSE IS AS FOLLOWS:

Complainant is a sworn law enforcement officer and bases this Complaint upon the investigation of the officers named below, who are presumed truthful and reliable as sworn law enforcement officials.

On March 15th, 2023 at approximately 6:01 pm, Officers with the Oneida Police Department were dispatched to W1095 Tip Rd, Town of Oneida, Outagamie County for the report of a Domestic Disturbance. Dispatch advised the following: The reporting party called and stated her boyfriend was out of control and intoxicated. The line disconnected and GPS location was used. The male, wouldn't let the caller leave and the line disconnected again. There was no answer on call back. Dispatch received a second call from the neighbor, Christopher, who stated he could hear a male and female arguing.

Officer Trimberger arrived on scene and observed two adult individuals in the driveway, later identified as Brennon R White and MC, who appeared to be arguing. Officer Trimberger observed an adolescent female, KC, yelling in the driveway saying "Help! No! Get off of her!" As Officer Trimberger approached the residence she heard sobbing, crying and yelling including "No!". Officer Trimberger heard a male voice, she believed to be Brennon's, say "Stop". As Officer Trimberger approached she yelled "Hey. Over here! Over here! Step away from her." Brennon did not follow Officer Trimberger's commands. As Officer Trimberger got close, she observed Brennon to have his hand holding MC at her shoulders, as she visibly cried and wailed loudly. Officer Trimberger directed Brennon in a loud controlled voice "Hey! Step away from her! NOW"! Brennon looked at Officer Trimberger but did not follow commands continuing to step closer to MC, with his right hand holding her left shoulder. Brennon said loudly into MC's face "I didn't do nothing to you". Officer Trimberger closed the distance between herself and Brennon quickly and used her right hand to push his torso away from MC, who looking to her right with her eyes closed tightly, loudly crying, visibly upset and had a red mark on the right side of her face. As Officer Trimberger did so she attempted to grab Brennon's left arm, which he pulled from Officer Trimberger's grasp as he said "I didn't do nothing to her, she's yelling at me". Officer Trimberger grabbed Brennon's left arm, which he attempted to pull away again as Officer Trimberger said in a controlled voice "Step away from her"! and Brennon again pulled his left arm away, turning his body towards MC again who had turned her body away from Brennon in a cowering and fearful motion. Brennon said loudly MC! MC! MC! as officer's escorted Brennon down the driveway. Brennon was placed in handcuffs, which were checked for fit and locked for safety.

Brennon was visibly upset, crying, yelling and pulling away from Officer Trimberger while they walked away, trying to yell at MC at one point. As Brennon was escorted to a squad car, Officer Trimberger smelled a strong odor of intoxicant emanating from his person. Brennon would not follow officer's commands to sit in Officer Trimberger's squad, continued to yell and would not listen to officer's during this time. Brennon stated MC punched him in the face and was fighting with him. It was explained to Brennon that officers would talk to him after reading his Miranda Rights, but Brennon continued to yell, cry and argue with Officers. After Officer

Trimberger then read him his Miranda Rights, he responded "I don't understand. Can you please go read them to me and her at the same time because I have that right. I have that right" followed by "I don't understand my rights". Brennon then continued to argue with Officer's about getting in the squad car, pulled away from Officer Trimberger as she tried to place him in the squad car. Brennon was seated in the back of the squad car until he calmed down.

As Officer Trimberger spoke with MC, she observed swelling and redness to her right cheek. The swelling went from the middle of her lips back to her ear and from her chin to just below her eye. Officer Trimberger observed there to be three straight bruises approximately 3 inches long and one half inch apart, which I know due to her training and experience to be similar to the shape of a hand. MC additionally had a small quarter size bruise in the lower right-hand corner of her mouth between her chin and lips. MC informed that she lives with Brennon and shares three children with him. MC provided a written statement which stated the following:

"Last night March 14th, 2023, Brennon was drinking and at approximately 11 o'clock PM he started arguing with me. I just went to bed. Brennon stayed up himself and kept drinking, as he did so he kept coming into the room, turning the lights on and waking the kids up approximately 20 times. Brennon did not go to sleep until about 4 in the morning.

I got up at 6 am and got my kids ready for school. I dropped my child, (KC), off at school at 7:30 am. I dropped my child, (HW), off at school at 8:30 am. I went to my dad's house with my twins (ROW) and (RRW) at approximately 9 am and stayed there for the day. While I was at my dad's house Brennon text me at approximately 10 am asking where the car keys were. I took both sets of car keys because I did not want Brennon driving, or possibly driving with the kids. I ignored Brennon's text, and he stopped talking to me.

I stayed at my dad's until I picked (KC) up at approximately 2:50 pm followed by (HW) at 3:30 pm. I got home at approximately 3:40 pm. When I got home Brennon was sitting at the dining room table. Brennon didn't say anything, but I could tell he had been drinking. Brennon went upstairs to our bedroom and went to sleep. I told the kids to leave him alone and I started making dinner. Brennon came downstairs and asked me where all his stuff was, and I didn't know what he was talking about, so I said "I don't know". Brennon started yelling and walking around the house looking for his phone, which was in his hand.

Brennon's friend, Dominic Parks, came to the house and pulled his car in the driveway. I went outside and asked Dominic to come in and help calm Brennon down. Dominic came in for a second and just left, not taking Brennon with him. I told Dominic "If he's not leaving with you, then I am leaving so I want to know". I told (KC) to grab the babies and go to the van. I got all the kids in the van, telling (KC) to lock the doors, because I forgot the keys to the van in the house.

I called 911 at this time asking them to send someone because my boyfriend was being crazy. The dispatchers were about to ask the address and Brennon took the phone away and threw it. I attempted to go into the house to get the keys and Brennon followed me, saying I wasn't leaving because I had his "stuff". I do not know what "stuff" Brennon was talking about. I started walking to the house to get the keys, Brennon grabbed me and said "911 is calling back", so I took the phone from Brennon, answered and told them the address quick. When I told them the address, Brennon took the phone away and put it in his pocket.

Brennon started yelling and chased me as I ran to the van, instructing (KC) to not unlock the doors. In the driveway, Brennon thought the keys were in the van, so he was trying to get into the van. I told (KC) to lock the doors and not let him in. Brennon told (KC) to let him in and if she didn't he was going to hurt me and break the window. Brennon brought me down the driveway, slapped me in the face and threw me on the ground. I did not give Brennon permission to slap me across the face. It did hurt when he hit me across the face, on a scale from one to ten, with one being not at all and ten being the worst, the pain was a ten. I am not sure which hand Brennon used to strike me across the face and I am unsure if it was a closed fist or open hand. Brennon threw me to the ground by grabbing me by my neck. Brennon grabbed me from behind, wrapping his whole arm around my neck, like he was going to choke me and threw me to the ground. When Brennon did this I had difficulty breathing for a couple seconds. I saw stars and got lightheaded when Brennon did this. After Brennon threw me to the ground, he picked me up and kept saying "I'm sorry" and that he didn't mean it.

I asked Brennon to please let me leave with the kids and Brennon started being crazy again. Brennon was grabbing the collar of my shirt and yanking me around. While Brennon grabbed my collar and pulled it my body moved with the motion. Brennon kept coming to the van, telling the kids if they don't open the van, he was going to hurt me. I believe the children saw the entire incident at the end of the driveway because they were crying. Brennon continued to throw me around. I got loose and started running around the van, with Brennon chasing me. Brennon caught me, he was holding me by the shirt as I covered my face and yelled at (KC) if she didn't let me in, he was going to punch me in the face. I told (KC) not to open the doors. Brennon started saying sorry again and that is when Oneida Police arrived. "

Officer Ninham spoke with KC and observed that her eyes appeared red, and she was staring straight ahead. KC was holding a cellphone in her hands as Officer Ninham continued to speak with her. Officer Ninham asked KC if she was ok, and she moved her head slightly, and spoke in a soft voice, "mmhmm." Officer Ninham asked KC if she saw what happened and she again answered in a soft, quiet, tone, "mmhmm." When asked if she was afraid, she again softly answered, "yeah." KC said Brennon, "chased her, (MC), around the car and grabbed her." Officer Ninham asked KC to explain how Brennon grabbed MC. KC stated Brennon grabbed MC by the shirt adding, "he said he was going to punch her in the face." Officer Ninham asked KC how that made her feel and she said, "Scared." KC confirmed she also called the Police.

Sgt. Davis advised Brennon he was being placed under arrest for bail jumping because there is a no contact order in place between him and MC from a previous Domestic incident that occurred in Brown County. Sgt. Davis read Brennon his Miranda Rights. Brennon advised he knew and understood his rights and agreed to answer questions. Brennon stated he arrived at the location today at noon. Brennon advised he had not been drinking. Sgt. Davis could smell the odor of intoxicants coming from Brennon. Brennon stated he took a nap and woke up at 4pm. Brennon stated when he woke up from his nap MC was yelling at him to leave. Brennon stated he did not know why MC was telling him to leave. Brennon had a friend arrive to pick him up and MC began throwing stuff at his face. Brennon stated MC threw her phone, his phone at his face and also kicked him in the face. Sgt. Davis did not observe any signs or marks on Brennon's face that would suggest he was recently struck in the face. Brennon denied hitting or pushing MC. Brennon asked to speak with MC. Sgt. Davis advised Brennon he would not be allowed to speak with her because he has a no contact in place with her.

Brennon was searched per incident to arrest. Officer Ninham found a yellow iPhone in his front left pocket. Brennon was asked how he came to possess the phone and he stated the phone was his and he took it away from MC. The phone was later returned to MC who identified it as her property. Brennon further requested to speak with MC and his children, stating he wanted to say, "I am sorry. Can I at least tell them I love them?"

Complainant reports that the records of Wisconsin Circuit Court Access (CCAP) indicate that the defendant, Brennon White, was out of custody on multiple active bonds, all of which containing a condition that he not commit any further crimes, to wit:

- In Brown County Case 22CM997, the Defendant was released on a \$1000 signature bond that was signed on 10/7/2022. An additional condition of this bond requires the defendant to maintain absolute sobriety.
- In Brown County Case 22CF1834, the Defendant was released on a \$5000 signature bond that was signed on 10/7/2022. Additional conditions of this bond requires the defendant to maintain absolute sobriety, and have no contact with MMC and KLC or their residence.

Subscribed and sworn to before me on 03/17/23

Electronically Signed By:

Robert Sager

Assistant District Attorney

State Bar #: 1001907

Electronically Signed By:

Michael Velie

Complainant