

ORIGINAL

State of Wisconsin

Circuit Court

Brown County

STATE OF WISCONSIN

-vs-

Plaintiff,

David D Stevens
1570 Park Dr
Hobart, WI 54155
DOB: 05/16/1985
Sex/Race: M/W
Eye Color: Brown
Hair Color: Brown
Height: 5 ft 7 in
Weight: 220 lbs

DA Case No.: 2014BR006028
Assigned DA/ADA: David L. Lasee
Agency Case No.: 14-004382
Court Case No.: 2014CF 1138
ATN: 05001408240342

BR. 5

CRIMINAL COMPLAINT

FILED
AUG 25 2014
CLERK OF COURTS
BROWN COUNTY, WI

Defendant,

Complainant, an Assistant District Attorney, being first duly sworn on oath, deposes and says that:

Count 1: FALSE IMPRISONMENT, DOMESTIC ABUSE

The above-named defendant on or about Sunday, August 24, 2014, Brown County, Wisconsin, did intentionally restrain Jacqueline J Matzke, without that person's consent, and with the knowledge that he had no lawful authority to do so, contrary to sec. 940.30, 968.075(1)(a) 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.

Count 2: BATTERY, DOMESTIC ABUSE, DOMESTIC ABUSE REPEATER

The above-named defendant on or about Sunday, August 24, 2014, Brown County, Wisconsin, did cause bodily harm to Jacqueline J Matzke, by an act done with intent to cause bodily harm to that person, without that person's consent and with the knowledge that the person so harmed did not consent, contrary to sec. 940.19(1), 968.075(1)(a), 939.621(1)(b)&(2) 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.

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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 further, invoking the provisions of sec. 939.621(1)(b)&(2) Wis. Stats., because the defendant is a domestic abuse repeater, having been convicted on 2 separate occasions of a felony or a misdemeanor for which a court imposed a domestic abuse surcharge under sec. 973.055(1) Wis. Stats. or waived a domestic abuse surcharge pursuant to sec. 973.055(4) Wis. Stats., during the ten year period immediately preceding the commission of this offense, which convictions remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two (2) years, and the penalty increase changes the status of a misdemeanor to a felony.

Count 3: DISORDERLY CONDUCT, DOMESTIC ABUSE REPEATER, DOMESTIC ABUSE

The above-named defendant on or about Sunday, August 24, 2014, Brown County, Wisconsin, while in a public or private place, did engage in abusive, boisterous, indecent, profane, unreasonably loud, violent or otherwise disorderly conduct, under circumstances in which such conduct tended to cause or provoke a disturbance, contrary to sec. 947.01(1), 939.621(1)(b)&(2), 968.075(1)(a) 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. 939.621(1)(b)&(2) Wis. Stats., because the defendant is a domestic abuse repeater, having been convicted on 2 separate occasions of a felony or a misdemeanor for which a court imposed a domestic abuse surcharge under sec. 973.055(1) Wis. Stats. or waived a domestic abuse surcharge pursuant to sec. 973.055(4) Wis. Stats., during the ten year period immediately preceding the commission of this offense, which convictions remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two (2) years, and the penalty increase changes the status of a misdemeanor to a felony.

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.

Complainant is an Assistant District Attorney with the Brown County District Attorney's Office and knows of the above offense on information and belief based upon:

PROBABLE CAUSE

1. His review of a report of Officer Randy Radloff of the Hobart/Lawrence Police Department who indicates that on August 24, 2014 at approximately 10:36 am he was notified by dispatch to respond to Room 12 in the emergency room at Aurora Bay Care

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Hospital in reference to a battery that had occurred at 1570 Park Dr. in the Village of Hobart the night before. The dispatch notes states that Jacqueline J. Matzke, date of birth 9/18/1985, had come into the emergency room after being physically assaulted by her live-in boyfriend David D. Stevens, date of birth 5/16/1985, the night before at the above listed residence.

Officer Radloff made contact with Jacqueline who had just finished having x-rays taken. He asked Jacqueline to explain the incident. Jacqueline said her live-in boyfriend is David D. Stevens and they have been together on and off for the last three years. Jacqueline said she and David have a one year old daughter together. Jacqueline said on the night of August 23, 2014 at approximately 7:00 pm, she and David went to a party at a friend's house. While at the party, Jacqueline said both she and David were consuming alcohol and thinks they had between two to three drinks per hour from 7:00 pm to around 12:00 am. Jacqueline said she and David returned home at approximately 12:30 am. While at home, Jacqueline said she was standing in the kitchen getting a drink of water when David became extremely angry and started yelling at her. Jacqueline said she does not know what set David off but he was yelling about past incidents with their relationship. Jacqueline said David grabbed her by her hair and threw her to the kitchen floor. When she was on the floor David began to stomp on her and punch her all over her body. Jacqueline said she went into the fetal position to try to block the attack. Jacqueline said every time she would try to get up David would throw her to the ground again and continue beating her. Jacqueline said this continued for approximately 30 minutes or at least it seemed like it. According to Jacqueline, after approximately 30 minutes David made her go to the bedroom and lay in bed with him. Jacqueline said David saw her head was swollen where he had been beating her and made the comment of, "I'm so sorry, I'm so sorry." Jacqueline also said David told her, "It's going to be okay, we'll deal with it in the morning". Jacqueline was afraid to move and lay in bed until David passed out.

After David passed out, Jacqueline ran from the bedroom, grabbed the keys to the car leaving everything else and drove to her mother's house in the Town of Scott. Jacqueline said she arrived at her mother's house at approximately 3:30 am. Jacqueline said her mother, Arlene, asked her if she wanted to go to the hospital after she saw the marks on Jacqueline. Jacqueline said she wanted to wait until the morning so she wouldn't have to wake her daughter up. Jacqueline said she came to the Aurora emergency room after waking up to get checked out. Jacqueline said David assaulted her one other time around February or March 2014 right after he got out of jail for a battery against his son's mother. Jacqueline said she did not go to the police after that incident. Jacqueline stated during this incident David was keeping her from leaving by throwing her to the floor every time she stood up and she did not feel free to leave until after David passed out.

2. His review of the Wisconsin Circuit Court Access Website, CCAP, which indicates that on September 20, 2013, the defendant, David D. Stevens, was convicted of Disorderly Conduct, as a domestic violence offense, in Brown County case 13CM811. The defendant was also convicted of Battery, as a domestic violence offense, on April 19, 2007, in Brown County case 07CM487. Those convictions remain of record and unreversed.

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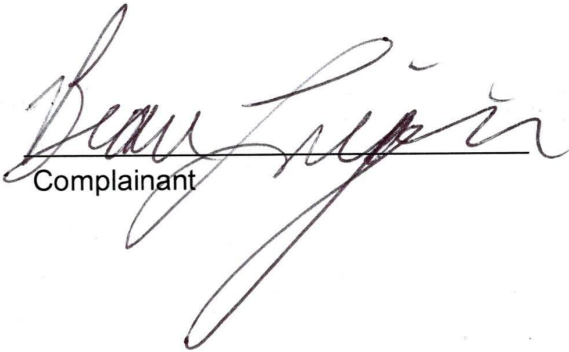
Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me,
and approved for filing on:

This 25th day of August, 2014.



(Assistant) District Attorney



Complainant