

FILED
02-08-2021
Clerk of Circuit Court
Brown County, WI
2021CF000193
Honorable Beau G
Liegeois
Branch 8

| STATE OF WISCONSIN | CIRCUIT COURT BRANCH | BROWN COUNTY |
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| STATE OF WISCONSIN Plaintiff, | DA Case No.: 2021BR000903 Assigned DA/ADA: Hannah N Schuchart Agency Case No.: 21-401292 Court Case No.: 21 CF ATN: | |
| vs. | | |

BRENNAN ANTHONEE
DANFORTH
1315 Riverdale Drive
Green Bay, WI 54155
DOB: 07/12/1997
Sex/Race: M/I
Eye Color: Brown
Hair Color: Brown
Height: 5 ft 10 in
Weight: 240 lbs
Alias:

CRIMINAL COMPLAINT

Defendant.

For Official Use

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

Count 1: PHYSICAL ABUSE OF CHILD - INTENTIONALLY CAUSE BODILY HARM

The above-named defendant on or about Sunday, January 31, 2021, in the Village of Ashwaubenon, Brown County, Wisconsin, did intentionally cause bodily harm to a child, HT, a 16 year old child, contrary to sec. 948.03(2)(b) 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.

Count 2: SUBSTANTIAL BATTERY

The above-named defendant on or about Sunday, January 31, 2021, in the Village of Ashwaubenon, Brown County, Wisconsin, did cause substantial bodily harm to HT, by an act done with intent to cause bodily harm to that person, contrary to sec. 940.19(2) Wis. Stats., a Class I Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

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

PROBABLE CAUSE:

The complainant, being duly sworn on oath, swears that she has had the opportunity to review the police reports from Officer Derrig and Allen of the Ashwaubenon Public Safety Department, and other documents supporting this complaint referenced herein, which are the types of reports and documents kept in the ordinary course of business, which complainant believes to

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be truthful and reliable because they have proven to be truthful and reliable on numerous occasions in the past.

The complainant further asserts that based upon her review of the referenced reports and/or supporting documents, the incidents alleged occurred in Village of Ashwaubenon, Brown County, Wisconsin.

1. The report of Officer Derrig, which indicates that:

On 1/31/21, at approximately 2238 hrs, I, Officer Derrig, was on marked patrol in the Village of Ashwaubenon, parked on the west side of Ashwaubenon High School. A black Chevy SUV pulled near my squad, and the male driver asked me to follow him to Wingstop, 2626 S. Oneida Street, in the Village of Ashwaubenon, County of Brown, Wisconsin. The male, later identified as AT, stated the manager just punched his 16-yo son, HT, in the face. I advised dispatch, who had already started an incident from the call placed by Antonio's wife, MR. Officer J. Allen was also assigned to the call.

I arrived at Wingstop just behind AT and MR. Both were very upset and began approaching the front door. Both were advised to stop and not to create another disturbance. Their son, HT, was near the entrance at this time. I noticed he had some blood on his lip, with no active bleeding. HT stated his nose was also bleeding prior to my arrival. He stated his "manager" had punched him five times in the face. He stated the "manager" left shortly after the incident. He believed his name was Brennan. He was later identified by the store owner as Team Leader **Brennan A. Danforth (07/12/1997)**.

A third employee, **Rachel A. Ninham**, was also present in the restaurant at the time of the altercation. She appeared very upset and later became verbal with HT's parents when she exited the restaurant. Officer J. Allen was able to gather some information on the history between HT, Brennan and Rachael, but she refused to give a written statement.

HT stated he was willing to issue a written statement regarding the incident. He informed me that he has worked as a cook for approximately one year at Wingstop. At approximately 9:35PM, a customer came in and requested an order of wings. According to HT, it is Wingstop practice to turn off the fryers at 9:30PM. HT stated the customer was very insistent, so he went to discuss the issue with Team Leader Brennan. HT mentioned that he normally does not deal with the customers, as that is normally handled by the cashier. When he explained the situation to Brennan, he assigned HT to lift the fryers. HT stated that wasn't his job and he wasn't going to do it. According to HT, Brennan got up in his face then ultimately punched him in the face. HT believed he was punched by Brennan five times. HT stated he had no issues with Brennan in the past.

HT and his parents reviewed the statement I had prepared using the information from the interview. HT signed it without any changes. The family was also issued a victim information sheet. HT's mother, MR, stated HT had a headache and was feeling dizzy. She stated they were going to transport him to St. Vincent's ED for evaluation. At this time, HT had cleaned his face and there was no evidence of visible injury.

On 2/3/21, at approximately 1500 hrs, I began to follow up with the disturbance that took place at Wingstop. MR left a voicemail earlier in the day and was checking the status of the case. I

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made contact with Charlie Patel. Owner of Wingstop, and asked that he forward any video footage of the incident.

At approximately 1745 hrs, I contacted subject Brennan Danforth by phone. I advised him that I would like to discuss the incident that occurred at Wingstop on the evening of 1/31/21. He stated he was currently at Planet Fitness and would call me back in approximately 30 mins. At approximately 1815 hrs, Danforth called me back. I again explained that I would like to meet up and discuss how and why this incident occurred. Danforth stated he was not able to meet tonight, but did state he did want to explain what happened. Without questioning, Danforth stated he felt threatened after HT "put his hands on Rachael" and got in his face. Danforth stated he was acting in self-defense. I explained that my next shift would be Saturday evening and Danforth agreed to meet at this time.

I contacted MR, who advised me that HT was diagnosed with a broken nose. She stated X-rays were taken at St. Vincent's and the medical records should be available. MR still seemed upset regarding the status of the case. At this time, I had not received a viewable copy of the surveillance video. MR stated HT had swelling and bruising of his face and was having difficulty sleeping.

2. The report of Officer Allen, which indicates that:

On 01-31-2021 at approximately 2138 hours, I was dispatched to assist Officer Derrig at 2626 S. Oneida Street, Wing Stop, for the report of a male/male physical disturbance. Upon arrival, I met with the victim's parents outside in the parking lot. AT and MR, stated that their son, HT, a 16 year old child, was beat up by his manager. They stated that they were there to confront the manager and to defend HT. They stated that he was inside the store with Officer Derrig. I responded to inside the store. When walking in the store, I met with Officer Derrig who was speaking with HT. He asked me to speak with employee Rachel A. Ninham who said that she witnessed the whole thing. I spoke with Rachel. Rachel at first did not want to talk with me saying that she did not have to talk with me. I explained to her that I was investigating as to what had happened and that I needed as much information as possible to do my job properly. She started to cry and say, "I don't need this right now." She then began to walk to the back of the store and said that she would tell me what happened.

Rachel explained that it was all HT's fault and that he started it by pushing the other team leader, Brennan A. Danforth D.O.B. 07-12-1997. She said that HT and Brennan got into an argument about closing the store for the night and the cleaning duties. She stated that HT refused to work or help clean up and that's what started the argument. She said that the argument continued to get worse and then HT pushed Brennan and started "egging" him on. She said that HT was saying "Hit me!" "Hit me!" "You're not going to hit me, I'm only 16." "There's nothing that you can do about it!" Rachel said that this continued and she walked away from it until she could hear them physically wrestling and fighting each other. By the time that she got back to them, the fight was over, and they were separated. She said that after it happened, she sent Brennan home. Rachel did not want to give a written statement.

3. Subsequent reports of Officer Derrig, which indicate that:

Shortly after ending my conversation with MR, I received a copy of the video footage from Charlie via email. The video shows HT, Rachael and the male who is believed to be Brennan.

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Brennan is seated, and Rachael is standing between HT and Brennan. There is no audio with the video, but it appears the conversation is between HT and Brennan. After approximately 45 seconds, Rachael abruptly begins to walk away and Brennan stands up quickly and approaches HT. Within 5 seconds, Brennan begins to punch HT in the face. Brennan swings six times total with both hands and appears to land five strikes to HT's face. Rachael appears to continue to walk away and begins to type something into the till. A customer is in the restaurant at this time. After the strikes, Brennan continues to confront HT and HT backs away.

Ultimately, HT appears to use his phone for a minutes, then begin to clean off his face. After reviewing the video, I called Brennan in an attempt to meet up on this evening. I received no answer and the mailbox was full.

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

Subscribed and sworn to before me on
02/08/21

Electronically Signed By:

Kevin C. Greene

Assistant District Attorney

State Bar #: 1025620

Electronically Signed By:

Hannah N Schuchart

Complainant