

CPAU-DV

STATE OF WISCONSIN

CIRCUIT COURT
CRIMINAL DIVISION

MILWAUKEE COUNTY

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.: 2015ML013382

Plaintiff,

vs.

Complaining Witness:

Ithier, Alton Anthony
835 North 23rd Street #302
Milwaukee, WI 53208
DOB: 05/09/1984

COURT COPY
DO NOT REMOVE

DET. RONALD LINZMEYER

Court Case No.:

15CF25916

Defendant,

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

COUNT ONE: PHYSICAL ABUSE OF A CHILD (INTENTIONAL CAUSATION OF BODILY HARM)

The above-named defendant on or about Friday, June 05, 2015, at 2250 West College Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did intentionally cause bodily harm to A.A.B., DOB 05/01/2007, a child, contrary to sec. 948.03(2)(b), 939.50(3)(h) Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

COUNT TWO: PHYSICAL ABUSE OF A CHILD (INTENTIONAL CAUSATION OF BODILY HARM)

The above-named defendant on or about Saturday, June 06, 2015, at 2250 W. College Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did intentionally cause bodily harm to A.Y.B., DOB 05/26/2005, a child, contrary to sec. 948.03(2)(b), 939.50(3)(h) Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

COUNT THREE: PHYSICAL ABUSE OF A CHILD (INTENTIONAL CAUSATION OF BODILY HARM)

The above-named defendant on or about Saturday, June 06, 2015, at 2250 W. College Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did intentionally cause bodily harm to A.A.I., DOB 07/01/2009, a child, contrary to sec. 948.03(2)(b), 939.50(3)(h) Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

This complaint is supported by the written reports of City of Milwaukee law enforcement officers which were prepared through the normal course of police business and which your complaining

witness has relied upon in the past and found to be truthful and reliable. Based upon a review of the reports pertaining to the investigation of this matter your complaining witness believes that:

On June 7, 2015, Dianna Bennett walked in to the City of Milwaukee Police, District Six Station, to report that three of her children were abused by the above defendant, the father of the children. Dianna Bennett reported that the defendant struck all three children with a dog leash while at her residence, located at 2250 W. College Avenue, in the City of Milwaukee, County of Milwaukee. Dianna Bennett identified her children as A.Y.B. 5/26/2005 D.O.B., A.A.B. 5/1/2007 D.O.B., and A.A.I. 7/1/2009 D.O.B.

City of Milwaukee Police Officer Tina Roberts spoke with each child individually. A.A.B. reported that on Friday, June 5, 2015, he returned home from school with a note from his teacher. A.A.B. gave the note to the defendant. The defendant became upset and struck A.A.B. numerous times with a dog leash to A.A.B.'s body. Officer Roberts personally observed several contusions on A.A.B.'s back that A.A.B. reported were caused by the defendant striking A.A.B. multiple times with a dog leash.

A.Y.B. disclosed on June 6, 2015, the defendant took a dog leash and struck her multiple times with the dog leash on the buttocks and legs.

A.A.I. disclosed on June 6, 2015, the defendant struck A.A.I. with a dog leash on the leg and right buttocks because A.A.I. sprayed perfume. A.A.I. reported that the defendant's actions in striking her with a dog leash hurt and she did not like it.

NOTICE OF INTENT TO ADMIT VIDEOTAPED FORENSIC INTERVIEWS OF CHILD WITNESSES PURSUANT TO WISCONSIN STATE STATUTE § 908.08

On June 9, 2015, City of Milwaukee Police Officer Cindy Carlson responded to the Child Protection Center, 1020 N. 12th Street, in the City of Milwaukee, to conduct videotaped forensic interview of A.Y.B. Officer Carlson has specialized training and experience in conducting forensic interviews of children following the *Stepwise* guidelines. During the forensic interview A.Y.B. demonstrated an understanding of the difference between a truth and a lie, that false statements are punishable, and the importance of telling the truth. A.Y.B. promised to tell Officer Carlson the truth.

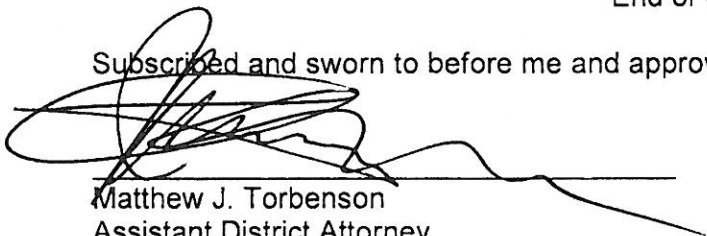
A.Y.B. disclosed that she was having troubles with the defendant. A.Y.B. got into trouble at home because her sister, A.A.I., touched their mother's perfume. A.Y.B. disclosed that the defendant struck A.A.I. with the dog leash multiple times to A.A.I.'s body. After the defendant struck A.A.I., the defendant struck A.Y.B. with the dog leash multiple times to A.Y.B.'s body. A.Y.B. reported that the defendant's actions in striking A.Y.B. and A.A.I. multiple times with the dog leash left each child with bruises on their bodies. A.Y.B. disclosed that this incident occurred on June 6, 2015, at her home.

Officer Carlson reports conducting a forensic interview of A.A.I. during which A.A.I. also demonstrated an understanding of the difference between a truth and a lie, that false statements are punishable, and that it is important to tell the truth. A.A.I. promised to tell Officer Carlson the truth. A.A.I. disclosed that her father, the defendant, "whooped me with a leash." A.A.I. was "whooped" by the defendant because A.A.I. sprayed her mother's perfume. On June, 9, 2015, City of Milwaukee Police Officer Danilo Cardenas reports doing a forensic interview of A.A.B. A.A.B. demonstrated the ability to distinguish between a truth and a lie, that false statements are punishable, and that it's important to tell the truth. A.A.B. promised to tell Officer Cardenas the truth. A.A.B. disclosed that the defendant "whooped" A.A.B. with a dog

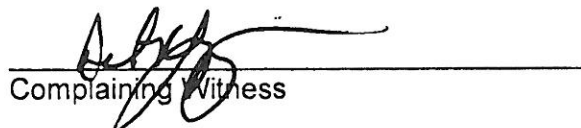
leash because A.A.B. got in trouble at school. A.A.B. disclosed that this occurred at his house on June 5, 2015.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this 12th day of June, 2015.



Matthew J. Torbenson
Assistant District Attorney
Child Protection & Advocacy Unit
1049925



Complainant

CRIMINAL DIVISION
15 JUN 12 AM 11:00
CLERK OF CIRCUIT COURT

State of Wisconsin vs. Alton Anthony Ithier

Judgment of ConvictionSentence Imposed & Stayed,
Probation OrderedFILED
03-24-2016
John Barrett
Clerk of Circuit Court

Date of Birth: 05-09-1984

Case No. 2015CF002596

The defendant was found guilty of the following crime(s):

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Trial To	Date(s) Convicted
1	[939.50(3)(i) Penalties for Felonies-Class "I" Felony] Child Abuse-Recklessly Cause Harm	948.03(3)(b)	Guilty	Felony I	06-05-2015		02-15-2016
2	[939.50(3)(i) Penalties for Felonies-Class "I" Felony] Child Abuse-Recklessly Cause Harm	948.03(3)(b)	Guilty	Felony I	06-06-2015		02-15-2016

IT IS ADJUDGED that the defendant is guilty as convicted and sentenced as follows:

Ct.	Sent. Date	Sentence	Length	Agency	Comments
1	03-23-2016	Probation, sent imposed	3 YR	Department of Corrections	Probation agent to contact court to set up probation review hearing if needed, once released.
2	03-23-2016	Probation, sent imposed	3 YR	Department of Corrections	
Sentence(s) Stayed					Sent. Credit
1		Initial Confinement	1 YR 6 MO	Consecutive to:	4 days
1		Extended Supervision	2 YR	Probation conditions apply.	
2		Initial Confinement	1 YR 6 MO	Consecutive to:	
2		Extended Supervision	2 YR	Count 1 probation conditions apply.	

State of Wisconsin vs. Alton Anthony Ithier

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Conditions of Sentence or Probation**Obligations:** (Total amounts only)

Fine	Court Costs	Attorney Fees	<input type="checkbox"/> Joint and Several Restitution	Other	Mandatory Victim/Wit. Surcharge	5% Rest. Surcharge	DNA Anal. Surcharge
	326.00			26.00	184.00		500.00

Conditions

Ct.	Condition	Length	Agency/Program	Begin Date	Begin Time	Comments
1	House of Correction	9 MO				Court ordered defendant to serve 9 MONTHS condition time in the House of Correction, on count 1, with Huber release for work. Court objects to Electronic Monitoring, forthwith.

Ct.	Condition	Agency/Program	Comments
1	Costs		-Pay all MANDATORY court costs, fees, and surcharges including: DNA surcharge to be paid during period of probation, if revoked to be paid from 25% of prison funds, balance paid during Extended Supervision, failure to pay results in a civil judgment. -Provide DNA Sample. -Restitution set at ZERO.
1	Employment / School		-Obtain/maintain employment.
1	Firearms/Weapons Restriction		-No contact with firearms.
			*Court advised due to felony conviction the defendant is prohibited from firearm possession, and defendant's voting rights are suspended and may not vote until civil rights are restored.
1	Prohibitions		-No contact with Armani I., A'Ltiynna I., Dianna B., or Alonte I. unless approved by the agent.
1	Other		-Batterers Intervention program and a course in anger management. -Parenting classes. Court accepts previous parenting classes if found appropriate by the DOC. -Letter of apology to all three children.
1	Alcohol assessment		-AODA assessment, comply with recommended treatment.
2	Costs		-Absolute sobriety.

Pursuant to §973.01(3g) and (3m) Wisconsin Statutes, the court determines the following:The Defendant is is not eligible for the Challenge Incarceration Program.The Defendant is is not eligible for the Substance Abuse Program.

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John Barrett
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Date of Birth: 05-09-1984

Case No. 2015CF002596

The following charges were Dismissed but Read In

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Date(s) Read In
3	[939.50(3)(h) Penalties for Felonies-Class "H" Felony] Child Abuse-Intentionally Cause Harm	948.03(2)(b)		Felony H	06-06-2015	02-15-2016

IT IS ADJUDGED that 4 days sentence credit are due pursuant to §973.155, Wisconsin Statutes**IT IS ORDERED** that the Sheriff shall deliver the defendant into the custody of the Department.**BY THE COURT:****Distribution:**Janet Protasiewicz-24, Judge
Matthew James Torbenson, District Attorney
Thomas J. Flanagan, Defense AttorneyElectronically signed by John Barrett
Circuit Court Judge/Clerk/Deputy ClerkMarch 24, 2016
Date

To whom it may concern:

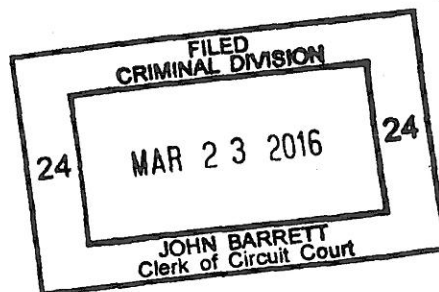
My name is Nakia Gaynor and I'm writing on behalf of my child's father. Alton Ithier. Alton and I have 8-year-old daughter together. Anyiah Rose Gaynor. Alton and I have may not have always seen to eye on everything. But that has never interfered with his fathering Anyiah. He spends time with her, whenever he can. Anyiah loves to spend time with her dad and brothers and sisters. I have never witnessed any foul abuse towards Anyiah from Alton. Anyiah has never mentioned anything bad about her dad when she goes to visit him. I always ask my daughter Anyiah. About her visits with dad, upon returning home. As I always tell her, mommies and daughters don't keep secrets. So when she tells me nothing bad happened to her. I tend to believe her. From what I may witnessed. Mr. Ithier treats all his children the same. I don't know the full situation of what happened. All I know that he treats my daughter with care and love when she is in his care. Children need their father in their lives. Especially the ones that are trying to be in their lives.

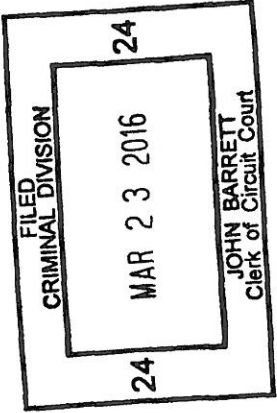
With today's society if a father doesn't or can't discipline their child. Then the streets surely will. I'm not saying its ok to beat on children, but in our city with all the crime going on. Maybe if some parents stepped up to parent their children. Then maybe we wouldn't have that much crime in our city. In closing I would just like to say that Mr. Ithier is a good Father. And again I have NEVER witnessed abuse or any foul manor to his children. If you have any further questions please feel free to contact me. 4143065011

Sincerely

Nakia Gaynor 2/13/2016

Nakia Gaynor





COMMUNITY ADVOCATES

CERTIFICATE OF COMPLETION

Presented
to

ALTON ITHIER

Successfully Completing

The 24/7 DAD

Fatherhood Program

8 HOUR SUMMIT SESSIONS 1 - 12



Richard L. Johnson
Fatherhood Program Educator

Steven K. Thomas
Fatherhood Program Educator



On This 19th Day of March in the Year 2016

