

VS.

CRIMINAL COMPLAINT

Defendant.

For Official Use

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 states he makes this complaint on information, belief, and personal knowledge, his information is presumed reliable as a police informant, and on information provided by the Oconto County Sheriff's Department, this information is presumed reliable because it is from a law enforcement agency complainant believes to be reputable and reliable.

PROBABLE CAUSE:

Complainant states that in a written report, prepared by Deputy Steve Hansen of the Oconto County Sheriff's Department, he reports that on August 5, 2018, at approximately 12:23 a.m., he was on patrol in full uniform. Deputy Hansen was dispatched to the Irish Green Golf Club/Bar at 2946 Logtown Road in the Town of Oconto, Oconto County, Wisconsin, for a report of a domestic disturbance.

Upon arrival, Deputy Hansen spoke to complainant/victim EMS. EMS indicated she was working in the kitchen area of the bar that she and Kenneth NMI Sikora, male/white, date of birth 09-11-71, own and operate. She stated Kenneth became upset with her when she questioned him about possibly having an affair with one of the bartenders, while they were standing in the kitchen near the doorway to the bar.

EMS stated Kenneth then struck her with an open hand on the right side of her head. She explained he then grabbed her by the throat with his right hand. At this point EMS started to swat at his arm with her hands, in an attempt to make him stop. EMS stated the next thing she remembered was waking up on the floor, near the back door of the kitchen by the ice machine, which was approximately 12 feet from where the initial incident began. When EMS woke up, she said Kenneth was rubbing her side.

Once EMS regained consciousness, she called 911 to report the incident with the Sheriff's Office. Deputy Hansen checked EMS's neck for any obvious injuries, and did not observe any. Deputy Hansen asked EMS if she would like to be evaluated by medical personnel and she declined. Deputy Hansen asked EMS if the incident had made it difficult for her to breathe. EMS indicated that it did restrict her breathing for a short time, from what she could remember.

After speaking with EMS, Deputy Hansen located Kenneth in the parking lot and spoke with him. When Deputy Hansen asked Kenneth what had happened, he stated him and EMS did get into a physical altercation. However, he said EMS placed her hands around his neck first. Kenneth stated "she is a black belt, and knows how to fight." Deputy Hansen asked Kenneth if EMS had lost consciousness at all during the altercation. He replied, "I don't remember." Deputy Hansen noted that there were no obvious injuries on Kenneth's neck.

Due to the report of EMS losing consciousness during the altercation, Deputy Hansen informed Kenneth he was under arrest for Strangulation, and Battery from the domestic violence related incident. Kenneth asked if Deputy Hansen could first escort him into the bar, so he could talk to his staff to give them instructions on how to secure the business for the night. Deputy Hansen then followed Kenneth into the back door of the kitchen area, where he spoke to two of his staff members.

When entering the kitchen area, Deputy Hansen observed a round silver diamond earring lying on the floor near the ice machine. Deputy Hansen noted this was the same location where EMS stated she had woken up after the incident. Deputy Hansen picked the earring up, and returned to the parking lot with Kenneth. He was then turned over to Deputy Kevin Christensen to be transported to jail.

Deputy Hansen returned to his squad car, where EMS was seated in the backseat. Deputy Hansen asked EMS if she was wearing any earrings. She replied, "I was." Deputy Hansen then asked EMS to describe them to him. She stated they were round silver earrings, with a diamond in the middle. This matched the earring that Deputy Hansen collected from the kitchen floor. Deputy Hansen then showed the earring to EMS, and she replied, "Yes that is one of them." At that point, Deputy Hansen returned the earring to EMS.

Once Deputy Christensen left the scene with Kenneth, Deputy Hansen transported EMS to her home at 5315 CTH J, where Deputy Hansen completed the Domestic Abuse Packet with her. Deputy Hansen also took photographs of her neck and face. Deputy Hansen advised EMS to stay home for the night, due to the odor of an alcoholic beverage emitting from her. EMS had asked Deputy Hansen if she could return to the business on the following day. Deputy Hansen advised her that he was not able to deny her access to her business. Deputy Hansen then cleared from the scene with no further action taken.

The victim, EMS, completed and signed a Non-Consent Form, which indicates that she did not give anyone permission to commit this crime against her.

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

Subscribed and sworn to before me on 08/06/18

Electronically Signed By:

Edward D. Burke Jr.

District Attorney

State Bar #: 1001268

Electronically Signed By:

Deputy Ron Ripley

Complainant