

FILED
07-27-2022
Clerk of Circuit Court
Washington County, WI
2022CF000372
Honorable Michael S.
Kenitz
Branch 3

STATE OF WISCONSIN	CIRCUIT COURT	WASHINGTON COUNTY
STATE OF WISCONSIN	Plaintiff,	DA Case No.: 2022WA001759 Assigned DA/ADA: Mandy A Schepper Agency Case No.: 22-19841WCSD
vs.		Court Case No.:
Steven Paul Bruskwicz Jr		CRIMINAL COMPLAINT
DOB: 05/23/1991 Sex/Race: M/W	Defendant.	

For Official Use

The undersigned, being first duly sworn, states that:

Count 1: HOMICIDE BY NEGLIGENT OPERATION OF A VEHICLE

The above-named defendant on Wednesday, June 22, 2022, in the Village of Richfield, Washington County, Wisconsin, did cause the death of CLS, by the negligent operation of a vehicle, contrary to sec. 940.10(1), 939.50(3)(g) 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.

Count 2: HOMICIDE BY NEGLIGENT OPERATION OF A VEHICLE

The above-named defendant on Wednesday, June 22, 2022, in the Village of Richfield, Washington County, Wisconsin, did cause the death of OMJS, by the negligent operation of a vehicle, contrary to sec. 940.10(1), 939.50(3)(g) 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.

Count 3: HOMICIDE-NEG. OPERATE VEH. - UNBORN CHILD

The above-named defendant on Wednesday, June 22, 2022, in the Village of Richfield, Washington County, Wisconsin, did cause the death of an unborn child by negligent operation of a vehicle, contrary to sec. 940.10(2), 939.50(3)(g) 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.

Count 4: RECKLESS DRIVING CAUSING GREAT BODILY HARM

The above-named defendant on Wednesday, June 22, 2022, in the Village of Richfield, Washington County, Wisconsin, did cause great bodily harm to another by negligent operation of a vehicle, contrary to sec. 346.62(4), 939.50(3)(i) 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.

PROBABLE CAUSE:

Complainant prays that said defendant be dealt with according to law. The basis for the complainant's charge of such offense is he is a sworn officer with the Washington County Sheriff's Office and bases his information upon review of the reports of members of the Washington County Sheriff's Office generated after the investigation of a multi-vehicle collision

that occurred on Wednesday, June 22, 2022, at approximately 5:42 a.m. at the intersection of Highway 164 and Elmwood Road in the Village of Richfield, Washington County, Wisconsin.

Deputy J. Kidd reports that he was dispatched to the intersection of Highway 164 and Elmwood Road after witnesses 911 calls were received about a vehicle in the ditch and an unconscious female was with serious injuries. Deputy Kidd reports that he arrived at 5:58 a.m., and noted that Richfield Fire and EMS were already on scene assisting a female, who was later identified as CLS. Deputy Kidd reports that he began taking photos of the crash scene, and, while doing so, a male, later identified as Steven P. Bruskiwicz, the defendant herein, approached and stated that he was the primary striking vehicle in the crash. Deputy Kidd reports that the defendant stated that he struck CLS's vehicle after he glanced down at his phone to check his GPS. The defendant stated that he attempted to swerve around the vehicle, but he struck the rear passenger side. The defendant stated that he pulled to the side of the road and attempted to help the female driver/CLS. The defendant also later completed a written statement that described while driving southbound on Highway 164, he looked at his speed and his directions, and he saw the vehicle in front of him was stopped. He swerved but struck the vehicle, pushing it into oncoming traffic. The defendant stated he saw the other vehicle be struck again by oncoming traffic. He stated he parked and ran to the female driver's aid.

Sergeant B. Hood reports that he met with the defendant at the Aurora Medical Center in Hartford. The defendant agreed to cooperate with a Drug Recognition Expert Evaluation and indicated that he was not a user of tobacco or controlled substances. Sergeant Hood reports that during that evaluation, he received information from the defendant regarding his activities from the day prior to and up until the crash occurred. The defendant stated that he left his home in Horicon at approximately 5:00 a.m., after waking at his normal time of 4:15 a.m. The defendant stated that he was headed to work in Sussex via Hwy 164 southbound. The defendant stated he utilized his work phone for GPS directions to the worksite, as there is a turn he has to make that he has difficulty locating without driving past it. The defendant stated he had his cruise control set at 60 mph, and he estimated he was three to four car lengths behind the vehicle traveling southbound in front of him/CLS's vehicle. The defendant stated he had been having issues with his personal phone the night before, and before he left, he attempted to send a message on his personal phone via Snapchat. The defendant stated he was unsure if it sent, so he checked his personal phone to see if the message had been sent. The defendant stated he briefly checked his work phone for the GPS and his personal phone for any notifications. The defendant believed he took "seconds" to view the phones. The defendant stated that he then checked his speed, looked up, and saw the vehicle in front of him braking. The defendant stated he saw brake lights but not a turn signal. The defendant stated he swerved and braked to avoid a collision, but he hit the vehicle. The defendant stated he saw the vehicle he struck go into oncoming traffic. He stated that he went to the vehicle in the ditch/CLS's vehicle and saw an unresponsive female driver. The defendant stated that he felt a pulse. He stated he yelled at a male to call 911. The defendant stated that a nurse arrived on scene and began guiding people on providing aid to the female driver. The defendant stated that he ended up on the phone with 911 and went to the male in the vehicle in the roadway/MWT, telling him to move his vehicle out of the roadway. The defendant stated he assisted with removing the female from her vehicle and assisted with CPR. Sergeant Hood concluded that he did not believe that the defendant's ability to safely operate a motor vehicle was impaired by drugs or alcohol.

Deputy F. Martinez reports that he spoke to MWT, a citizen victim your complainant believes to be truthful and reliable. MWT stated that he was driving northbound on Highway 164 when all of a sudden a black vehicle was in his lane of travel perpendicular to his vehicle. MWT stated he struck the black vehicle. MWT stated he saw a larger vehicle behind the black vehicle and thought, "Was that truck pushing the car into my lane?" MWT stated he hit his brakes and remembers seeing the airbags deploy in his vehicle. MWT stated he sat in his vehicle for several minutes before exiting and standing by it. MWT estimated he was traveling 57-58 mph.

Deputy T. Dexter reports that on June 23, 2022, members of the Washington County Accident Reconstruction Team completed vehicle inspections of the three vehicles involved in the crash and Wisconsin State Patrol Trooper M. Johnson, who is an Accident Reconstructionist, assisted with data retrieval downloads from the three vehicles involved. Deputy Dexter reports that using data from the vehicles, the physical evidence left at the crash scene, witness statements, and the opinion of Trooper Johnson, it was determined that the following occurred on Wednesday, June 22, 2022, at approximately 5:43 a.m. CLS was driving herself and her one year old son, OMJS, in her black Toyota Camry. OMJS was seated in the rear passenger seat, secured in a car seat. CLS was driving southbound on Highway 164 approaching Elmwood Road, when she braked for several seconds, slowing her vehicle to a speed of 27 mph. CLS was struck by the defendant, who was operating in a white Ram ProMaster work van traveling at a speed of approximately 58 mph at impact. The defendant had been traveling at a speed of 60 mph utilizing the cruise control, which was supported by his statements and the vehicle data. The impact of the defendant's vehicle caused CLS's vehicle to increase its speed to 43 mph and to go into a counterclockwise spin. CLS's vehicle then crossed into the northbound lane of Highway 164 in a sideways position, where it was struck by MWT, who was operating a grey Jeep Wrangler. The collision between CLS's vehicle & MWT's vehicle occurred in a T-bone style with the front of MWT's vehicle striking the passenger side of CLS's vehicle. MWT's vehicle came to rest in the northbound lane of Hwy 164, and CLS's vehicle was pushed into the ditch on the northbound side of Hwy 164, coming to rest facing south. The defendant was able to stop his van on the southbound shoulder of Hwy 164, just south of Elmwood Road.

Deputy Dexter further reports that it was determined that there were no roadway hazards, weather factors, or sun issues that contributed to the crash. Deputy Dexter reports that the statements from MWT and the defendant are consistent with vehicle data downloads, vehicle damage, and roadway evidence produced from the crash.

Detective T. L'Allier reports that on June 22, 2022, CLS's husband, CJS, arrived while the crash scene was being processed, looking for her. Detective L'Allier reports that he, Sheriff M. Schulteis, Sergeant S. Hanson, and Medical Examiner C. Garbisch met with CJS to inform him of the deaths of CLS and OMJS. Detective L'Allier reports that during the death notification, CJS advised that CLS was 16 weeks pregnant. Detective L'Allier reports that the autopsies for CLS and OMJS occurred on June 23, 2022, and were conducted by Dr. Amy Sheil, M.D. Preliminary autopsy results were received on June 27, 2022:

The preliminary autopsy findings for CLS included, but are not limited to: blunt force trauma to the head and neck – subdural hemorrhage, cerebral and cerebellar subarachnoid hemorrhages, and C2 vertebral fracture with lacerations of anterior ligament/spinal cord; blunt force trauma to torso – abrasions and contusions, right clavicle fracture, bilateral rib fractures,

bilateral sacroiliac fractures, hepatic and splenic lacerations with small hemoperitoneum; and blunt force trauma to extremities. A male fetus at 16 weeks gestational age, calculated by external measurements, had no dysmorphic features or congenital visceral anomalies.

The preliminary autopsy findings for OMJS included, but are not limited to: no dysmorphic features or congenital visceral anomalies; blunt force trauma to the head – subgaleal contusions, extensive skull fractures, dura mater lacerations, scant subdural hemorrhage, cerebral and cerebellar subarachnoid hemorrhages; blunt force trauma to torso – splenic lacerations, small hemoperitoneum; and blunt force trauma to extremities – right femur fracture, right tibia fracture.

The deaths of CLS, OMJS, and the 16 week old fetus were determined to be a direct result of the traffic crash on June 22, 2022.

Detective L’Allier further reports that on June 29, 2022, he made contact with MWT by phone to determine the extent of MWT’s injuries. MWT stated that he sustained a fracture to the L3 and L5 vertebrae as well as a hematoma that required surgical intervention to remove it from his left forearm.

Detective L’Allier further reports that he received consent from the defendant to perform a data extraction of the defendant’s personal cellular phone, an iPhone 8, as well as his work cellular phone, a Google Pixel 6. A review of the data obtained indicates that the defendant utilized applications on his iPhone 8 during his drive prior to the crash. Specifically, the Snapchat application was utilized or accessed, including the camera feature, between 5:14:31 a.m. to 5:17:36 a.m. The Pandora application was opened multiple times between 5:19:46 a.m. to 5:20:51 a.m. The Snapchat application was again utilized and opened at 5:40:57 a.m. when it was opened and the page type is chat. At 5:41:13 a.m. the Snapchat application was open with a messaging chat to a mutual friend. At 5:41:18: a.m. the Snapchat application Friends Feed Feature: chat was utilized. Detective L’Allier reports that it is believed that the defendant’s use of his phone, specifically utilizing the Snapchat application, just prior to the crash that Washington County Dispatch was notified of at 5:42 a.m.

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

Subscribed and sworn to before me on 07/27/22
Electronically Signed By:
Mark D Bensen
District Attorney
State Bar #: 1000746

Electronically Signed By:
Det. Sgt. Donald Kapla
Complainant