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More evidence ties Brooks to parade scene



Ebony Cox/Milwaukee Journal Sentinel

Kyle Becker, a warrant specialist with the Waukesha Police Department holds up evidence exhibits during the trial of Darrell Brooks on Wednesday in Waukesha County Circuit Court.

State expected to rest today

By Brian Huber
bhuber@conley.net.com
262-513-2674

WAUKESHA — Prosecutors presented more video and physical evidence on Wednesday tying Darrell Brooks Jr. to the incident where they say he drove an SUV through the Waukesha Christmas Parade last year, including DNA evidence taken from the vehicle and clothes found abandoned in the backyards of two residences.

Brooks, 40, is charged with 76 crimes including six counts of homicide by the use of a dangerous weapon, 61 counts of recklessly endangering safety, six counts of hit-and-run causing death, and more. His trial is now in its third week, with the state expected to rest its case against Brooks today.

The day began with Judge Jennifer Dorow announcing that a second member of the jury has tested positive for COVID-19; one juror was excused Monday. But after bringing the jurors out to ask them if they had concerns about their health or ability, all of them said they had no such concerns, and all 15 jurors remained on the jury. Dorow said the second juror was not excused given when the onset of symptoms occurred. Dorow also noted that the ventilation system

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Screenshot from Court TV livestream

The jurors in the trial of Waukesha Christmas Parade suspect attack suspect Darrell Brooks Jr. completed Wednesday morning by viewing the red Ford Escape police found in a yard on Maple Avenue moments after the parade incident on Nov. 21, 2021.

Former DA Bucher comments about third week in Brooks trial

By Karen Pilarski
kpilarski@conley.net.com
262-513-2657

WAUKESHA — The third week of the trial of Darrell Brooks, the man accused of striking people with a SUV during the Waukesha Christmas parade, is drawing to a close. The state has plans to rest its case

by the end of the week.

Brooks earlier withdrew his request for an insanity plea and requested to represent himself in court, which was granted.

Defense attorney and former Waukesha County District Attorney Paul Bucher said the trial's

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WISCONSIN ATTORNEY GENERAL Republican Toney faces Democratic incumbent Kaul

By Karen Pilarski
kpilarski@conley.net.com
262-513-2657

WAUKESHA — Incumbent Democrat Josh Kaul is seeking re-election as Wisconsin attorney general. His opponent is Republican Eric Toney. The Freeman asked the candidates questions ahead of the general election on Nov. 8.

Freeman: What is your greatest achievement?



Kaul: I'm most proud of being a husband to my wonderful wife and a father to my two amazing sons. Professionally, I'm most proud of my record as attorney general of taking on tough issues and getting results that have a positive impact on Wisconsinites. My administration has investigated and/or prosecuted some of the most serious offenses in the state, including homicides, sexual assaults, robberies, internet crimes against children, and drug trafficking. I worked with Democrats and

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Josh Kaul (I)

Age: 41
Occupation: Wisconsin attorney general

Years lived in Wisconsin: I grew up in Oshkosh and Fond du Lac, where I attended public schools. After attending Yale for college and Stanford Law School, serving as a law clerk to the then-Chief Judge of the U.S. Court of Appeals for the First Circuit, working for Jenner & Block, and serving as a federal prosecutor, I came home to Wisconsin in January 2014. My wife Lindsey and I have lived in Madison, where we are raising our two sons, since then.

Previous elected office (if any): Wisconsin attorney general (2019-present)



Eric Toney

Age: 38
Occupation: Fond du Lac County district attorney

Years lived in Wisconsin: Over 34 years
Previous elected office (if any): Fond du Lac County district attorney



WISCONSIN'S FIFTH CONGRESSIONAL DISTRICT Republican incumbent Fitzgerald facing Democratic challenger Van Someren

WAUKESHA — Republican Scott Fitzgerald is running for re-election to the U.S. House of Representatives to represent Wisconsin's 5th Congressional District. His opponent is Democrat Mike Van Someren.

The Freeman asked both

candidates the same questions ahead of the November election. Here are their responses.

Freeman: What achievement are you most proud of?

Fitzgerald: This Congress, I'm most proud of the PACT

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Fun Things To Do This Weekend

"Junie B. Jones Jr. The Musical," 7 p.m. today and Friday, 2 p.m. and 7 p.m. Saturday and 2 p.m. Sunday, Lake Country Playhouse, 221 E. Capitol Drive, Hartland. www.lake-countryplayhousewi.org

Witches Night Out, 5 p.m. today, downtown Oconomowoc. https://www.downtownoconomowoc.org/events

"Clue on Stage," 7:30 p.m. today, Friday and Saturday and 2 p.m. Sunday, Sunset Playhouse, 700 Wall St., Elm Grove. https://sunsetplayhouse.com, 262-782-4430

Cabaret Café Series: "Good Morning Bedlam," 9:30 p.m. Friday, Oconomowoc Arts Center, 641 E. Forest St., Oconomowoc. www.TheOAC.net, 262-560-3172

Spooky Sussex, 5 p.m. to 8:30 p.m. Friday, Village Park, W244-N6260 Weaver Drive, Sussex. Not-so-scary, family-friendly, Halloween event with activities geared for children 10 and under.

David Seebach's Illusions in the Night, 2022, 7:30 p.m. Friday, 2 p.m. and 7:30 p.m. Saturday and 2 p.m. Sunday, Sunset Play-

house, 700 Wall St., Elm Grove. https://sunsetplayhouse.com, 262-782-4430

Halloween in Delafield, 5 p.m. to 8 p.m. Saturday, downtown Delafield. 5 p.m. business trick-or-treat. Grand Pumpkin Illumination at dusk. https://delafieldchamber.com/

Just Between Friends Children's Clothing and More, 9 a.m. to 4 p.m. today, 9 a.m. to 8 p.m. Friday and 9 a.m. to 5 p.m. Saturday, Waukesha County Expo Center Forum Building, 1000 Northview Road, Waukesha. www.waukeshanorth.jbfsale.com

WEATHER



Tomorrow: Mostly sunny
High 68
Low 36

See complete forecast on 8A



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Ebony Cox/Milwaukee Journal Sentinel

Leonard Miller is cross-examined during the trial of Darrell Brooks on Wednesday in Waukesha County Circuit Court.



Ebony Cox/Milwaukee Journal Sentinel

Robert Stone II is questioned during the trial of Darrell Brooks on Wednesday in Waukesha County Circuit Court.



Ebony Cox/Milwaukee Journal Sentinel

Steven Schlomann, Waukesha School District IT director, testifies during the trial of Darrell Brooks on Wednesday in Waukesha County Circuit Court.



Ebony Cox/Milwaukee Journal Sentinel

Andrew Amerson testifies during the trial of Darrell Brooks on Wednesday in Waukesha County Circuit Court.

Olympia Fields: Main entrance opens and development of building begins

OCONOMOWOC — Wangard Partners, Inc, a Milwaukee-based full-service real estate company, has accomplished significant steps in the development of Olympia Fields, formerly a hotel and conference center known as Olympia Resort, including the opening of the development's main entrance located at the intersection of Pabst Street and Summit Avenue, and the beginning of construction on a new clinical building.

The main entrance to the Olympia Fields site — the intersection of Pabst Street and Summit Avenue — has officially reopened. Since June, neighbors have dealt with the heavy machinery and construction around the entrance. Wangard will now begin to remove construction materials and work to add foliage and other features, including the installation of artwork in the central roundabout.

Construction for the new clinical building is set to begin this week, starting with site improvements to the building's underground utilities and foundation, completed by December. Wangard expects to complete the exterior of the building in early April 2023, including the exterior shell and roof enclosure. Once finished, the clinical building will add 3,200 square feet of space to Olympia Fields.

More information on the building's occupants will be shared in the coming months.

American flag collection in Oconomowoc

OCONOMOWOC — Shorehaven's Service League of Volunteers continues throughout the year to partner with the Oconomowoc American Legion Edwin L. Jones Post 91 in collecting retired (unserviceable), tattered or faded American flags for proper disposal.

Bring flags to the Forgotten Treasures Resale Boutique at 1305 W. Wisconsin Ave., during open hours Monday through Saturday. The shop is open from 10 a.m. to 4:30 p.m. Monday through Friday and from 10 a.m. to 2 p.m. Saturdays. Call 262-244-6500 for more information.

Oconomowoc Woman's Club fundraising event canceled due to power outage

OCONOMOWOC — The Oconomowoc Woman's Club biggest fundraising event was canceled after power was knocked out by a tree falling on the power lines to Golden Mast on Okauchee Lake on Oct. 12.

"We had 388 women at the event, raffle tickets and bakery items being sold, models preparing for the style show from five Waukesha Area boutiques. They are The Bliss Boutique, Delafield Main Street Boutique, Gift Box Boutique, Kalon Boutique, and Mayhouse Collection. It was 11:50 a.m. just before the food was to be served when the power went out. Since there was no backup generator, we had to send the ladies home! We were very disappointed," Sharon Phelps, president of GFWC-WI Oconomowoc Woman's Club, said.

The raffle and bake sale were completed. Winners of the raffle will be contacted.

"Sadly, the style event will not be rescheduled for this year," Phelps said.

The guests who were in attendance are requested to contact the organization through email at rsvpowc@gmail.com. The club wants to hear from guests regarding donation of their tickets to support the club's charities or a full or partial refund by November 15. After that date they will consider it a donation.

"Our event will take place October 11, 2023 at the Golden Mast in Okauchee. The members of the club are looking forward to seeing you next year! Thank you for your support," Phelps said.

Brooks

From Page 1A

in the new courthouse addition was state-of-the-art, and that air purifiers and extra hand sanitizer have been placed in the courtroom and jury area. Masks have been made available to them, as well.

Brooks suggested that the jurors be tested for COVID, but Dorow declined to order that.

"I am satisfied if they don't have a concern that we can continue forward," she said. "I trust my jurors that they would report if they are not able to sit through the proceedings."

The day's first witnesses gave testimony about the security video they submitted to police, capturing images of what is believed to be Darrell Brooks near the Waukesha School District offices on Maple Avenue, and nearby homes on the date of the incident. They including Steven Schlomann, the information technology director for the school district. Others were Robert Stone II and Andrew Amerson, residents who lived on Dunbar Avenue. On cross-examination, Brooks asked them if they altered the video in any way, and also asked if any of them knew of anyone who made a claim in the case. Amerson said his grandchildren received counseling after the parade incident and got assistance for it from the community fund set up for victims, but when Brooks asked if he had a financial interest in the case, he replied, "absolutely not."

Another video came from Central Avenue resident Leonard Miller, who said he had finished putting up Christmas lights and asked his wife to go outside to look at them, instead finding a SWAT team in the front yard. "I said we're not going to look at the lights now," he said. He reviewed his security system and found a video of Brooks walking up his driveway and sent it to police, he said.

Specialist Kyle Becker of the Waukesha Police Department testified that he and several others were searching the area around Maple Avenue where the SUV linked to Brooks was found. Items were found in the yards of two adjoining addresses at 332 Maple Avenue and 434 Dunbar Avenue, about 200 yards from where the red Ford Escape was found, two days after the parade, he said. One the Maple side of the fence was found a blue right-footed sandal with a worn Milwaukee Brewers logo; in a playhouse in the next yard a matching sandal and grey hooded sweatshirt — believed to be the one Brooks wore during the incident — were found, he said.

Detective Justin Rowe testified he was part of the group that canvassed the area, and also that he was among the detectives who attempted to find homeowners in the area that might have had security videos. He also testified about a map of the area showing the parade route and the path Brooks is believed to have taken to Maple

■ Watch a livestream of the trial along with updates from our reporter in the courtroom at www.gmtoday.com/brookstrial/

Avenue where the vehicle was found parked, and a path that it is believed Brooks walked to where he was arrested on Elizabeth Street. He added the path was not absolutely certain because police were unable to find people who had security video footage of him in the area.

Jury view

At about 11:40, the jurors were taken to the secured garage at the Waukesha County Sheriff's Department for a walk around the SUV at the center of the case. On Tuesday, Dorow ordered Brooks to attend, but said Wednesday she decided to leave it up to him. Brooks earlier in the morning said he didn't see the reason why he needed to be present, but he did go there, with no restraints visible to the jury, Dorow later said. The public was not allowed to attend, but Dorow ordered two videos be recorded — the first before any party visited the area of the SUV and which was made public Wednesday, and the second taken while the judge, jury and parties were present; that video was sealed and kept in the court record.

Mechanical inspection

Ryan Schultz, a mechanical inspector for the Wisconsin State Patrol, took the stand next, explaining his methodology in inspecting vehicles to determine any flaws that may have contributed to a crash. He reviewed the red Ford Escape believed to have been driven by Brooks at the Wisconsin State Crime Lab, where it was being processed for evidence. He noted a worn ball joint on the left front tire but said that would not have prevented the SUV from being steered properly and otherwise the steering was working properly. He also noted one tire on the back was bigger than the others, which would have likely been felt as the car was braking but said otherwise the brakes were all in good working order, as was the throttle and gas pedal.

He noted the muffler was missing, but said a photo of a muffler found in the yard where the vehicle was located on Maple Avenue was not definitive proof that it came from the SUV. Schultz added the coolant level was empty, and it could have leaked from a number of places.

"Did you observe anything, anything at all that would have prohibited this vehicle from stopping if the brake pedal had been applied?" asked Deputy District Attorney Lesli Boese.

"No," Schultz said. "Was there anything you observe or documented during or in your mechanical inspection report that would have contributed to the crashes that this car was involved in?" was Boese's next



Ebony Cox/Milwaukee Journal Sentinel

Darrell Brooks grabs documents for cross-examination on Wednesday in Waukesha County Circuit Court.

question. "No," Schultz said again.

DNA an other testing

Chris Johnson, chief of the Office of Crime Scene Response for the Wisconsin State Crime Laboratory, also testified, describing the steps taken to secure the SUV at the Maple Avenue residence where it was found Nov. 21, and how he processed it for evidence. He removed from the car anything fragile that might have fallen off in transport, such as a headband found on the driver's side mirror, then had the vehicle loaded onto a trailer to be taken for further testing.

He noted the right rear passenger window was shattered, and said it was from a bullet fired by a Waukesha police officer that exited through the windshield. Another bullet grazed the right rear exterior, and a third entered the rear cargo area, where a fragment of it was found, he said. He also swabbed the steering wheel and gear shift for DNA, and documented a hat found in the yard near the truck, as well as papers in the car that had Brooks' name and address on it. Two cellphones found in the car were turned over to police for further analysis, he said.

Trevor Naleid, a senior forensic scientist for the State Crime Laboratory, testified as to the DNA testing done on evidence in the case. He said there was "very strong support" for finding the DNA of Brooks and his girlfriend, Erika Patterson, on the steering wheel, as well as on the gear shift along with that of an unknown third person.

He tested the sweatshirt police believed Brooks ditched in the yard on Dunbar, and found "very strong" evidence for including Brooks as the source of the DNA found on the collar, the cuffs on the sleeves, and a blood stain on the right sleeve, which also could have been Patterson's, he testified. He added that Brooks was the single source of DNA found in hairs taken off the sweatshirt.

Another outburst

Brooks had another clash with

the judge on Wednesday, after a series of comments muttered under his breath but picked up by courtroom microphones and interruptions of Dorow as she spoke. Brooks complained when Johnson's report was referred to as an exhibit, and wondered aloud how it was given to the witness without his knowledge, complaining it wasn't fair.

Dorow reminded Brooks that earlier in the trial she ordered parties not to approach the witness stand to give them exhibits given the small courtroom space and his status in custody. As Brooks repeatedly asked how the exhibit got to the witness stand, Dorow warned him to stop interrupting her or he would go to the adjacent courtroom, forfeiting his right to be present due to his conduct. She counted at least 40 comments or other statements Brooks made Wednesday alone.

"Frankly, from my perspective, sir, your attempts and your comments are to try to dig in at this jury and to somehow to create doubt about the presentation of this case or the fairness of these proceedings, without the state having an opportunity to refute, explain or correct it," she said.

"You might as well remove me then because what you are doing is not fair," he said, raising his voice.

When Dorow told him to be quiet as the jury came out, Brooks asked if she was telling him or asking him.

"Sir, I'd appreciate it if your tone of voice would change," she said.

Brooks replied, "I'm a grown man with grown kids. Ain't nobody gonna talk to me like that. Nobody. I don't have a problem of doing what you ask me to do, not tell me. ... C'mon man, Just stop it," then, again under his breath added, "I'm supposed to be scared of being removed or something."

The state is expected to call one more witness this morning before resting.

Brooks has an opportunity to make an opening statement today, and Dorow told him they still needed to discuss whether he would testify in the case.

Bucher

From Page 1A

pace has picked up. He added the prosecutors have a strategic plan on how they want to present their case and are sticking with it.

"I think it going along faster than I thought. Mr. Brooks is sort of erratic. He stays on a narrow path and seems to be doing relatively fine. Then he veers off into a different lane and I'm not sure why. He once again demonstrates he is an intelligent individual but likes to play games and obstruct," Bucher said.

Brooks on a number of occasions has made objections and argued with Judge Jennifer Dorow. Bucher said he gives Dorow credit for letting Brooks rant and overrule the objection in order to move the trial forward. He alluded to Brooks' 50-minute rant last week.

"It will be interesting as Mr. Brooks attempts to call witnesses and the government's response," he said.

Bucher said Brooks will testify and predicts sparks will fly.

"I have a funny feeling it will be from the other room," he said.

Bucher doesn't believe it pays to be a harsh judge in a case like this. The goal is justice and bringing the trial to a conclusion.

Not helping his case

The former DA doesn't anticipate

any of Brooks' witnesses being a "deal breaker" or coming in and turning the trial on its head.

The jail house interview videos and videos of the parade are what "sinks his ship," according to Bucher.

"His (Brooks') explanation, as feeble as it may be, and attempts to evade the responsibility have really gone nowhere," he said.

He added Brooks didn't do himself any favors when attempting to cross-examine witnesses and "digs his hole deeper."

Bucher touched on Brooks cross-examining police officers and praised the officers for being good at what they do.

"When you have good police officers that know how to testify it really makes a difference," Bucher said.

Brooks, Bucher said, continues to ask witnesses confusing questions. Bucher said he thinks he knows what Brooks is trying to ask, but Brooks doesn't know how to ask it.

"He kind of dances around the issue and that is unfortunate for him. If he would just ask the right questions," he said.

There have been times when Dorow sustained an objection as the form of the question. Bucher said it means the topic he wants to get at is fine but he is not asking the right questions.

Bucher added the trial would go faster if Brooks' constant objec-

tions would cease.

Sovereign claim

On Tuesday Brooks cross-examined witnesses, but also asked them if they knew the plaintiff in the case, the state of Wisconsin, or had ever seen it. Dorow sustained the prosecutors' repeated objections.

Bucher wishes the court would intervene and tell him to knock it off.

"I wish they would tell him to stop it with this 'I don't recognize this name' but the judge can't act as his own lawyer," he said.

Bucher also touched on Brooks' claim that he is a sovereign citizen. He has many people who subscribe to this form of thinking.

"Sovereign citizen" is a phrase commonly understood to describe people who maintain that courts have no jurisdiction over them or believe they are exempt from the law, but Bucher said Brooks saying this has no legal impact on the case. Bucher said he dealt with this type of claim when he was district attorney many times. There are people who believe they are sovereign.

Brooks doesn't believe there is a sovereign.

"The sovereign is the United States of America and the sovereign is the state government. Those are the only two sovereigns. He refuses and his type don't believe there is a sovereign. Therefore they are not subject to a sovereign and not subject to the

rules, statutes, codes that are enacted by the sovereign," he said.

He added it is a silly argument, made up by a group of individuals who were dissatisfied by the state of the government.

We may never know why

Bucher said it is an important part of the case to hear from Brooks. Many people are curious about why anyone would have done what Brooks is accused of doing. But they might never know the reason.

"This isn't a case of armed robbery where the motive is greed or money. Or an alcohol-fueled offense. Sometimes you just don't know," Bucher said.

He added there are a lot of evil people out there, who are not mentally ill, they just have a certain mindset and the average person can't understand it.

"Don't superimpose your values on someone else, who doesn't have morals and values. I stopped doing that the first two weeks of my job," he said.

It caused Bucher stress at first when asking a defendant about "why." He told the defendant he understood why they robbed a store, for money. But then he asked why they shot a clerk.

"The person answered 'why not?'" Bucher said.

"There are people out there like that, luckily not many, but they are out there."