

FILED
05-07-2019
CIRCUIT COURT
DANE COUNTY, WI
2019CF001029

AAF IA: 5/16/19 @ 10:30 A.M.
Assign to Branch

STATE OF WISCONSIN CIRCUIT COURT DANE COUNTY

STATE OF WISCONSIN
Plaintiff,

vs.

CHRISTOPHER RUMBELOW

5006 La Crosse Ln
Madison, WI 53705
DOB: 05/09/1959
Sex/Race: M/W
Eye Color: Blue
Hair Color: Blonde
Height: 6 ft 0 in
Weight: 170 lbs
Alias:

Defendant,

Ref. Agency: Madison (City) Police
Department

DA Case No.: 2019DA003801

Assigned DA/ADA:

Agency Case No.: 2019-00121018

Court Case No.: 2019CF _____

ATN:

For Official Use

CRIMINAL COMPLAINT

The below-named complaining witness being first duly sworn states the following:

Count 1: RECKLESS CHILD ABUSE - BODILY HARM

The above-named defendant on or about Monday, April 1, 2019, in the City of Madison, Dane County, Wisconsin, did recklessly cause bodily harm to a child, a [juvenile] student, DOB (born in 2010), contrary to sec. 948.03(3)(b), 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.

FACTS:

Your complainant is a Court Officer with the City of Madison Police Department and for this complaint is relying on the written police report(s) submitted by City of Madison Police Officer(s) Hannah Anderson and Detective Hall.

INITIAL INFORMATION

Officer Anderson reports on April 2, 2019, at 1:23 p.m., she was assigned to assist Dane County Human Services ("DCHS") at an elementary school located in the City of Madison, Dane County, Wisconsin, reference a child abuse case that occurred between a student and a teacher, which resulted in the child receiving a visible injury. The juvenile victim came home from school on April 1, 2019, and told his mother that a teacher at school caused the injury that was visible on his forehead.

CONTACT WITH JUVENILE VICTIM

Officer Anderson made contact with the juvenile victim who was born in 2010, (student at the elementary school) who was identified fully, but for the purpose of this complaint will be known

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as JUVENILE VICTIM ("J/V" hereinafter). When DCHS worker Jared Selly asked J/V what happened to his head, he replied, "My gym teacher, he slammed the door on my face," and began to cry and he could not answer further questions. After a brief break, J/V stated yesterday, April 1, 2019, he was in gym class and his teacher, who he identified as Christopher Rumbelow, the defendant herein, put him in a small group with another child who is mean to him every day (The defendant was also later identified fully via his WI driver's license). J/V stated he did not want to be in a group with this other student, but the defendant would not let him change groups. J/V stated he then left class and walked around in the hallway for a little while. J/V stated he walked back to the gym and stood in the doorway and he closed the door. J/V stated the defendant opened the door and told him to leave the door open. J/V said he "didn't listen" and he started to kick the door. J/V stated he closed the door again, and the defendant opened the door again and the door and door handle hit him in the head. J/V stated there were two other teachers in his gym class when this happened. During this interview, Officer Anderson noticed that J/V had a visible bump that was about 3/4 inch slightly above his left eyebrow. There was a small gash in the middle of the bump. J/V confirmed that this was where the door hit his forehead. J/V's mother stated medical staff at Urgent Care said J/V was okay, diagnosing his injury as a contusion.

Det. Hall reports on April 9, 2019, she attended a Safe Harbor interview of J/V. J/V stated the defendant slammed the door in his face and it hurt. J/V said the defendant was mad because he (J/V) kept on kicking it and then he (defendant) opened it "and slammed my, hit me in my face." J/V was asked about how the defendant opened the door, and J/V swung his arm out in front of him across his body quickly and said, "He was like that." J/V was asked what the defendant said when he opened the door, and J/V replied, "Stop opening and closing the door." J/V was asked what the defendant's reaction was when the door hit his (J/V's) face, and J/V replied, "He was angry and mad." J/V was asked how he knew the defendant was angry and mad and J/V said because the defendant was yelling and told him, "Stop kicking the door."

INTERVIEW WITH ATH

Det. Hall made contact with ATH who stated the following: she was the principal designee on April 1, 2019, and she learned that J/V was not in class, but it was requested that he be ignored because he knows his directive is to return to class. Another employee, HM, was visibly upset, shaky, and on the verge of tears. HM was talking quickly and out of order as she explained to her what happened. HM told her that she heard J/V kicking, and she told the defendant several times that she had it and could handle it. HM told her that the defendant told her to move J/V, and she explained to the defendant that she could not move him. HM also commented that the defendant told J/V something similar, "I can't wait until you leave." HM told her she explained to the defendant that she could not go hands on with J/V, even though the defendant wanted her to move J/V. HM continued to explain that the defendant just opened the door so fast and so hard, and it hit J/V in the head. She told HM to calm down and then to write down an account of what happened. She went to the nurse's office and observed that J/V was crying and had an icepack on his head. She then called the defendant into the office and the defendant said something to the effect of, "I was just so mad at them." The defendant was commenting that he did not understand why they could not just put their hands on J/V and get him out of there. The defendant also made a comment something to the effect of, "[J/V] is just such a little...I won't fill it in for you." She explained they cannot go hands on with a child unless a child is harming themselves or someone else, and kicking a gym door does not reach that threshold. She and HM have been trained in NVCI (non-violent crisis intervention), and

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although the defendant was not trained, the defendant has been told the directive of when not to go hands on versus when they are allowed to go hands on. The defendant can get frustrated quickly with kids showing behaviors in his gym class. The defendant is less tolerant and can get frustrated that teachers cannot put hands on.

INTERVIEW WITH HM

Det. Hall made contact with a teacher, whose name forms the initials HM, and she stated the following: When the defendant was positioned in the door, the door was only partway open, and J/V was kicking at the door. The defendant then grabbed J/V's forearm and yelled again at him to "stop." J/V continued kicking the door, and he was yelling and he was upset. J/V responded to the defendant grabbing him by yelling, "Don't touch me." The defendant then told her to just take J/V away. The defendant was asking her why she could not take him away, and she told him that she could not put her hands on him (J/V). She then told the defendant firmly, "I've got this." The defendant then began to exit the doorway, but before exiting, he stated to J/V something to the effect of, "I just can't wait until you leave this school." When the defendant left the doorway, the door closed behind him. The defendant then "forcefully" pushed the door open. She saw the defendant opening the door out of the corner of her eye and she yelled, "Stop." She explained that she yelled stop because the door was being pushed open, and she was concerned because J/V was standing right there, and she was worried that the door would hit J/V. J/V had not moved and was still in the same location when the defendant originally poked his head in. The door hit J/V in the forehead and J/V fell back against the wall and then fell to the ground. The defendant then turned and walked away and did not say anything. SWH then ran over and crouched next to J/V and told him it was okay and that they were there to help. J/V was screaming and crying, and they walked him to the health office. She further described that the defendant appeared mad the first time he opened the door. She believed that the defendant was mad because he had a firm voice and because he grabbed J/V. The second time the defendant opened the door, he also appeared mad, and she believed this based on his body language and the fact that he pushed the door forcefully open and he did not say anything or check in with her or J/V after J/V was injured on the floor. She believed the defendant's anger was directed at J/V because of the previous comments he made to her about getting J/V out of there and the comment he made to J/V about wanting him out of the school.

INTERVIEW WITH SWH

Det. Hall made contact with a teacher, whose name forms the initials SWH. SWH stated the following: she went to gym class at approximately 10:40 and noticed that J/V was not doing his exercises and he left the gym. She got on the walkie-talkie and told other teachers if they saw J/V in the hallway to ignore him and that he will wander back in. J/V came back and was standing by the gym door and began to slam the door back and forth. When she observed J/V opening and closing and kicking the door, she was standing near the defendant. The defendant walked over to where J/V was kicking, and the defendant positioned himself in the doorway, where J/V was still kicking the door. Another teacher, HM, was also on the other side of the door with J/V, supporting and helping J/V make a better choice. She decided there were enough teacher dealing with J/V, so she did not go over to engage. She repositioned herself in the gym so she could see the door and then she heard HM yell, "Stop" and she rushed over to the door. At the same time she was rushing over to the door, she observed the defendant push the door open and forcefully shut the door. After the defendant pushed the door open, he went

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back to directing the gym class. She opened the door and saw that HM and J/V were sitting on the floor. About ten minutes after she got to the nurse with J/V, the defendant came in to apologize to J/V, but J/V shielded himself away from the defendant and hid behind her.

SWH said she wanted to back up and talk a little bit more about J/V. SWH stated that Monday is a double gym day, which means there are two classes in one, so there are a lot of kids, and J/V was not getting the attention he needed and the attention he likes. SWH commented that fairness looks differently to everyone, and the defendant knows that they are supposed to ignore behavior like that. SWH commented that when she first told the defendant to ignore him (J/V), the defendant rolled his eyes at her, and it was her observation that the defendant's body language appeared as though he was fed up. Det. Hall asked SWH if she believed her observations of the defendant that day were typical of the defendant or if his behavior was different that day than usual. SWH said that she believed that the defendant's behavior was different from usual.

INTERVIEW WITH CML

Det. Hall made contact with the elementary school's pediatric nurse practitioner, whose name forms the initials CML. CML stated the following: J/V's teacher, SWH, brought J/V to the nurse's office, and SWH appeared upset and was close to tears. SWH told her that the defendant saw J/V opening and closing the door, and he seemed upset and the defendant opened the door and it hit J/V. SWH told her that it looked like the defendant did it on purpose. The defendant came into the nurse's office at one point to apologize to J/V. J/V had visible swelling on his left forehead, which measured to be approximately one inch long from the forehead down toward the eyebrow. This swelling was about a quarter inch thick or raised and there was also a superficial laceration within this swelling that was not actively bleeding, but the swelling was slightly reddened. She and the nursing assistant washed the injury with soap and water, and they put ice on it.

****THIS COMPLAINT IS BASED ON the information and belief of your complainant, who is a Court Officer for the city of Madison Police Department, and who learned of the above offense from the reports of city of Madison Police Officer(s) Hannah Anderson and Detective Danielle Hall, which report your complainant believes to be truthful and reliable inasmuch as they were prepared during the course of the officer(s) official duties.**

Further, your complainant believes the information furnished by Juvenile Victim (J/V) (DOB: in 2010), HM, ATH, and CML to be truthful and reliable inasmuch as they are citizen informant(s) and witnessed the events described.

Your complainant believes the statements of the Defendant(s) to be truthful and reliable insofar as they are admissions against penal interest.

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Subscribed and sworn to before me on
05/07/19

Electronically Signed By:
Paul W. Humphrey
Assistant District Attorney
State Bar #: 1011671

Electronically Signed By:
JOHN AMOS
Complainant