

FILED
10-01-2024
Anna Maria Hodges
Clerk of Circuit Court
2024CF004668
Honorable Katie B. Kegel-
03
Branch 3

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

STATE OF WISCONSIN
Plaintiff,

DA Case No.: 2024ML024558
Court Case No.:

vs.

CRIMINAL COMPLAINT

BALLARD, BRANDIN AVERY
7305 WEST HAMPTON AVENUE #2
MILWAUKEE, WI 53218
DOB: 03/24/2006

EDWARDS-HEMPHILL, GREGORY
3759 NORTH 40TH STREET
MILWAUKEE, WI 53216
DOB: 08/05/2007

Defendant(s).

For Official Use

THE BELOW NAMED COMPLAINANT BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: ARMED CARJACKING - PTAC, AS A PARTY TO A CRIME (As to defendant Brandin Avery Ballard)

The above-named defendant on or about Friday, September 27, 2024, at **2362 South 32nd Street**, in the City of Milwaukee, Milwaukee County, Wisconsin, as a party to a crime, while possessing a dangerous weapon and by use or threat of use of the weapon against another, did intentionally take a vehicle without the consent of the owner, SR, contrary to sec. 943.231(1), 939.50(3)(b), 939.05 Wis. Stats.

Upon conviction for this offense, a Class B Felony, the defendants may be sentenced to a term of imprisonment not to exceed sixty (60) years.

Count 2: BAIL JUMPING (FELONY) (As to defendant Brandin Avery Ballard)

The above-named defendant on or about Friday, September 27, 2024, at **2362 South 32nd Street**, in the City of Milwaukee, Milwaukee County, Wisconsin, having been charged with a felony and released from custody under Chapter 969 of the Wisconsin Statutes, did intentionally fail to comply with the terms of his bond, contrary to sec. 946.49(1)(b), 939.50(3)(h) Wis. Stats.

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

Count 3: ARMED CARJACKING - PTAC, AS A PARTY TO A CRIME (As to defendant Gregory Edwards-Hemphill)

The above-named defendant on or about Friday, September 27, 2024, at **2362 South 32nd Street**, in the City of Milwaukee, Milwaukee County, Wisconsin, as a party to a crime, while possessing a dangerous weapon and by use or threat of use of the weapon against another, did intentionally take a vehicle without the consent of the owner, SR, contrary to sec. 943.231(1), 939.50(3)(b), 939.05 Wis. Stats.

Upon conviction for this offense, a Class B Felony, the defendants may be sentenced to a term of imprisonment not to exceed sixty (60) years.

Count 4: FIRST DEGREE RECKLESSLY ENDANGERING SAFETY - PTAC, AS A PARTY TO A CRIME, USE OF A DANGEROUS WEAPON (As to defendant Brandin Avery Ballard)

The above-named defendant on or about Friday, September 27, 2024, at **2415 South 66th Street**, in the City of West Allis, Milwaukee County, Wisconsin, as a party to a crime, did recklessly endanger the safety of BAS, under circumstances which show utter disregard for human life, contrary to sec. 941.30(1), 939.50(3)(f), 939.05, 939.63(1)(b) Wis. Stats.

Upon conviction for this offense, a Class F Felony, the defendants may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) years and six (6) months, or both.

And further, invoking the provisions of sec. 939.63(1)(b) Wis. Stats., because the defendant committed this offense while possessing a dangerous weapon, the maximum term of imprisonment for the felony may be increased by not more than 5 years.

Count 5: POSSESSION OF A FIREARM BY ADJUDICATED DELINQUENT (As to defendant Brandin Avery Ballard)

The above-named defendant on or about Friday, September 27, 2024, at **2415 South 66th Street**, in the City of West Allis, Milwaukee County, Wisconsin, did possess a firearm, having been adjudicated delinquent for an act committed on or after April 21, 1994, that if committed by an adult in this state would be a felony, contrary to sec. 941.29(1m)(bm), 939.50(3)(g) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendants may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

Count 6: BAIL JUMPING (FELONY) (As to defendant Brandin Avery Ballard)

The above-named defendant on or about Friday, September 27, 2024, at **2415 South 66th Street**, in the City of West Allis, Milwaukee County, Wisconsin, having been charged with a felony and released from custody under Chapter 969 of the Wisconsin Statutes, did intentionally fail to comply with the terms of his bond, contrary to sec. 946.49(1)(b), 939.50(3)(h) Wis. Stats.

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

Count 7: FIRST DEGREE RECKLESSLY ENDANGERING SAFETY - PTAC, AS A PARTY TO A CRIME, USE OF A DANGEROUS WEAPON (As to defendant Gregory Edwards-Hemphill)

The above-named defendant on or about Friday, September 27, 2024, at **2415 South 66th Street**, in the City of West Allis, Milwaukee County, Wisconsin, as a party to a crime, did recklessly endanger the safety of BAS, under circumstances which show utter disregard for human life, contrary to sec. 941.30(1), 939.50(3)(f), 939.05, 939.63(1)(b) Wis. Stats.

Upon conviction for this offense, a Class F Felony, the defendants may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) years and six (6) months, or both.

And further, invoking the provisions of sec. 939.63(1)(b) Wis. Stats., because the defendant committed this offense while possessing a dangerous weapon, the maximum term of imprisonment for the felony may be increased by not more than 5 years.

Probable Cause:

Complainant is a Milwaukee County law enforcement officer and bases this complaint upon the reports of fellow law enforcement officers from the Milwaukee Police Department and West Allis Police Department. Complainant has relied on similar reports in the past and has found them to be true and accurate. Complainant knows that said reports were written in the normal course of police business. Said reports indicate the following:

Milwaukee Carjacking Incident (Counts 1-3):

On September 27, 2024, at approximately 5:30AM, officers of the Milwaukee Police Department responded to a robbery/carjacking incident at 2632 S. 32nd St., in the City and County of Milwaukee, Wisconsin. Officers made contact with the victim, SR (12/16/59), who reported that his black 2015 Jeep Cherokee (AWL-9238) had been taken that morning. SR stated that he was walking to his vehicle which was parked on the block. SR stated he observed another vehicle parked in the street next to his vehicle as he approached. SR stated he observed the vehicle was running and there appeared to be three occupants inside the vehicle. SR continued to walk to his Jeep and used his key fob to unlock his vehicle. SR stated that he then observed one of the individuals from the vehicle now standing at the rear passenger side of the suspect vehicle (herein Suspect 1). SR stated that Suspect 1 then pointed a handgun at SR's body and demanded keys to his vehicle. SR, who has limited English abilities, knew that the suspect was demanding his keys so he told Suspect 1 he cannot have the car because he had to go to work. Suspect 1 then pointed the gun at SR's head and again made demands for SR's keys. SR gave the keys over out of fear of being shot. SR stated that he also saw the front passenger door of the suspect vehicle open and could see another black male seated there and saw a third black male in the driver's seat. SR walked away and observed Suspect 1 get into his Jeep and drive away. SR saw the suspect vehicle follow behind the Jeep. SR did not consent to these unlawful actions.

SR described Suspect 1 as a black male, approximately 5'10", thin build, black hooded sweatshirt with hood up, medium/dark complexion, no mask, and a handgun in his right hand.

West Allis Shooting Incident (Counts 4 -7):

On the same day, at approximately 7:02AM, officers of the West Allis Police Department responded to a vehicle crash and shots fired complaint located near 2415 S. 66th St., in the City of West Allis. Officers made contact with multiple witnesses including the victim of the shooting, BAS (08/09/84).

BAS stated he was sitting in his red 2016 Mazda 6 outside in the 6700 block of W. Hayes Ave. when an unknown black male suddenly opened his driver's door. The male stated, "Oh my bad brother, I'm sorry." BAS stated the male appeared shocked to see him inside the vehicle. BAS stated the male turned around and walked away. BAS stated he then observed a second black male who was at his girlfriend's vehicle, which was parked on the same block. BAS stated he saw this male inside the driver's side of the vehicle. BAS stated that the first suspect yelled to the second to get out of the vehicle and then they both walked to a Jeep parked nearby.

BAS described the suspect who opened his door as a black male wearing a black hoodie, tall estimated at about 6 foot with very short braids or dreads. BAS stated he saw this male enter the driver's seat of a Jeep. BAS described the other suspect (at his girlfriend's car) as a black male with possibly a blue and black hoodie who then entered the passenger seat of the Jeep. The Jeep then sped off. BAS stated he

decided to follow the suspects but lost sight of them briefly before locating the Jeep in the area of S. 65th St. and W. Hayes Ave. BAS observed the Jeep was traveling along parked vehicles and the driver appeared to be reaching out the window and pulling on door handles, appearing to see if any were unlocked. BAS stated he pulled alongside the passenger window and yelled, "Hey man, get out of the neighborhood stealing cars." BAS stated that the two suspects exited the vehicle then began shooting at him. BAS stated he backed up, striking a tree and then drove to his residence.

During a second interview, BAS admitted that after the suspects drove off after trying to steal his and his girlfriend's car, he went into his residence to retrieve his 9mm handgun and went back to his vehicle to follow the suspects. BAS stated that when he pulled alongside the Jeep his window was partially rolled down and his handgun was resting on his lap. BAS denied raising the gun or pointing it at anyone. BAS stated his vehicle did sit lower than the Jeep and after he pulled alongside, the Jeep took off and then crashed as it was turning the corner. BAS stated that after the crash, the two suspect then got out and began shooting back at him. BAS denied shooting at the suspect and stated he instead backed up, struck the tree, and then drove back home. BAS stated the handgun and his phone both went flying out of his lap area when this happened and landed on the floor. BAS then parked his car outside his house before returning to speak with police. BAS indicated he feared for his safety during the shooting and had a small laceration to the top of his hand from the glass from his struck windshield.

Officers observed bullet strikes to the windshield of BAS' vehicle. The bullet strikes went through the windshield (at about head level on the driver's side) and continued into the passenger compartment of the vehicle and into the trunk.

Multiple other witnesses on reported hearing the sounds of the car crash and several gunshots. Witnesses also observed the suspects flee the crash scene after the shooting. Video surveillance was obtained from multiple residences depicting parts of the incident. In those videos, the Jeep driven by the suspects became disabled in the middle of S. 64th St. near 2440 S. 65th St. Audio from these videos then captures the gunshots. The suspects are also seen on video running from the shooting scene wearing similar clothing described by BAS and other witnesses.

Officers located 6 spent casings next to the suspect vehicle. The Jeep was determined to be the stolen Jeep from earlier that morning belonging to SR.

Arrest and identification of defendants:

Officers searched the surrounding area of the shooting to locate the two suspects. Ultimately, officers located one suspect behind 2367 S. 59th St., who was later identified as the above-named defendant **Gregory Edwards-Hemphill (08/05/07)**. Edwards-Hemphill was observed by officers discarding a gray sweatshirt nearby, which was recovered. Inside the sweatshirt were the partial components of a Taurus handgun. Officers also located under a vehicle additional firearm components next to where Edwards-Hemphill was arrested. Between the locations of these components, officers also located a complete Taurus G2C firearm. Search incident to arrest located a loaded Taurus magazine in Edwards-Hemphill's pants pocket.

Officers located the second suspect, later identified as the above-named defendant **Brandin Ballard (03/24/06)**, in the area of S. 61st St. and W. Hayes St. A search incident to arrest located a S&W Shield firearm concealed in Ballard's underpants. Ballard was also found wearing a black shoulder bag, which search incident to arrest located 15 individually wrapped baggies of suspected marijuana (total weight of 43.69 grams) with two digital scales, a flip phone, and a smartphone. Ballard was located wearing all black clothing consistent with the description of the first suspect in the shooting.

On September 30, carjacking victim SR was shown a photo array in which he positively identified defendant Ballard as the person who robbed him at gunpoint for his vehicle.

Officers of the Milwaukee Police Department also returned and spoke with IG (08/28/01), who stated he located video from his residence on the 2500 block of S. 64th St. from the incident date depicting the suspects in the Jeep attempting to steal vehicles on the block. Review of the video shows the same Jeep Cherokee pull along the parked vehicles outside IG's residence at about 6:57AM. IG's Honda is parked outside and the passenger window of the Jeep is rolled down. The suspect in the front passenger seat reaches to the handle of the Honda and then the sound of glass breaking is heard on the video. The Jeep then pulls away less than a minute later. The shots fired complaint then comes in a few minutes after this. IG stated he did find his Honda with the rear passenger window broken out and stated he did not consent to the damage or anyone attempting to enter his vehicle.

Statements of defendants:

On September 27, 2024, Detectives Caleb Porter and Michael Slomczewski conducted Mirandized interviews of both defendants. Defendant Ballard did not wish to make a statement.

Defendant Edwards-Hemphill did agree to make a statement. Edwards-Hemphill stated he had been picked up by a friend he knows goes by "Shiesty." Officers showed a booking photo of defendant Ballard, who Edwards-Hemphill confirmed was the person he knows as "Shiesty." During the course of the interview, Edwards-Hemphill eventually admitted that Ballard had picked him up in a stolen vehicle (a gray Hyundai). Edwards-Hemphill admitted to knowing the vehicle was stolen because the column was pealed. Edwards-Hemphill stated he then drove the stolen vehicle with Ballard in the back seat to the area of the first incident so the two could go around "shacking." (term known to investigators as going into cars and looking for property to steal). Edwards-Hemphill stated that he stopped the stolen vehicle when Ballard told him to and Ballard got out of the car with a firearm and took the Jeep Cherokee. Edwards-Hemphill stated he then followed Ballard, who drove off in the stolen Jeep, around the corner and then parked the stolen Hyundai and got into the Jeep with Ballard. Edwards-Hemphill admitted that he and Ballard drove the stolen Jeep to the second location and were breaking into cars in Milwaukee and West Allis. Edwards-Hemphill claimed he found the two recovered Taurus firearms while breaking into cars. Edwards-Hemphill stated that while he was breaking into one car, Ballard was entering another when he located the victim inside. The two re-entered the Jeep and continued to drive around. Edwards-Hemphill stated the victim located them and drove up alongside the Jeep. Edwards-Hemphill claimed the victim displayed a firearm. Ballard drove the Jeep away but crashed into a nearby car. Edwards-Hemphill admitted that he and Ballard exited the Jeep and both began shooting at the victim before running away. Edwards-Hemphill admitted to taking apart the firearm, disposing of clothing, and running from police to get away.

NIBIN Correlation:

On October 1, the recovered firearms and the recovered casings from the West Allis shooting were submitted for NIBIN comparison. This resulted in a NIBIN correlation hit for both the S&W Shield handgun found on Ballard and the Taurus G2C from Edwards-Hemphill to the recovered casings, indicating that the two firearms were used to fire the casings located on scene. Confirmation testing by the State Crime Lab will be conducted.

Defendant Ballard Felon Adjudication Status:

This complaint is further based upon my examination of the records maintained by the Milwaukee County Clerk of Circuit Court, which reflect that on May 3, 2023, the defendant Ballard was adjudicated delinquent in the Circuit Court of Milwaukee County, in Case No.: **2022JV669** of the felony offense of

Drive or Operate a Vehicle Without Owner's Consent, in violation of Wisconsin Statutes Section 943.23(3), and that said adjudication remains of record and unreversed.

Defendant Ballard Bail Jumping:

This complaint is also based upon examination of records maintained by the Milwaukee County Clerk of Circuit Court where the defendant Ballard was charged with multiple offenses in the following cases:

- **2024CF2025:**
 - Two counts of Felony Bail Jumping (Class H Felony)
 - Two counts of Disorderly Conduct, use of a dangerous weapon, domestic abuse
- **2022CF2976:**
 - Fleeing (Class I Felony)

That file further reflects, that the defendant was released from custody in that case under the provisions of Wisconsin Statutes Chapter 969, with a condition that he commit no new offenses. The above conditions of bond were in effect at the time of this offense.

NOTICE: Additional charges are still pending as to each incident and may be added as to each defendant if set for trial.

****End of Complaint****

Electronic Filing Notice:

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov> and may withdraw as an electronic party at any time. There is a \$ 20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Criminal Complaint prepared by Grace Gall.
ADA Assigned Email Address: grace.gall@da.wi.gov

Subscribed and sworn to before me on 10/01/24

Electronically Signed By:

Grace Gall

Assistant District Attorney

State Bar #: 1104465

Electronically Signed By:

Sgt. Peter Borree

Complainant