

HWY24FH004

## HUMAN PERFORMANCE FACTORS

Group Chair's Factual Report - Attachment  
Warrant for Arrest

(5 pages)

IN THE MAGISTRATE COURT OF CALHOUN COUNTY, WEST VIRGINIA

WARRANT FOR ARREST

State of West Virginia

v.

Case No(s). 24-M07F-00007

JEFFREY ALLEN BRANNON



To Any Law Enforcement Officer:

WHEREAS this court has found probable cause to believe that the defendant, JEFFREY ALLEN BRANNON did commit an offense or offenses in this County on or about

04th day of March, 2024, previous to the issuance of this warrant 3 count(s) 17C-5-2(c): DUI Resulting in serious injury

04th day of March, 2024, previous to the issuance of this warrant 3 count(s) 61-8D-4(b): Child neglect resulting serious bodily injury

04th day of March, 2024, previous to the issuance of this warrant 16 count(s) 61-8D-4(c): Gross child neglect resulting risk death

against the peace and dignity of the State.

Therefore, you are commanded in the name of the State of West Virginia to apprehend the above-named defendant and bring that person before any magistrate in this County, to be dealt with in relation to the charge(s) according to law.

This arrest warrant is to be executed in the following manner (check one):

- Forthwith
- Between the hours of 9 a.m. and 4 p.m., Monday through Friday
- Other (as specified):

Given under my hand this 14<sup>th</sup> day of March, 2024

LORA N DAVIS, Magistrate

Executed by: BE Young in Calhoun County, W.Va.,

on 3/14/24  
(Date)

Return

IN THE MAGISTRATE COURT OF CALHOUN COUNTY, WEST VIRGINIA

State of West Virginia  
v.

Case No. 24-MD9F-00007

Misdemeanor/  Felony

JEFFREY ALLEN BRANNON

Defendant (full name)

[REDACTED]

Social Security Number

Date of Birth

Address

[REDACTED]

Driver's License / Identification Number

City, State & Zip Code

Phone Number(s)

**CRIMINAL COMPLAINT**

[Mag. Ct. Criminal Procedure Rule 3,4; 18 U.S.C. § 921(a)(33)]

I, the undersigned complainant, upon my oath or affirmation, state the following is true and correct to the best of my knowledge and belief. On or about 03 / 04 / 2024, in Calhoun County, West Virginia, in violation of *West Virginia Code § (cite specific section, subsection, and/or subdivision, if applicable)* DUI resulting in serious injury 17C-5-2 (c) X 3; 61-8D-4(c) Gross child neglect resulting risk death x16, the defendant did *(state statutory language of the offense)* 61-8D-4(b) Child neglect resulting serious bodily injury x 3:  
See attached.

I further state that this complaint is based upon the following facts:  Check if continued on attached sheet. On the above date, this officer responded to a school bus roll over with occupants near the 8900 block of S Calhoun HWY, Millstone, Calhoun County, WV. When this officer arrived he observed the school bus rolled onto its side and EMS evacuating children from the rear of the bus. A male was inside the bus yelling a screaming who was identified

(If this complaint involves any of the following relationships to the defendant, check all that apply.) The defendant:

- is/was married to the victim.
- is/was a parent or guardian of the victim.
- has a child in common with the victim.
- is/was living in the same household with the victim.
- is/was a person who is a sexual or an intimate partner of the victim.
- has none of the above connections to the victim.

Complainant (who appears before Magistrate):

Brian E. Young

Complainant (full name)

PO Box 782

Address

Grantsville, WV 26147

City, State & Zip Code

304-354-9586

Phone Number(s)

Trooper

Office or Title, if any

3/14/24

Date

[REDACTED]

Complainant Signature

On this complaint, sworn or affirmed before me and signed in my presence on this date by the complainant, the item(s) checked below apply:

Finding

Issuance

No probable cause found

Summons issued

Probable cause found

Warrant issued

Warrantless arrest

03/14/2024

Date

[REDACTED]

Magistrate Signature

IN THE MAGISTRATE COURT OF \_\_\_\_\_ CALHOUN \_\_\_\_\_ COUNTY, WEST VIRGINIA

CRIMINAL COMPLAINT (CONTINUATION PAGE)

as the accused, Jeffrey Brannon, who was the assigned driver of the bus, custodian of the children on the bus, and was operating the bus at the time of the accident. The accused began yelling and acting aggressive, at which time this officer detained him in hand restraints and placed him the rear of the cruiser as this officer went back to assist with the injured at the scene.

When this officer returned to the cruiser and removed the accused to take his drivers statement of the accident, he detected the oder of alcohol emitting from his breath and inquired if had drank any alcohol today to which he stated he did.

The accused was then given a preliminary breath test which produced a readout of .161%. The accused was then placed under arrest and transported to the WVSP detachment where he was tested on the standard Intoximeter, which revealed the accused blood alcohol level to be .127%. The accused was then processed for DUI causing serious bodily injury and child neglect causing injury.

While processing, this officer discovered that serious bodily injuries had occurred to at least three (3) of the students being transported by the accused. These injuries included \_\_\_\_\_ with a pulse-less lower leg; \_\_\_\_\_ with a fractured right foot and chest trauma; and \_\_\_\_\_ with broken leg, broken hand and broken nose.

Sixteen (16) other students suffered bodily injuries with the substantial risk of death while being transported by the accused in his condition along the route being transported. These students were \_\_\_\_\_ who sustained a concussion; \_\_\_\_\_ who sustained a concussion; \_\_\_\_\_ who sustained cuts to his right hand, back and hip pain; \_\_\_\_\_ who sustained a concussion; \_\_\_\_\_ who sustained a concussion; \_\_\_\_\_ who is scheduled for followup with doctor; \_\_\_\_\_ who sustained a concussion and whiplash; \_\_\_\_\_ who sustained a concussion; \_\_\_\_\_ who sustained a concussion; \_\_\_\_\_ who sustained a concussion; \_\_\_\_\_ who sustained bruises; \_\_\_\_\_ who sustained a concussion and whiplash; \_\_\_\_\_ who sustained a concussion; \_\_\_\_\_ who sustained a concussion; \_\_\_\_\_ who sustained a concussion and whiplash; \_\_\_\_\_ who sustained a concussion.

All acts occurred in Calhoun County, WV.

\_\_\_\_\_  
\_\_\_\_\_

## § 61-8D-4 (b). Child neglect resulting in injury; criminal penalties

(b) If a parent, guardian or custodian neglects a child and by such neglect cause the child serious bodily injury, as serious bodily injury is defined in section one, article eight-b of this chapter, then the parent, guardian or custodian is guilty of a felony and, upon conviction thereof, shall be fined not less than \$300 nor more than \$3,000 dollars or imprisoned in a state correctional facility for not less than one nor more than ten years, or both.

## § 61-8D-4 (c). Child neglect resulting in injury; criminal penalties

(c) If a parent, guardian or custodian grossly neglects a child and by that gross neglect creates a substantial risk of death or serious bodily injury, as serious bodily injury is defined in section one, article eight-b of this chapter, of the child then the parent, guardian or custodian is guilty of a felony and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$3,000 dollars or imprisoned in a state correctional facility for not less than one nor more than five years, or both.

## §17C-5-2.(c) Driving under influence of alcohol, causing serious injury

(c) Any person who drives a vehicle in this state while he or she is in an impaired state, and such impaired state proximately causes serious bodily injury to any person, including an embryo or fetus as defined in §61-2-30 of this code, other than himself or herself, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for not less than two nor more than 10 years and shall be fined not less than \$1,000 nor more than \$3,000, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for a period of five years or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That if the person has previously been convicted under this section, the person shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for life or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code.

