

State of Wisconsin

Circuit Court

Ozaukee County

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 2010OZ001012
Assigned: AAG DENNIS R. KRUEGER
(State Bar #1009923)

-VS-

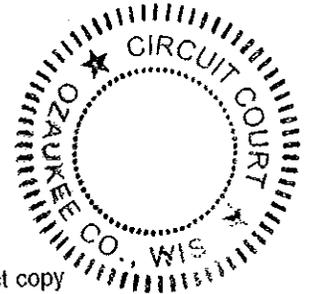
DEAN W ROBERTS
W67 N384 GRANT AVENUE
CEDARBURG, WI 53012
DOB: 05/19/1955
Sex/Race: M/W
Alias:

Agency Case No.: 29R-MW-46877
Court Case No.: 2010CF 166

ATN:

Defendant,

STATE OF WISCONSIN }
OZAUKEE COUNTY } SS



FILED
OZAUKEE COUNTY, WISCONSIN

JUL 28 2010

JEFFREY S. SCHMIDT
CLERK OF COURTS

I certify that this is a true and correct copy
of a document on file and of record in my
office and has been compared by me

Jeffrey S. Schmidt 7/28/10
Clerk of Courts (Deputy) Criminal Complaint

The undersigned law enforcement officer being first duly sworn, states that:

Count 1: THEFT - BUSINESS SETTING (> \$5000 - \$10,000)

The above-named defendant on and between May 29, 2007 and April 29, 2008, in the City of Port Washington, Ozaukee County, Wisconsin, by virtue of his employment, having possession of money or a negotiable instrument of another, did intentionally use such money and negotiable instrument without the owner's consent, contrary to the defendant's authority, and with intent to convert said property to his own use, contrary to sec. 943.20(1)(b)&(3)(bm), 939.50(3)(h) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

PROBABLE CAUSE:

- 1.) Complainant states that he is a Captain with the Ozaukee County Sheriff's Department and bases this complaint on his personal information and belief derived from his investigation into this matter.
- 2.) Complainant received information about unauthorized transactions occurring on a credit card authorized for official sheriff's department business. Complainant indicated that he has responsibility for expenditures of funds by the Ozaukee County Sheriff's Department. He indicated that the sheriff's department has credit cards that are issued to sheriff's department law enforcement officers for the purpose of making authorized

expenditures. The practice and procedures require that all officers record authorized expenses in a ledger book, and that all entries must be initialed by the officer making the entries. Complainant indicated that all authorized transactions were paid from an account held by the Ozaukee County Sheriff's Department and that an employee of the sheriff's department would not be required, and it would be unusual for an employee, to make payment on the credit card account for authorized purchases.

3.) Complainant indicates that in 2007, Dean W. Roberts was a Lieutenant in the Ozaukee County Sheriff's Department and was authorized to use a credit card for authorized expenses with account number 5410 0508 0513 9399 issued by US Bank. On March 15, 2010, Complainant learned from Gabrielle Nohelty, an Investigative Services Team Member for US Bank that the credit card account had bad debt in excess of \$7,000 and had been written off as uncollectible. Nohelty indicated that the billing address on the account was changed on or about June 8, 2007, from an address at the sheriff's department to W367 N484 Grant Avenue, Cedarburg, Wisconsin, which Complainant knows to be the address of Roberts' parents. Complainant indicated that upon learning of the debt the Sheriff's Department paid off the outstanding balance.

4.) Complainant reviewed statements from the account and observed 73 transactions between May 29, 2007, and November 29, 2007, that were unauthorized including expenses for purchases made in Mackinac City, Michigan, and for payment to an attorney's office. Complainant indicated that the total amount of the transactions was \$7,299.89 and that fees imposed due to late payments, exceeding credit limit, and other items totaled \$642.78, and that the debt had not been paid to US Bank. Complainant indicated that he had personal knowledge that Dean W. Roberts had taken a personal trip to Mackinac City, Michigan in June of 2007 when the transactions occurred on the credit card account. Complainant was also personally aware that the law firm that the payment was issued to on the credit card account was to the firm Dean W. Roberts retained for his divorce proceeding that was filed the same month and year that the transaction was posted to the account. Complainant indicated that there are no log entries for the charges to the account that Complainant believed to be unauthorized.

5.) Complainant also indicated that there appeared to be an unauthorized use of money from a safe at the Ozaukee County Sheriff's Department facility that occurred on April 23, 2008. Complainant indicated that there is a safe at the Sheriff's Department that contained cash for investigative purposes and that in 2008 Roberts had access to the cash contained within the safe. Complainant indicated that there was an entry in business records that indicated \$1,880 had been removed by Dean W. Roberts on April 23, 2008, from the safe and that the removal of funds appeared to be unauthorized.

6.) At the request of the sheriff's department Special Agent Terry Sparacino of the Federal Bureau of Investigation interviewed Dean W. Roberts on May 6, 2010. Roberts indicated that he was responsible for all the transactions that occurred on the credit card between May 29, 2007, and November 29, 2007. Roberts stated however, that he was authorized to conduct the transactions. Roberts confirmed that he had only paid a small portion of the transactions and that the account had an unpaid balance of approximately

\$6,000. Roberts also acknowledged removing \$1,880 from the safe at the Ozaukee County Sheriff's Department. Roberts stated that he purchased a money order for \$1,480 and made a payment on another credit card account other than the account number listed above.

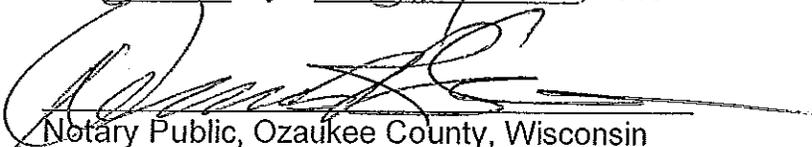
7.) Special Agent Terry Sparacino of the Federal Bureau of Investigation obtained records from Port Washington State Bank and US Bank that indicated that Dean W. Roberts purchased a money order from Port Washington State Bank on April 23, 2008, the same date of the entry indicating that Roberts removed \$1,880 from the safe, and made a payment to US Bank on April 28, 2008, in the amount of \$1,480 on account number 5410 0508 0513 9399 using the money order from Port Washington Sate Bank as the instrument to make the payment.

8.) Complainant indicated that at all times that these transactions were conducted by Dean W. Roberts that Roberts was an employee of the Ozaukee County Sheriff's Department in Ozaukee County, State of Wisconsin, and that because of his duties he had possession of the money and credit card account, but conducted the transactions contrary to his authority by using the money and credit card to conduct transactions that were for Robert's personal rather than authorized expenditures on behalf of the Ozaukee County Sheriff's Department.

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


Complainant

Subscribed and sworn to before
me and approved for filing on
this 28 day of July, 2010


Notary Public, Ozaukee County, Wisconsin
My Commission is Permanent
State Bar #~~1012502, 1000017, 1025876~~, #1009923

State of Wisconsin

Circuit Court

Ozaukee County

STATE OF WISCONSIN

Plaintiff,

SUMMONS

-VS-

Court Case No. 2010CF

DEAN W ROBERTS
W67 N384 GRANT AVENUE
CEDARBURG, WI 53012

THE STATE OF WISCONSIN TO SAID DEFENDANT:

A complaint, a copy of which is attached, having been made accusing the defendant of committing the crime(s) of:

<u>THE CRIME(S) OF:</u>	<u>DATE OF VIOLATION:</u>	<u>CONTRARY TO WIS. STATUTE(S):</u>
Theft - Business Setting (> \$5000 - \$10,000)	on and between May 29, 2007 and April 29, 2008	943.20(1)(b) and (3)(bm)

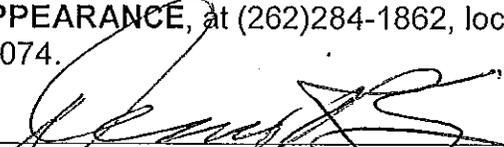
The original of such complaint has been filed in the office of the Clerk of Courts for Ozaukee County.

You, the defendant are therefore summoned to appear before the Circuit Court on the date and time indicated on the attached Notice of Hearing

(SEE NOTICE OF HEARING ATTACHED)

In case of your failure to appear, a warrant for your arrest may be issued.

This is a criminal case which can affect your rights and your liberty. You should strongly consider consulting with an attorney. If you believe you cannot afford an attorney, you should contact the Public Defender's Office, at least one week PRIOR TO YOUR COURT APPEARANCE, at (262)284-1862, located at 1032 S. Spring Street, Port Washington, WI 53074.



DENNIS R. KRUEGER (State Bar #1009923)
Assistant Attorney General
Special Prosecutor for Ozaukee County
Wisconsin Department of Justice
17 West Main Street, Post Office Box 7857
Madison, Wisconsin 53707-7857
(608) 261-8116

State of Wisconsin vs. Dean W Roberts

Notice of Hearing

Case No. 2010CF000166
DA Case No. 2010OZ001012DEAN W ROBERTS
W67 N384 GRANT AVENUE
CEDARBURG WI 53012This case is scheduled for: **Initial appearance**

Date 08-25-2010	Time 08:30 am	Location (Include Room Number) Room 228 1201 S Spring St PO Box 994 Port Washington WI 53074
Court Official Sandy A Williams, Judge		
Re 1 - Theft-Business Setting >\$5000-\$10,000		

This matter will not be adjourned by the court except upon formal motion for good cause or with the specific approval of the court upon stipulation by all parties.

If you require reasonable accommodations due to a disability, in order to participate in the court process, please call 262-284-8409 at least 10 working days prior to the scheduled court date. Please note that the court does not provide transportation.

Ozaukee County Circuit Court
Date: July 28, 2010

Distribution:

Court Original
John B Van Hollen
Dean W Roberts