Tim Pawlenty Majority Leader

District 38B Dakota County



Minnesota House of Representatives

COMMITTEES: CHAIR, RULES AND LEGISLATIVE ADMINISTRATION

March 6, 2000

Speaker Steve Sviggum State Office Building 100 Constitution Ave. St. Paul, MN 55155

Dear Speaker Sviggum:

By this letter, and pursuant to Permanent Rules of the House 6.10, we are formally requesting the House Committee on Ethics convene for the purpose of investigating the following conduct of Representative Jim Rostberg.

- 1.) On Thursday, March 2, 2000, Rep. Rostberg was arrested in the State Capitol by Anoka County Sheriff deputies for suspicion of criminal sexual conduct.
- 2.) On Friday, March 3, 2000, Rep. Rostberg was charged with one count of felony criminal sexual conduct in the first degree and two counts of felony criminal sexual conduct in the second degree.

We swear the statements here to be true, to the best of our knowledge, so help us God.

We submit as evidence to support this complaint, the criminal Complaint filed in Isanti County on March 3, 2000. References to information which would identify the alleged victim have been blacked out. We will forward an unredacted version to you upon request. Also, a signed copy of the Complaint will be forwarded as soon as it becomes available.

Sincerely,

Representative Tim Pawlenty

Representative Matt Entenza

Matt &

CC: Representative Jim Rostberg

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1	609 342 Subd (a) and Subd 2	L1121	N	1	00-240	MN03000	00	00-2027
2	609 343 Suod (a)	L3121	N	-	COURT CASE NO			HILED
3	609 343 Subd (h) (iii)	L3823	N	-			,	
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	State of Minnesot	d LAINTIFF.			☐ GROSS MISDEMI☐ GROSS MISDEMI		(A) ()R	DER OF DETENTI
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N.	AME: first, middle, last				Date of Birth	SJIS	СОМР	LAINT NUMBER
	mes Ivar Rostberg			-				_ ,
1	6450 Terrace Drive NE				05/28/1956	1 1	30-11	-5-005486
"	santi. MN 55040	DEFEN	NDANT.		<u> </u>	J L		
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		<u> </u>		_	LAINT			
	The Complainant, being duly sworn, make	s Complaint	to the al	bov	e-named Cou rt and s	tates that there	e is pro	bable cause
	to believe that the defendant committed the PROBABLE CAUSE:	e Jouowing a	offense(s)). /	he Complainant state	es that the foll	owing.	facts establish
	Your complainant, Rob Bre	dsten,	is an	. I	investigator	with the	Anc	oka County
	Sheriff's Department acti							
	investigator for the Isan							
	above-referenced matter. review the investigative							
	Chief Deputy Sheriff Mich							
	interviews taken by Anoka							
	Sommer with several juven	iles, i	nclud	lir	ng the juveni	le femal	.e	
	complainant,					and a	l	
	transcription of a teleph	one int	ervie	W	between Inve	stigator	Sor	nmer and
	the defendant's wife, Kat							
	complainant has learned t					are true	e and	i correct
	to the best of his knowle	euge and	ı bell	.e	.			
	On March 2, 2000, Investi	gator F	Rob Br	-60	dsten of the	Anoka Co	ount	v
	Sheriff's Department, alo							
	County Sheriff's Departme	ent, wer	ce ass	si	gned by Anoka	a County	She	riff's
	Department Captain Len Ch	irist to	o inve	25	tigate a crim	ninal sea	kual	conduct
	complaint regarding the j	juvenile	e fema	al	e			
	The juvenile finad disclosed that she had	d been	SOVII	- I	ly assaulted			 ,
: 	had disclosed that she had	D. ider	ntifie	- d	as James Iv	ar Rosth	era.	The
	incident was reported to							
ļ	the jurisdiction of where	e the co	onduct	t	took place, I	but due	to J	ames Ivar
!	Rostberg being an employe							
į	Sheriff's Department requ	uested '	the A	no	ka County Sh	eriff's	Depa	rtment
	investigate the case as sonflict. Captain Christ	special r infor	TUVE:	らて	estigators S	co a pot	enti d p-	al
Í	that the juvenile female	1111011	meu I	٧	escryators s	Olinier all	u 51	edsten , had
	apparently sent an e-mail	l to fr	iends	-	his past wee	kend ind	icat	
	she had been suffering for	rom ano	rexia	b	ecause someo	ne close	to	ner had
	sexually abused her. The	e juven	ile f	em	ale Common and the co			
	, then reported	to some	frie	no	is that the p	erson wh	o se	Mually

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SJIS COMPLAINT NUMBER(S)

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abused her was Captain Christ requested that Investigators Bredsten and Sommer, along with Lt. Dave King, respond to the Isanti County Sheriff's Department to meet with Chief Deputy Isanti County Sheriff Michael Lewis for more information.
On the morning of March 2, 2000, Investigators Sommer, Bredsten and Lt. King met with Chief Deputy Lewis who provided a copy of the report he had written regarding the matter, along with copies of the e-mails that were sent by the juvenile female
to her friends. Chief Deputy Lewis informed Investigators Bredsten, Sommer and Lt. King that he had learned that on February 26, 2000, the juvenile female disclosed at a function of St. Elizabeth's Catholic Church in Isanti,
James Rostberg, who had touched her. Chief Deputy Lewis provided information that the juvenile female had disclosed the information to other people as well. After receiving this information, it was determined that
Investigator Sommer would respond to the Isanti Middle School to interview the juvenile female Investigator Sommer met with the juvenile female at the Isanti Middle School who stated that the
juvenile female disclosed to him that she had been sexually touched by James Ivar Rostberg, several times in the past. The juvenile female stated that the first incident
occurred when she was in third grade, The juvenile female Stated that when she was in the third grade, James Ivar Rostberg, touched her on the vaginal area over her clothing. She reported to Investigator Sommer
there were several other incidents after that, with the last incident occurring approximately one year ago, during the 1998-1999 school year. In the final incident that occurred last year,
school year, the juvenile female James Ivar Rostberg, put his hand up her shirt, then inside of her bra where he touched her on her breasts. The juvenile female
stated that she confronted about what had happened during the school year, and that application applied for what he had done. Investigator Sommer learned of several other students at the leant. Middle Concol to whom the juvenile female
had mistlised what happened, and statements were taken

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by Investigators Bredsten and Sommer of these several juveniles.
In a statement with a juvenile male, Investigator Bredsten learned that the juvenile female told this juvenile male , approximately two months ago, that she had been sexually touched and that began touching her when she was approximately six years old, and touching her approximately once a year up until she was in the seventh grade. According to this invenile male, the juvenile female disclosed that bouched her on her breasts and vaginal area with his hands, and that the juvenile female talked to about what had happened, and that
he said he was sorry, and not to tell anyone. She also indicated to this juvenile male that she was afraid of because he might try to touch her again. This juvenile male stated that he encouraged the juvenile female to report to someone what was happening, and she then e-mailed friends about what happened.
Investigator Sommer also conducted interviews at the Isanti Middle School speaking to three friends of the juvenile female who all corroborated the information that had been previously given to Investigator Sommer by the juvenile female
On March 2, 2000, at approximately 1:45 p.m., a telephone call took place between Investigator Sommer and Kathy Rostberg, the wife of James
During this telephone conversation, Investigator Sommer asked Kathy Rostberg if she was aware of the statements made by to which Kathy Rostberg responded yes. When asked when she became aware of them by Investigator Sommer, Kathy Rostberg stated they talked about it a couple of months ago, and they confronted her husband about it. She stated they talked about it, and it just wasn't any big deal at the time, and she did not know how badly it was affecting until the whole situation had been explained to her just now. Kathy Rostberg stated that the juvenile female told her a couple of months ago that her husband, referring to James Ivar Rostberg, the nuscand of Kathy Rostberg, had touched the breasts of the juvenile
Kathy Rostberg stated about that, and when she asked

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him about it, he didn't deny it, and said, "he didn't, he felt bad, it was just stupid, but it just happened." Kathy Rostberg also stated that James Ivar Rostberg apologized to the juvenile female about the incident which occurred at the Rostberg home in the County of Isanti, State of Minnesota.

James Ivar Rostberg's date of birth is May 28, 1956. The juvenile female's date of birth and was under thirteen years of age when the incidents took place from approximately January 1, 1994, through June 30, 1999. James Ivar Rostberg also has a significant relationship to the juvenile female

in that he and and based upon the time period of January 1, 1994. through June 30, 1999, the sexual abuse involved multiple acts committed over this extended period of time.

The above incident occurred within the County of Isanti, State of Minnesota.

----- CHARGE(S) -----

Count : 1

Charge : Felony Criminal Sexual Conduct in the First Degree.

In Violation Of: 609.342 Subd. 1(a) and Subd. 2.

Maximum Penalty: A \$40,000 fine or 30 years imprisonment, or both.

Between January 1, 1994, and June 30, 1999, the above-named defendant, within the County of Isanti, did engage in sexual contact with a person under 13 years of age with the defendant being more than 36 months older than the complainant.

Count : 2

Charge : Felony Criminal Sexual Conduct in the Second

Degree.

In Violation Of: 609.343 Subd. 1(a)

Maximum Penalty: A \$35,000 fine, or 25 years imprisonment, or both.

Between January 1, 1994 through June 30, 1999, the above-named defendant, within the County of Isanti, did engage in sexual contact with another person who was under the age of 13 years with the defendant being more than 36 months older than the complainant.

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Count	: 3			
Charge In Violat	: Felo Degraion Of: 609.	ee. 343 Subd. 1	(h) (ii	Conduct in the Second i) years imprisonment, or both.
Isanti, tanother pomplaina contact,	he above-nam erson while int who was u	ed defendan having a sic nder 16 yea: al abuse in	t did e gnifica rs of a	e 30, 1999, within the County of ngage in sexual contact with nt relationship to the ge at the time of the sexual multiple acts committed over an
(1) arrest (2) detain		steps be taken to ob dv. pending further p	otain defende proceedings;	il or conditions of release be: ant's appearance in court; or

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1112222 100573

DATE

NAME THAT

03/03/2000

PROSECUTING AFTORNEY:

List Charge Statute Only

ADDRESS/TELEPHONE

PROSECUTING ATTORNEY'S SIGNATURE.

	dersigned this day of
NAME: Jeffrey R. Edblad	SIGNATURE:
TITLE: Notary	
FINDING O	F PROBABLE CAUSE
that probable cause exists to support, subject to bail or condit	supplemental sworn testimony, I, the Issuing Officer, have determined tions of release where applicable. Defendant(s) arrest or other lawing Defendant(s) detention, if already in custody, pending further above stated offense.
	SUMMONS
day of . 19 at before to answer this	DANT(S), ARE HERE BY SUMMONED to appear on the re the above-named court at is complaint. IONS, a WARRANT FOR YOUR ARREST shall be issued.
	WARRANT
	ONLY IN MINNESOTA
the State of Minnesota, that the above-named Defendant's be a above-named Court (if in session, and if not, before a Judge of	on authorized to execute this WARRANT: I hereby order, in the name of apprehended and arrested without delay and brought promptly before the r Judicial Officer of such Court without unnecessary delay, and in any after as Judge or Judicial Officer is available) to be dealt with according
	R OF DETENTION
Since the above-named Defendant(s) is are already in a above-named Defendant(s) continue to be detained pending f Bail.	custody; I hereby order; subject to bail or conditions of release, that the further proceedings.
Conditions of Release:	
	and sworn to, is issued by the undersigned Judicial Officer this
This Complaint - Order of Detention duly subscribed	and sworn to, is issued by the undersigned Judicial Officer this SIGNATURE:
This Complaint - Order of Detention duly subscribed day of NAME:	
This Complaint - Order of Detention duly subscribed day of	SIGNATURE:
This Complaint - Order of Detention duly subscribed day of	SIGNATURE:
This Complaint - Order of Detention duly subscribed day of	SIGNATURE:
This Complaint - Order of Detention duly subscribed day of	SIGNATURE:
This Complaint - Order of Detention duly subscribed day of NAME: TITLE: Judge of District Court Sworn testimony has been given before the Judicial Officer by	SIGNATURE: y the following witnesses:
This Complaint - Order of Detention duly subscribed day of NAME: TITLE: Judge of District Court Sworn testimony has been given before the Judicial Officer by STATE OF MINNESOTA COUNTY of Isanti	SIGNATURE: y the following witnesses:
This Complaint - Order of Detention duly subscribed day of NAME: TITLE: Judge of District Court Sworn testimony has been given before the Judicial Officer by STATE OF MINNESOTA COUNTY of	SIGNATURE: y the following witnesses:
This Complaint - Order of Detention duly subscribed day of NAME: TITLE: Judge of District Court Sworn testimony has been given before the Judicial Officer by STATE OF MINNESOTA COUNTY of Isanti State of Minnesota	SIGNATURE: y the following witnesses: Clerk's Signature or File Stamp: RETURN OF SERVICE I hereby Certify and Return that I have served a copy of this
This Complaint - Order of Detention duly subscribed day of NAME: TITLE: Judge of District Court Sworn testimony has been given before the Judicial Officer by STATE OF MINNESOTA COUNTY of Isanti State of Minnesota Plaintiff,	SIGNATURE: y the following witnesses: Clerk's Signature or File Stamp: RETURN OF SERVICE

STATE	OF	MIN	NESO	TA
COUNT	YC	F IS	ANTI	

JAMES ROSTBERG

DISTRICT COURT TENTH JUDICIAL DISTRICT

State of Minnesota -vs	JAMES KUSTBERG		File No.	A9-00-304
NOT	ICE OF NEXT COURT	APPEARANCE AN	D RELEASE ORDER	1
The above matter is scheduled for:				☐ Domestic Assault
Rule 8 Hearing	💢 Omnibus He	aring	☐ Pre-Inal	
Omnibus (Contested)	Court Trial		☐ Jury Tnal	
Sentencing	[] Revocation I		☐ Other	
All hearings are allotted no more than	n 10 minutes each unless th	e court is otherwise notific	ed.)	
n 7, Pay/Date <u>MARCH</u> ■, 200	00		Judge	
,				
Posting a Bond or cash in the amount of Defendant's own recognizance with All past conditions previously set to	h a promise to appear for al	NT SHALL BE RELEAS (L'/C(L') I future coort appearance:	SED UPON. LEILLICIC S.	156,66C
THE DEFENDANT SHALL REMA The Defendant shall not possess	or consume alcoholic bevera	iges or any mood altering	drugs not prescribed by a	
The Defendant shall not leave the	state of Minnesota without	prior approval of the Cour	· · · · · · · · · · · · · · · · · · ·	
The Defendant shall have no cont		Victim 12	tankety.	
This includes personal and teleph		and/or third party contact	; /	•
The Defendant shall keep in conta			1	
Private attorney hired. Name a	ind address:		(61.	
Public defender appointed. Na	me and address	1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	F 18	
1 1 1 1 1 1 1 1		CHISCHEN		10
	MILLIAMAREA	To allen	el gloure	67 1.60
Defendant's registration plates ar	e hereby impounded.	Hillings 11.	Muritles ,	REUEST 47 241
Defendant shall abstain from cons				
Sheriff's Office as requested by a	DOMESTIC ASSAULT CA		G SHALL ALSO APPL	te procto
☐ The Defendant is excluded from t	the residence at	may obtain necess	al messesime il ammos	nied by a law enforcement officer
The Defendant shar keep a copy	of this Release Order on hi			/
Other:	100	1 1 1		
	100	CMO 12	(MITH	
Dated:		Junge of District Court,	Will fig	
//		/ Supple of Dissilat County	' //	
MY SIGNATURE ACKNOWLEDGES ORDER. I UNDERSTAND THAT A FORFEITURE OF BAIL, AND MAY	I VIOLATION OF THIS ORI	DER IS A CONTEMPT O	OF COURT AND WILL BE	D CONDITIONS OF THE COURT CAUSE FOR ARREST AND/OF
Dated:		Perendant's Signature		they
				
Pursuant to M.S. 629.72, subd. 6, a and location is listed above. The loc	and M.S. 629.73, subd. 1, yo	of the battered women's	sent at all hearings if you o	
ie		Ine i	ocation and telephone nur	nber of the sexual assault program
TO BE COMPLETED BY JAIL:				
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Number of attempts for notification	of victim	Officer:		- 00 00 XVI
Alleged victim notified by mail?	No 🖸 Yes Date:		-	TO THE MAN TO SERVICE
DISTRIBUTION				11/2/2/100
White-Court File		Com to	r alleged victim	
			r local law enforcement	C
Green-Copy for Sheriff			- rocar law enforcement	
Yellow-Defense Attorney		Oliver		134
Pink-Prosecutor				F 5 () ()

_ Goldenrod-Defendent or Probation Office