

**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,

A handwritten signature in black ink, appearing to be "T. Pawlenty", written over a horizontal line.

Representative Tim Pawlenty

A handwritten signature in black ink, appearing to be "Matt Entenza", written over a horizontal line.

Representative Matt Entenza

CC: Representative Jim Rostberg



CHARGE	Discharge Statute Only	MOC	GOC
1	609.342 Subd. 1(a) and Subd. 2	L1121	N
2	609.343 Subd. 1(a)	L3121	N
3	609.343 Subd. 1(h) (iii)	L3823	N

CITY/STATE FILE NO	CONTROLLING AGENCY	CONTROL NO
00-240	MN0300000	00-2027
COURT CASE NO		DATE FILED

☐ Amended ☐ Tab Charge Previously Filed

☒ Misdemeanor/Criminal Charge ☒ Domestic Assault

**State of Minnesota**  
PLAINTIFF.

NAME: first, middle, last  
James Ivar Rostberg  
26450 Terrace Drive NE  
Isanti, MN 55040

DEFENDANT.

Date of Birth

05/28/1956

SJIS COMPLAINT NUMBER

30-11-5-005486

### COMPLAINT

*The Complainant, being duly sworn, makes Complaint to the above-named Court and states that there is probable cause to believe that the defendant committed the following offense(s). The Complainant states that the following facts establish PROBABLE CAUSE:*

Your complainant, Rob Bredsten, is an Investigator with the Anoka County Sheriff's Department acting as a specially assigned conflict investigator for the Isanti County Sheriff's Department in the above-referenced matter. In that capacity, he has had the opportunity to review the investigative reports prepared by himself, Isanti County Chief Deputy Sheriff Michael Lewis, as well as transcriptions of several interviews taken by Anoka County Sheriff's Department Investigator Paul Sommer with several juveniles, including the juvenile female complainant, [REDACTED] and a transcription of a telephone interview between Investigator Sommer and the defendant's wife, Kathy Rostberg. From these documents, your complainant has learned the following facts, which are true and correct to the best of his knowledge and belief.

On March 2, 2000, Investigator Rob Bredsten of the Anoka County Sheriff's Department, along with Investigator Paul Sommer of the Anoka County Sheriff's Department, were assigned by Anoka County Sheriff's Department Captain Len Christ to investigate a criminal sexual conduct complaint regarding the juvenile female [REDACTED]

The juvenile female [REDACTED] had disclosed that she had been sexually assaulted [REDACTED], identified as James Ivar Rostberg. The incident was reported to the Isanti County Sheriff's Department which is the jurisdiction of where the conduct took place, but due to James Ivar Rostberg being an employee of the County of Isanti, the Isanti County Sheriff's Department requested the Anoka County Sheriff's Department investigate the case as special investigators due to a potential conflict. Captain Christ informed Investigators Sommer and Bredsten that the juvenile female [REDACTED], had apparently sent an e-mail to friends this past weekend indicating that she had been suffering from anorexia because someone close to her had sexually abused her. The juvenile female [REDACTED], then reported to some friends that the person who sexually





CCF	List Charge Statute Only	MOC	GOC

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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 [REDACTED], 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 [REDACTED], 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 [REDACTED] in that he [REDACTED] 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.

CCF	List Charge Statute Only	MOC	GOC

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Count : 3  
Charge : Felony Criminal Sexual Conduct in the Second Degree.  
In Violation Of: 609.343 Subd. 1(h) (iii)  
Maximum Penalty: A \$35,000.00 fine, 25 years imprisonment, or both.

On or about January 1, 1994 through June 30, 1999, within the County of Isanti, the above-named defendant did engage in sexual contact with another person while having a significant relationship to the complainant who was under 16 years of age at the time of the sexual contact, and the sexual abuse involved multiple acts committed over an extended period of time.

*THEREFORE, Complainant requests that said Defendant, subject to bail or conditions of release be:*  
*(1) arrested or that other lawful steps be taken to obtain defendant's appearance in court; or*  
*(2) detained, if already in custody, pending further proceedings;*  
*and that said Defendant otherwise be dealt with according to law.*

COMPLAINANT'S NAME:

Anoka Investigator Rob Bredsten

COMPLAINANT'S SIGNATURE:

*Being duly authorized to prosecute the offense(s) charged, I hereby approve this Complaint.*

DATE

03/03/2000

PROSECUTING ATTORNEY'S SIGNATURE:

PROSECUTING ATTORNEY:

NAME TITLE

ADDRESS/TELEPHONE

30-11-5-005486

555 - 18th Ave. SW. Cambridge, MN 55008 (612)689-2253

NAME: Jeffrey R. Edblad

SIGNATURE:

TITLE: Notary

## FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant(s) arrest or other lawful steps be taken to obtain Defendant(s) appearance in Court, or Defendant(s) detention, if already in custody, pending further proceedings. The Defendant(s) is/are thereof charged with the above stated offense.

## SUMMONS

☐ THEREFORE, You, THE ABOVE-NAMED DEFENDANT(S), ARE HERE BY SUMMONED to appear on the  day of  19  at  before the above-named court at  to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

## WARRANT

☐ EXECUTE ONLY IN MINNESOTA

☐ To the sheriff of the above-named county; or other person authorized to execute this WARRANT; I hereby order, in the name of the State of Minnesota, that the above-named Defendant(s) be apprehended and arrested without delay and brought promptly before the above-named Court (if in session, and if not, before a Judge or Judicial Officer of such Court without unnecessary delay, and in any event, not later than 36 hours after the arrest or as soon thereafter as Judge or Judicial Officer is available) to be dealt with according to law.

## ORDER OF DETENTION

☒ Since the above-named Defendant(s) is/are already in custody; I hereby order; subject to bail or conditions of release, that the above-named Defendant(s) continue to be detained pending further proceedings.

Bail:

Conditions of Release:

This Complaint - Order of Detention  
day of

duly subscribed and sworn to, is issued by the undersigned Judicial Officer this

NAME:

SIGNATURE:

TITLE: Judge of District Court

Sworn testimony has been given before the Judicial Officer by the following witnesses:

STATE OF MINNESOTA COUNTY of

Isanti

State of Minnesota

Plaintiff,

vs.

James Ivar Rostberg

Defendant(s).

Clerk's Signature or File Stamp:

## RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this COMPLAINT-Order of Detention upon the Defendant(s) herein-named.

Signature of Authorized Agent:

NOTICE OF NEXT COURT APPEARANCE AND RELEASE ORDER

The above matter is scheduled for:

- ☐ Rule 8 Hearing  
☐ Omnibus (Contested)  
☐ Sentencing

- ☒ Omnibus Hearing  
☐ Court Trial  
☐ Revocation Hearing

- ☐ Pre-Trial  
☐ Jury Trial  
☐ Other

☐ Domestic Assault

(All hearings are allotted no more than 10 minutes each unless the court is otherwise notified.)

on

Day/Date 17,  
MARCH, 2000

Time 1:30

Judge \_\_\_\_\_

THE DEFENDANT SHALL BE RELEASED UPON:

- ☒ Posting a Bond or cash in the amount of \$ 25,000 without conditions \$50,000  
☐ Defendant's own recognizance with a promise to appear for all future court appearances.  
☐ All past conditions previously set by the Court.

THE DEFENDANT SHALL REMAIN LAW-ABIDING, REAPPEAR FOR ALL COURT HEARINGS AND SUBJECT TO THE FOLLOWING:

- ☐ The Defendant shall not possess or consume alcoholic beverages or any mood altering drugs not prescribed by a licensed physician.  
☐ The Defendant shall not leave the state of Minnesota without prior approval of the Court.  
☐ \_\_\_\_\_  
☒ The Defendant shall have no contact, direct or indirect, with VICTIM & family  
This includes personal and telephone contact, letters or notes and/or third party contact.  
☐ The Defendant shall keep in contact with attorney  
☐ Private attorney hired. Name and address: \_\_\_\_\_  
☐ Public defender appointed. Name and address: \_\_\_\_\_  
☒ Other: may be arraigned at criminal house of Rep.  
☒ Defendant's registration plates are hereby impounded. Meeting written request of 24hr  
☐ \_\_\_\_\_  
☐ Defendant shall abstain from consumption of alcohol and controlled substances and shall submit to random, weekly alcohol tests or analysis at the Sheriff's Office as requested by any peace officer, probation officer or prosecutor. to the victim

IN DOMESTIC ASSAULT CASES THE FOLLOWING SHALL ALSO APPLY:

- ☐ The Defendant is excluded from the residence at \_\_\_\_\_  
☐ \_\_\_\_\_ may obtain personal possessions if accompanied by a law enforcement officer.  
☐ The Defendant shall keep a copy of this Release Order on his/her person.  
☐ Other: \_\_\_\_\_

Dated: 3/3/00

Jim R. Chaff  
Judge of District Court,

MY SIGNATURE ACKNOWLEDGES THAT I HAVE READ THE FOREGOING AND UNDERSTAND THE TERMS AND CONDITIONS OF THE COURT ORDER. I UNDERSTAND THAT A VIOLATION OF THIS ORDER IS A CONTEMPT OF COURT AND WILL BE CAUSE FOR ARREST AND/OR FORFEITURE OF BAIL, AND MAY ALSO CONSTITUTE A CRIMINAL OFFENSE PURSUANT TO M.S. 609.49.

Dated: \_\_\_\_\_

James Rostberg  
Defendant's Signature

NOTICE TO ALLEGED VICTIM

Pursuant to M.S. 629.72, subd. 6, and M.S. 629.73, subd. 1, you have a right to be present at all hearings if you desire. The next hearing date, time and location is listed above. The location and telephone number of the battered women's program is: \_\_\_\_\_

\_\_\_\_\_ The location and telephone number of the sexual assault program is \_\_\_\_\_

TO BE COMPLETED BY JAIL:

Alleged victim notified by phone? ☐ No ☐ Yes, at \_\_\_\_\_m

Number of attempts for notification of victim \_\_\_\_\_ Officer: \_\_\_\_\_

Alleged victim notified by mail? ☐ No ☐ Yes Date: \_\_\_\_\_

DISTRIBUTION

- \_\_\_\_\_ White-Court File  
\_\_\_\_\_ Green-Copy for Sheriff  
\_\_\_\_\_ Yellow-Defense Attorney  
\_\_\_\_\_ Pink-Prosecutor  
\_\_\_\_\_ Goldenrod-Defendant or Probation Office

- \_\_\_\_\_ Copy for alleged victim  
\_\_\_\_\_ Copy for local law enforcement  
\_\_\_\_\_ Other \_\_\_\_\_

FILED  
3/3/00