

STATE OF MINNESOTA  
HOUSE OF REPRESENTATIVES

THIRD MEETING  
EIGHTY-FIRST SESSION

ETHICS COMMITTEE

MINUTES

Representative Elaine Harder, Chair of the Ethics Committee, reconvened the executive session at 8:09 a.m. on Friday, March 24, 2000, in Room 10 of the State Office Building.

The Clerk noted the roll.

Members present:

HARDER, Elaine, Chair  
MILBERT, Bob, Co Chair  
DAVIDS, Greg  
MURPHY, Mary

RHODES, Jim, Alternate  
WAGENIUS, Jean, Alternate

Members excused:

A quorum was present.

Rep. Harder adjourned the executive session at 8:10 a.m.

Rep. Harder called the fourth meeting of the Ethics committee at 8:11 a.m.

Rep. Milbert moved approval of the minutes from 3/20/00 - 3/21/00.

Rep. Davids moved to amend minutes as follows:

Pg 2, Ln 3, Delete "David's", insert "Davids".

**THE MOTION PREVAILED.** The minutes are adopted as amended.

Rep. Pawlenty and Rep. Entenza testify regarding ethics complaint against Rep. Rostberg.

Rep. Harder and Milbert moved DMETHICS2. **THE MOTION PREVAILED.**

Rep. Harder reads Report of Committee regarding ethics complaint against Rep. Lindner.

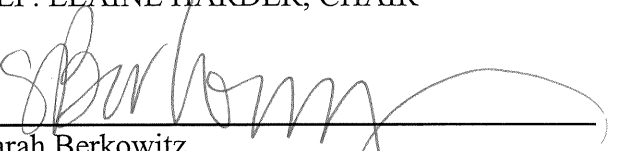
Rep Harder moved adoption of Committee Report. **THE MOTION PREVAILED.** The Committee Report is adopted.

Rep. Entenza comments on the Committee Report.

Rep. Lindner comments on the Committee Report.

The meeting was adjourned at 8:24 a.m.

  
\_\_\_\_\_  
REP. ELAINE HARDER, CHAIR

  
\_\_\_\_\_  
Sarah Berkowitz  
Committee Legislative Assistant

# HOUSE COMMITTEE TAPE LOG

TAPE: 1

COMMITTEE: Ethics

START TIME: 8:00

DIVISION/SUBC: \_\_\_\_\_

CHAIR: Rep Harder

SIDE: A

PAGE: 1

DATE: 3/24/00

## REVOLUTIONS:

00 00

00 20

01 00

02 00

04 45

05 63

06 35

06 60

06 45

07 00

08 24

09 50

09 43

10 05

10 50

11 08

11 22

## LOG:

Call to Order

approval of minutes

consideration of Rostberg complaint

Rep. Pawlenty

" Entenza

" Harder

motion moved to lay over Rostberg complaint to await criminal proceedings

motion approved

Lindner complaint

Rep. Harder

reading of findings of Ethics committee Rep. Harder

findings moved

findings approved

Rep. Entenza

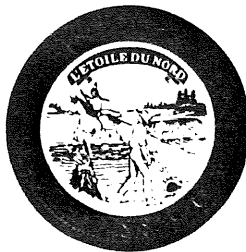
" Lindner

" Harder

adjournment

**Steven Sviggum**  
Speaker of the House

District 28B  
Dodge, Goodhue, Olmsted,  
Steele and Waseca Counties



# Minnesota House of Representatives

March 7, 2000

Rep. Elaine Harder  
Chair, Ethics Committee  
487 State Office Building  
100 Constitution Avenue  
St. Paul, MN 55155

Dear Rep. Harder:

A complaint regarding the conduct of Rep. Jim Rostberg was submitted to my office yesterday, March 6, 2000. Pursuant to House Rule 6.10, I am referring the complaint to you as chair of the Ethics Committee for processing by the committee according to its rules of procedure.

Your charge is to investigate probable cause and make recommendations concerning possible disciplinary action. I have every confidence that you and the members of your committee will discharge your duties with regard to timely disposition of this complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Sviggum". The signature is written in a cursive, flowing style.

Steve Sviggum  
Speaker of the House



**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	CHARGE Statute Only	MOC	GOX
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

☒ Felony Charge Statute Only ☒ Domestic Assault

**State of Minnesota**

PLAINTIFF.

NAME: first, middle, last

James Ivar Rostberg  
26450 Terrace Drive NE  
Isanti, MN 55040

DEFENDANT.

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

☐ Amended

☐ Tab Charge Previously Filed

☐ SERIOUS FELONY

☒ FELONY

☐ GROSS MISDEMEANOR DWI

☐ GROSS MISDEMEANOR

☐ SUMMONS

☐ WARRANT

☒ ORDER OF DETENTION

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



[illegible]

CCF	List Charge Statute Only	MOC	GOC

PAGE 4 OF 6

SJIS COMPLAINT NUMBER(S)

30-11-5-005486

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

PAGE **5** OF **6**

SJIS COMPLAINT NUMBER(S)

30-11-5-005486

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

30-11-5-005486 Attorney 198572

ADDRESS/TELEPHONE

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

This COMPLAINT was subscribed and sworn to before the undersigned this  day of

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 law enforcement 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 17,

Day/Date MARCH, 2000

Time 1:30

Judge \_\_\_\_\_

THE DEFENDANT SHALL BE RELEASED UPON

- ☒ Posting a Bond or cash in the amount of \$ 25,000 W/OUT 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 paroled to a halfway house of Rep.  
☐ Defendant's registration plates are hereby impounded. Meeting w/ written request of 2/2/00  
☐ Defendant shall abstain from consumption of alcohol and controlled substances and shall submit to random, weekly alcohol tests or breathalysers at Sheriff's Office as requested by any peace officer, probation officer or prosecutor. to the King

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-Defendent or Probation Office

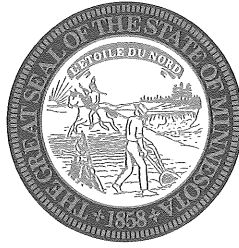
\_\_\_\_\_ Copy for alleged victim  
\_\_\_\_\_ Copy for local law enforcement  
\_\_\_\_\_ Other \_\_\_\_\_

FILED  
3/3/00

**Elaine Harder**

**State Representative District 22B**

Assistant Majority Leader  
Brown, Cottonwood, Jackson, Martin,  
Redwood and Watonwan Counties



# Minnesota House of Representatives

**ETHICS: CHAIR**

**COMMITTEES:** AGRICULTURE AND RURAL DEVELOPMENT, AGRICULTURE AND RURAL  
DEVELOPMENT FINANCE, TAXES AND PROPERTY TAX DIVISION

March 23, 2000

Representative Jim Rostberg  
545 S.O.B.  
100 Constitution Ave.  
St. Paul, MN 55155

Dear Representative Rostberg:

This letter is to confirm your availability and intent to attend the House Ethics Committee hearing, Friday, March 24, 2000, 8 to 9 a.m., room 10 State Office Building. The agenda will be to consider the ethics complaint filed by Representatives Pawlenty and Entenza. The agenda will be provided to you today.

I would appreciate your response to confirm that this arrangement is satisfactory. If you have any immediate questions, please do not hesitate to contact me. Thank you.

Sincerely,

  
Representative Elaine Harder  
Chair, Ethics Committee

~~I confirm that I plan to attend the House Ethics Committee hearing Friday, March 24, 2000, in room 10 of the State Office Building, from 8 to 9 a.m.~~ I have received notice of this Ethics Committee hearing but have been informed that I do not need to attend.  
Signed this day, March 23, 2000

  
Representative Jim Rostberg

*Please promptly remit to Representative Elaine Harder, 487 SOB. Thank you.*



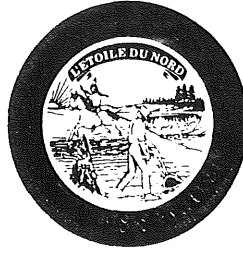
MAR 07 2000

**Steven Sviggum**

**Speaker of the House**

District 28B

Dodge, Goodhue, Olmsted,  
Steele and Waseca Counties



# Minnesota House of Representatives

March 7, 2000

Rep. Elaine Harder  
Chair, Ethics Committee  
487 State Office Building  
100 Constitution Avenue  
St. Paul, MN 55155

Dear Rep. Harder:

A complaint regarding the conduct of Rep. Jim Rostberg was submitted to my office yesterday, March 6, 2000. Pursuant to House Rule 6.10, I am referring the complaint to you as chair of the Ethics Committee for processing by the committee according to its rules of procedure.

Your charge is to investigate probable cause and make recommendations concerning possible disciplinary action. I have every confidence that you and the members of your committee will discharge your duties with regard to timely disposition of this complaint.

Sincerely,

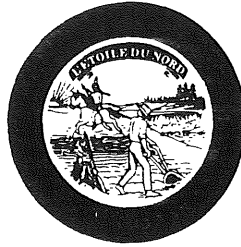
A handwritten signature in cursive script, reading "Steve Sviggum".

Steve Sviggum  
Speaker of the House



**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



CHG	First Charge 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/VTY FILE NO 00-240	CONTROLLING AGENCY MN0300000	CONTROL NO 00-2027
COURT CASE NO		DATE FILED

☐ Amended ☐ Tab Charge Previously Filed

☒ Indictment Count(s) Attached ☐ 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

PAGE 5 OF 6

SJIS COMPLAINT NUMBER(S)

30-11-5-005486

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 Attorney 198572

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 MARCH 17, 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: Not in presence of court on 3/18  
☒ Defendant's registration plates are hereby impounded. may be impounded by court  
☐ Defendant shall abstain from consumption of alcohol and controlled substances and shall submit to random, weekly alcohol tests or breathalyzer tests at Sheriff's Office as requested by any peace officer, probation officer or prosecutor. Meeting w/ written request of 24 hr to the court

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

James R. Ostberg  
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 R. Ostberg  
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**

1 *Harder & Milbent* moves pursuant to Rule 6 of the Rules of  
2 Procedure for the House Committee on Ethics that proceedings on  
3 the ethics complaint received by the committee on March 6, 2000,  
4 against Representative Jim Rostberg be deferred until the  
5 completion of ongoing criminal proceedings related to the  
6 conduct named in the ethics complaint.

ST 110

8-5.00 The count was dismissed; the case moved to juvenile court as he admitted to "elements" of the charge. 245

## Sex charge against legislator resolved

By David Chanen and Bill McAuliffe  
Star Tribune Staff Writers

The single remaining criminal sexual conduct charge against state Rep. Jim Rostberg, R-Isanti, was dismissed Friday, and the case has been resolved in juvenile court.

Rostberg had to admit to the "elements" of the charge under the arrangement, but because juvenile court proceedings are closed, specific pleas or penalties will not be made public.

Rostberg, 44, was charged in March with three counts of criminal sexual conduct alleging that he had

fondled a juvenile girl's genitals and breasts several years ago. One of the counts alleged first-degree criminal sexual conduct. The other two counts alleged second-degree criminal sexual conduct. All three counts are felonies.

Rostberg was arrested at the Capitol. The charges were later scaled back to a single count of second-degree criminal sexual conduct.

### ROSTBERG continues on A16:

— The dismissal motion says that the victim requested the move to juvenile court.



Rep. Jim Rostberg had faced a count of second-degree criminal sexual conduct.

### ROSTBERG from A1

## Prosecutor says she sought to avoid publicity about case

The single count alleged that he had reached under the girl's shirt and fondled her breasts.

Rostberg, Isanti County's veterans' service officer and emergency services director, is not seeking election to a fourth term.

The dismissal motion, granted by District Judge James Clifford, stipulated that the criminal charge would be dismissed only after Rostberg "has made a full admission in juvenile court of the elements of the charged offense, has been adjudicated in that forum, and has agreed to abide by the disposition order of that court."

Assistant Stearns County Attorney Mary Yunker, who prosecuted the case, said she sought the move to avoid publicity about the case.

"As the matter developed, it became crystal clear to me that it was in the best interest of the victim to get her out of the limelight and get this into juvenile court," Yunker said.

The dismissal motion says that the victim requested the move to juvenile court.

Yunker said moving the proceedings to juvenile court would allow the victim to start the healing process. She said Rostberg was appropriately charged.

Regarding the requirement that Rostberg admit to the elements of the charged offense, Yunker reiterated that he was charged with hav-

ing sexual contact with a person under 13. She said the juvenile court did accept his admission.

Yunker said it isn't routine to move criminal proceedings from adult to juvenile court. But she said it wasn't unusual in this case because of its high profile, due to Rostberg's status as a legislator.

"When you have cases involving very young, very vulnerable victims, you always factor in the effects of what court procedure is chosen to pursue," she said.

Rostberg, reached at his home Friday afternoon, referred questions to his attorney, Douglas Sauter.

"I can say we're happy and thankful the case is over," Sauter said.

Sauter also declined to discuss specifics of the outcome, but stressed that there are not any guilty pleas in juvenile court as there are in criminal court.

Rostberg had faced a bipartisan ethics complaint in the House after his arrest, but that may now evaporate, House Majority Leader Tim Pawlenty, R-Eagan, said Friday.

The House Ethics Committee can act only when the House is in session, and Rostberg will not be a member when the Legislature reconvenes in January.

"I don't know if we have any jurisdiction over a former member," Pawlenty said.