

Wisconsin Department of Justice DCI  
ACISS Case Master Report 09-4390

Date Initiated 10/27/2009

**Primary Information**

Agency: WI Department of Justice  
Division: Div. of Criminal Investigation (DCI)  
Sensitive Cases: Div. of Criminal Investigation (DCI)  
Bureau: DCI Field Operations Bureau  
Section: DCI Appleton Field Office  
Lead LEO: Thelen, Peter M (DCI Appleton Field Office / Wisconsin Department of Justice DCI)  
Type Of Case: Public Integrity  
Case Sub Type: PI-Public Int -Other  
Case Description: Kenneth Kratz

**Authorized Operators**

Name

Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)  
Dunlap, Brad E (Lake Winnebago MEG / Wisconsin Department of Justice DCI)  
Myszewski, Michael G (Div. of Criminal Investigation (DCI) / Wisconsin Department of Justice DCI)

**Case Status**

Case Status: Closed  
Case Status Date: 12/21/2009  
Disposition Code: Closed  
Disposition Date: 12/21/2009  
Closed Case Dissemination: Restricted

*Wisconsin DOJ Division of Criminal Investigation*  
**ACISS Initiating Case Report Report 09-4390**  
 Report Date: 10/27/2009

Primary Information	
Report Number:	09-4390
Report Date:	10/27/2009
Type Of Report:	Initiating Case Report
Description:	Kenneth Kratz
Occurrence From:	10/23/2009 10:10
Occurrence To:	10/23/2009 10:10
Dissemination Code:	Agency
Reporting LEO:	Thelen, Peter M (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Backup LEO:	Dunlap, Brad E SA (DCI / Lake Winnebago Area MEG-Drug Unit)
Approval Status:	Approved
Approved Date:	10/30/2009
Approved By:	Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)

Agency Reference Numbers	
<u>Agency</u>	<u>Case/File Number</u>
Kaukauna Police Dept.	09010080

Related Addresses	
<u>Address</u>	<u>Relationship</u>
Outagamie County, Wisconsin, United States of America	Case Request Location

Related Subjects					
Name	Type	Sex	Race	DOB	Relationship
[REDACTED]	Person	Female	White	[REDACTED]	Complainant
Kratz, Kenneth R	Person	Male	White	---	Person of Interest

Related Telephones	
<u>Telephone Number</u>	<u>Relationship</u>
(920)	Suspect Telephone
(920)	Victim's Telephone

Record Status Information	
Record Origination Operator:	Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Record Origination Date:	10/27/2009 10:26
Last Update Operator:	Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)
Last Update Date:	10/30/2009 14:11

Reporting LEO	Date	Supervisor	Date
Thelen, Peter M (DCI Appleton Field Office / Wisconsin Department of Justice DCI)		Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)	9/16/2010

Narrative begins on the following page.

Wisconsin Division of Criminal Investigation Case Report  
Case/Report Number: 09-4390

On Friday, October 23, 2009, at approximately 10:10 a.m., SAIC Bradley E. Dunlap made telephonic contact with Kaukauna Police Department Officer Pat Romenesko. Officer Romenesko advised that she had received information from [REDACTED] who stated she is the victim of a sexual assault case currently pending in Calumet County being handled by DA Ken Kratz. [REDACTED] told Officer Romenesko that she had met with DA Kratz shortly after she had been the victim of the sexual assault. Shortly after this meeting, [REDACTED] told Officer Romenesko that DA Kratz began sending [REDACTED] numerous (around 30 total) text messages that [REDACTED] felt were inappropriate and had sexual content and/or connotation. [REDACTED] told Officer Romenesko that the text messages were sent from telephone number 920- [REDACTED]. Officer Romenesko informed SAIC Dunlap that [REDACTED] had been instructed to save the text messages. Officer Romenesko's telephone number is 920- [REDACTED]. [REDACTED] telephone number is 920- [REDACTED].

SAIC Peter M. Thelen subsequently received an incident summary from Officer Romenesko, along with a written statement [REDACTED] and four pages containing the text messages, signed [REDACTED]. These documents will be electronically attached and submitted to DCIR.

**COMMENTS AND RECOMMENDATIONS**

It is recommended a case be opened as a repository for information and activities relating to Kratz.

**KAUKAUNA POLICE DEPARTMENT  
Officers Narrative/Supplemental Report**

**Case Number #: 09010080  
Date & Time Reported: 10/22/09 at 2:30pm  
Officer(s) Involved: P Romanesko**

Page 1 of 1

Sgt Approval [Signature]  
Date 10-26-2009

**Reporting Officer: P Romanesko**

**Incident Summary:** [Redacted] L [Redacted] reported she has been receiving numerous texts on her cell phone from Kenneth Kratz. Kratz, Calumet's District Attorney, is the prosecutor for an up coming domestic court case, where [Redacted] was a victim. In the texts, Kratz makes personal advances towards [Redacted] feels afraid that if she doesn't do what he wants Kratz will throw out her whole case.

**Disposition:** continued

**Location:** [Redacted]

**Date and Time Occurred:** 10/20/09 to 10/22/09

**Evidence:** Photos  Video  Audio  Other

**Statutes:**

RP: [Redacted] L [Redacted] f/w [Redacted]  
[Redacted] (920- )

SU: Kenneth Kratz m/w  
(920- )

**Narrative:**

On Thursday, October 22<sup>nd</sup>, 2009, [Redacted] [Redacted] came into the Kaukauna Police Department to report Kenneth Kratz was harassing her. I met with [Redacted] and her mother. [Redacted] stated the following to me verbally and in her written statement.

**KAUKAUNA POLICE DEPARTMENT**  
**Officers Narrative/Supplemental Report**

Case Number #: 09010080  
Date & Time Reported: 10/22/09 at 2:30pm  
Officer(s) Involved: P Romenesko

Page 2 of 2

On Tuesday, October 20<sup>th</sup>, at 3:00pm she met with Kenneth Kratz, who is the district attorney for Calumet County. Kratz is handling a domestic abuse case involving [REDACTED] and her ex-boyfriend. [REDACTED] is the victim. After she left, his office she received a text from him. He wrote that it was nice talking to her and that she has such potential. [REDACTED] replied thanking him.

She was surprised when he continued to send text after text to her cell phone over the next two days. Over the next two days she has received over 20 text messages requesting her to have a personal relationship with him. [REDACTED] doesn't want Kratz to continue, but feels pressure that if she tells him to stop he will throw out her case or maybe worse.

[REDACTED] saved the text messages she received from Kratz along with her responses back to him. I had Evidence Tech. Vosters photograph the texts and place them into evidence. Photo copies of the text messages are included with this report. [REDACTED] was instructed to save any future texts and to email them to Officer Vosters.

I contacted DCI and requested their assistance. Brad Dunlap requested I have the texts emailed to him, which Officer Vosters did on October 23<sup>rd</sup>.

On Monday, October 26, 2009 [REDACTED] printed out the texts. She signed and dated each page. This with the report was faxed to Peter Thelen with DCI.

Report will be on file as continued.

End of Report

09010080

Case Number

09001080

Page

1 of 1

K [REDACTED] DEPARTMENT

State [REDACTED]

Date of Birth [REDACTED]

Phone (920) [REDACTED]

Place of Employment [REDACTED]

Phone ( ) [REDACTED]

On 10/20/09 at 3:00 at Calumet County Courthouse saw and heard the following:  
Date Time Location  
(In your own words, describe WHO did WHAT, WHERE, WHEN, WHY, and HOW, be accurate and complete) (PLEASE PRINT)

I met with Mr. Ken Kratz the District attorney who is handling my ex's case. I went to his office this day to decide what was going to be done with Shannon my ex. After I left there he sent me a text saying that it was nice talking to me, and that I have such potential. I said thank you and thought that would be it. It is now the 22nd today and since that text I've received at least 20 plus messages. I talked to one of my friends and they told me to do something about it so now I am. I'm afraid that if I don't do what he wants me to do he will throw out my whole case, and who knows what else.

Ken Kratz - 1.920.

I have made the above statement without any threats or promises. It is my desire to state the true facts as to this incident. I have read the above statement and find it is true and correct.

Witness:

[REDACTED SIGNATURE]

Officer:

[Handwritten Signature]

Date: 10/20/09



Calumet County District Attorney's Office

**KENNETH R. KRATZ**  
District Attorney

206 Court Street, Chilton WI 53014-1198  
Phone 920/849-1439 • Fax 920/849-1464  
E-mail: [kratz.kenneth@mail.da.state.wi.us](mailto:kratz.kenneth@mail.da.state.wi.us)

*Her responses*

1-920

- Don't worry about me. My motto is just keep going. And thanks for everything
- Cause you're a nice person
- Thanks
- Yes I have a fever. I hope its not h1n1
- Lol no I don't want anything to eat
- Lol too funny
- I'm telling everyone. JK Ha Ha. And thanks
- Done
- I have to think about that
- Lol
- Don't know
- No
- Never really did
- Oh my
- I wont lie. Yes
- I don't know good of an idea that would be
- Ive been with a dick head for ten years no I don't
- I don't know
- No guy, just graduating from collage, house that bought for Shanel and I, doing part time work as a park ranger for high cliff maybe
- Ok
- Lol
- I think your wife would have something to say about that. I don't think I could be the other woman
- Right
- 



10-26-09



10/20/09\* 1-920- \* 3:45pm  
It was nice talking with you! Feel free to text me (between 8 and 4) if you are bored. You have such potential. See ya. KEN (your favorite DA).

10/20/09\* 1-920- \* 3:55pm  
I'm not worried... well maybe just a little. I'm more curious what made me text you?????

10/20/09 \* 1-920- \* 4:04pm  
Ok. We'll go with that answer. Thanks for putting up with me so far. I wish you weren't one of this offices clients. You'd be a cool person to know!

10/21/09\* 1-920 \* 10:48am  
No text yet today? I'm feeling ignored. Are you even up yet?

10/21/09\* 1-920 \* 11:18am  
Oh no. I hope you feel better. Do you need me to bring you some chicken soup.

10/21/09\* 1-920 \* 11:23am  
How about a margarita? That has some fruit juice in it!

10/21/09 \* 1-920 \* 11:32am  
Seriously I hope you feel better soon. Please keep in touch. Its maybe not the wisest thing I can do, but you are awfully sweet. Just don't tell anyone, ok?

10/21/09\* 1-920 \* 11:37am  
I know this is wrong. I am such an honest guy, and straight shooter... but I haveto know more about you. Does that make sense to you? I bet you get this a lot!

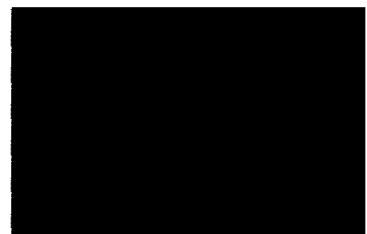
10/21/09\* 1-920- \* 12:43pm  
Are you the kind of girl that likes secret contact with an older married elected DA... the riskier the better? Or do you want to stop right know before any issues?

10/21/09\* 1-920 \* 1:35pm  
I need direction from you. Yes you are a risk taker and can keep your mouth shut and you think this is fun...or you think a man twice your age is creepy so stop

10/21/09\* 1-920- \* 1:40pm  
Ok. No problem. Either way I think you are very nice. I am very smart, but know this is ALL up to you and really does depend how close to the edge you live!

10/21/09\* 1-920 \* 2:19pm  
Still wondering if I'm worth it?

10/21/09\* 1-920 \* 2:22pm  
Can I help you answer any questions?



10-26-09

10/21/09\* 1-920- \* 2:24pm  
You don't say much do you?

10/21/09\* 1-920 \* 2:27pm  
When you are that pretty, I guess you don't have to! (now the compliments start).

10/21/09\* 1-920- \* 2:31pm  
It's true. Why would such a successful, respected attorney be acting like he's in 7<sup>th</sup> grade? Are you worried about me?

10/21/09\* 1-920- \* 2:37pm  
You should never lie to me! Obviously we have talents and this to offer that the other is intrigued by, or you would have called me creepy! You wanna accept

10/21/09\* 1-920- \* 2:44pm  
Me either. It's stupid. Have u ever been spoiled by someone? I mean like being taken care of and spoil him with attention in return? Without ever saying no?

10/21/09 1-920- \* 2:57pm  
Quite frankly I don't know what would happen. It would go slow enough for Shannon's case to get done. Remember it would have to be special enough to risk all.

10/21/09\* 1-920- \* 3:01pm  
If you are not worth that kind of passion, we'll know it right away. For now I'm just suggesting we find out. Its either perfect or I'm not going to do it!

10/21/09\* 1-920- \* 3:34pm  
Hey.. Miss Communication, what's the sticking point? Your low self- esteem and you fear you can't play in my big sandbox? Or???

10/21/09 \* 1-920- \* 4:14pm  
I'm leaving for the day. Let me know after 8 tomorrow. You will either be excited or grossed out about the opportunity you have. But it will only come once!

10/22/09 \* 1-920- \* 9:47am  
What do you hope your life looks like in 5 yrs? What kind of residence? A job, making how much in the household? A relationship with what kind of guy? \$\$\$?

10/22/09\* 1-920 \* 9:59am  
How are you feeling today. You stopped talking yesterday.

10/22/09\* 1-920 \* 10:33am  
Are you serious? Ok? That's it? Are you in a board meeting? You are beautiful and would make a great young partner someday. But I won't beg!

10.26.09

10/22/09\* 1-920 \* 11:16am

I'm serious! I'm the atty. I have the \$350,000 house. I have the 6-figure career. You may be the tall, young, hot nymph, but I am the prize! Start convincing

10/22/09\* 1-920- \* 11:51am

Finally an opinion. I would not expect you to be the other woman. I would want you to be so hot and treat me so well that you'd be THE woman! R U that good?

10/22/09\* 1-920- \* 1:50pm

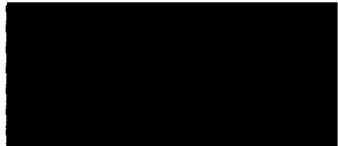
You forgot to write me for the last time saying you could never give me enough attention to steal me away, and you are so modest that you wouldn't know how to!

10/22/09 1-920- \* 1:56pm

And that you may look good at first glance, but women that are blonde, 6ft tall, legs and great bodies don't like to be shown off or to please their men!

10/22/09\* 1-920- \* 3:25pm

When the case is over, if you change your mind and want to meet for a drink, please tell me. Otherwise I will respect your desire to be left alone.



10-26-09

Wisconsin DOJ Division of Criminal Investigation

ACISS Investigative Report 09-4390/1

Report Date: 10/30/2009

**Primary Information**

Report Number: 09-4390/1  
 Report Date: 10/30/2009  
 Type Of Report: Investigative  
 Description: Interview: [REDACTED]  
 Occurrence From: 10/28/2009 11:45  
 Occurrence To: 10/28/2009 12:20  
 Dissemination Code: Agency  
 Reporting LEO: Thelen, Peter M (DCI Appleton Field Office / Wisconsin Department of Justice DCI)  
 Backup LEO: Schallhorn, Kyra M (Appleton Financial Crimes DCI / Wisconsin Department of Justice DCI)  
 Approval Status: Approved  
 Approved Date: 10/30/2009  
 Approved By: Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)

**Related Subjects**

Name	Type	Sex	Race	DOB	Relationship
[REDACTED]	Person	Female	White	[REDACTED]	Interviewed
Kratz, Kenneth R	Person	Male	White	---	Person of Interest

**Record Status Information**

Record Origination Operator: Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)  
 Record Origination Date: 10/30/2009 11:57  
 Last Update Operator: Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)  
 Last Update Date: 10/30/2009 14:07

Reporting LEO	Date	Supervisor	Date
Thelen, Peter M (DCI Appleton Field Office / Wisconsin Department of Justice DCI)		Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)	9/15/2010

Narrative begins on the following page.

Wisconsin Division of Criminal Investigation Case Report  
Case/Report Number: 09-4390/1

On Wednesday, October 28, 2009, at approximately 11:45 a.m., SAIC Peter M. Thelen, along with S/A Kyra Schallhorn, interviewed [REDACTED] [REDACTED] DOB 09/03/1984, while at a predetermined location. The following is a synopsis of the information provided to SAIC Thelen and S/A Schallhorn regarding contacts [REDACTED] had with Calumet County District Attorney Kenneth Kratz:

[REDACTED] advised that the only conversations she has had with Kratz outside of the initial meeting on 10/20/2009 has been through text messages, which were previously provided to SAIC Thelen in written format. [REDACTED] indicated that there have been no phone calls or any personal interaction with Kratz other than the interview with Kratz on 10/20/2009. That interview was in regard to the pending case against [REDACTED] ex-boyfriend in Calumet County (Calumet County Circuit Court Case Number 2009CF000087- State vs. Shannon R. Konitzer).

[REDACTED] indicated that, on 10/20/2009, [REDACTED] had a face-to-face meeting with Kratz regarding the upcoming case Kratz would be prosecuting regarding [REDACTED] ex-boyfriend. [REDACTED] indicated that during the interview she confided in Kratz about the relationship she had with her boyfriend and the abuse her boyfriend bestowed upon her. [REDACTED] indicated that at the end of the interview on October 20th, she thought it was funny that Kratz asked her if she would mind if he dropped the charge from a felony to a misdemeanor. [REDACTED] then stated that she told Kratz that strangling someone was a felony in the State of Wisconsin.

[REDACTED] indicated that she left Kratz's office and approximately ten minutes later received an text message from Kratz, and that the text message's continued over a period of the next two days. [REDACTED] indicated she felt vulnerable because she had just told Kratz the relationship that [REDACTED] was in, and she felt Kratz was taking advantage of that situation.

SAIC Thelen inquired if [REDACTED] shared this information with any other individuals. [REDACTED] indicated that her mother was aware of it, along with two friends that she confided in. One being "Shelly", who observed the texts on [REDACTED] telephone that were sent by Kratz and a copy of the texts written by [REDACTED] also indicated she confided in her neighbor in the backyard regarding this incident, and that the neighbor advised her that he did not want to know the contents of the texts but suggested that [REDACTED] go to the police department regarding this contact with Kratz.

SAIC Thelen inquired about [REDACTED] next court date, and [REDACTED] indicated that on 11/09/2009, court was scheduled for a trial or plea.

The interview was concluded at approximately 12:20 a.m.

Narrative Page 1

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Wisconsin DOJ Division of Criminal Investigation

ACISS Investigative Report 09-4390/2

Report Date: 10/30/2009

Primary Information	
Report Number:	09-4390/2
Report Date:	10/30/2009
Type Of Report:	Investigative
Description:	Law Enforcement Contact re: 920-
Occurrence From:	10/30/2009 14:41
Occurrence To:	10/30/2009 14:41
Dissemination Code:	Agency
Reporting LEO:	Thelen, Peter M (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Backup LEO:	Fassbender, Thomas J (Appleton Special Assignments DCI / Wisconsin Department of Justice DCI)
Approval Status:	Approved
Approved Date:	11/02/2009
Approved By:	Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)

Related Subjects					
Name	Type	Sex	Race	DOB	Relationship
Kratz, Kenneth R	Person	Male	White	--	Person of interest

Related Telephones	
Telephone Number (920)	Relationship
	Suspect Telephone

Record Status Information	
Record Origination Operator:	Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Record Origination Date:	10/30/2009 14:40
Last Update Operator:	Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)
Last Update Date:	11/02/2009 06:30

Reporting LEO	Date	Supervisor	Date
Thelen, Peter M (DCI Appleton Field Office / Wisconsin Department of Justice DCI)		Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)	9/15/2010

Narrative begins on the following page

**Wisconsin Division of Criminal Investigation Case Report**  
**Case/Report Number: 09-4390/2**

On Friday, October 30, 2009, SAIC Peter M. Thelen had contact with S/A Thomas J. Fassbender, who confirmed that 920- was a cellular telephone number used by Calumet County District Attorney Kenneth Kratz. S/A Fassbender had prior contacts with Kratz at said number, when making telephone contact with Kratz in an official capacity.

Narrative Page 1

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Wisconsin DOJ Division of Criminal Investigation

ACISS Memo to File Report 09-4390/3

Report Date: 11/02/2009

Primary Information	
Report Number:	09-4390/3
Report Date:	11/02/2009
Type Of Report:	Memo to File
Description:	Telephonic Contact with Kenneth Kratz
Dissemination Code:	Agency
Reporting LEO:	Thelen, Peter M (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Approval Status:	Approved
Approved Date:	11/19/2009
Approved By:	Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)

Synopsis
<p>On Monday, November 2, 2009, at approximately 2:50 p.m., SAIC Peter M. Thelen received a telephone call from Calumet County District Attorney Kenneth Kratz, regarding this case. Mr. Kratz advised that he was told to contact SAIC Thelen regarding this case and wanted to know what was needed. SAIC Thelen asked Mr. Kratz if he had any further information to provide regarding this case and he indicated no. He inquired as to whether there was still a criminal investigation going on regarding this and SAIC Thelen responded no, that the case was done as far as SAIC Thelen was concerned. He asked if SAIC Thelen would tell him if the case was still active, at which time SAIC Thelen reiterated that the case was closed as far as DCI was concerned. Mr. Kratz then offered to apologize to [REDACTED] if SAIC Thelen/DCI were able to mediate this. SAIC Thelen told Mr. Kratz that he would pass this information along. Mr. Kratz mentioned that he would like to keep this out of the media, if possible. SAIC Thelen advised Mr. Kratz that the complaint originated from another agency and DCI was obligated to investigate, at which time Mr. Kratz said that he understood. This concluded SAIC Thelen's conversation with Mr. Kratz.</p>

Related Subjects					
Name	Type	Sex	Race	DOB	Relationship
[REDACTED]	Person	Female	White	[REDACTED]	Mentioned
Kratz, Kenneth R	Person	Male	White	--	Person of Interest

Record Status Information	
Record Origination Operator:	Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Record Origination Date:	11/02/2009 15:56
Last Update Operator:	Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)
Last Update Date:	11/19/2009 18:56

Reporting LEO	Date	Supervisor	Date
Thelen, Peter M (DCI Appleton Field Office / Wisconsin Department of Justice DCI)		Spakowicz, David L (DCI Field Operations Bureau / Wisconsin Department of Justice DCI)	9/15/2010