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CLERK US DISTRICT COURT
DISTRICT OF ARIZONA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER MARK RADTKE,

Defendant.

SEALED INDICTMENT

VIOLATIONS:

18 U.S.C. § 1956(h), Conspiracy to
Launder Monetary Instruments (Count I);
18 U.S.C. § 666(a)(1)(A), Theft
Concerning Programs Receiving Federal
Funds (Counts II-VII)

CR 16 - 1830 TUC JAS (EJM)

The Grand Jury charges:

COUNT I

18 U.S.C. § 1956(h)
(Conspiracy to Launder Monetary Instruments)

THE CONSPIRACY

From on or about January 6, 2011, through on or about July 11, 2016, in the
District of Arizona,

CHRISTOPHER MARK RADTKE,

did knowingly combine, conspire, and agree with other persons known and unknown to
the Grand Jury to commit offenses against the United States in violation of 18 U.S.C.

§ 1956, to wit: to knowingly conduct and attempt to conduct financial transactions affecting interstate commerce and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is, Theft Concerning Programs Receiving Federal Funds in violation of 18 U.S.C. § 666(a)(1)(A), as alleged in Counts II-VII, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of 18 U.S.C. § 1956(a)(1)(B)(i).

MANNER AND MEANS

The manner and means used to accomplish the objectives of the conspiracy included, among others, the following:

1. The defendant and others known and unknown to the Grand Jury conspired to circumvent the restrictions on the use of forfeiture funds by misrepresenting to the Pima County Attorney's Office, the entity charged with oversight of the forfeiture funds, that the Pima County Sheriff's Office was donating the forfeiture funds to the Pima County Sheriff's Auxiliary Volunteers, Inc. (SAV), whereas the forfeiture funds were actually used by the Sheriff's Office. This laundering of the forfeiture funds enabled the Sheriff's Office to use the money free from regulations relating to forfeiture funds and procurement.
2. The defendant and others known and unknown to the Grand Jury conspired to

make it appear that the forfeiture funds were being used by the SAV by using SAV checks and the SAV credit card to pay for items that were actually purchased for the Sheriff's Office and individuals affiliated with the defendant. The following are examples of the approximate \$500,000 of financial transactions affecting interstate and foreign commerce that were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity:

- a. On May 12, 2011, an SAV check was issued to an employee of the Sheriff's Office for \$926.09. Supporting documentation shows that the check was to reimburse the special awards fund, and that the defendant requested part of that reimbursement for a \$250 restaurant bill and tip and that other Sheriff's Office employees requested \$109.09 in reimbursement for a new microwave oven for the breakroom at the Sheriff's Office;
- b. On September 21, 2011, an SAV check was issued to an employee of the Sheriff's Office for \$627.60. Supporting documentation shows the check was to reimburse the SAV food and refreshment fund and that the defendant requested part of that reimbursement for a \$80.79 restaurant bill and tip for a lunch for the Sheriff's Office custodians;
- c. On October 31, 2011, an SAV check was issued to an employee of the Sheriff's Office for \$288.72. Supporting documentation shows that the check was to reimburse the Sheriff's Office for materials to assemble a Santa sleigh

to be used at the Sheriff's Office annual awards banquet and that the defendant approved the use of the funds for that purpose;

d. On December 4, 2013, an SAV check for \$600 was issued to a business called "on-dree-ah" to purchase a chalkboard. The invoice was addressed to an employee at the Sheriff's Office;

e. On January 6, 2014, an SAV check was issued to an artist for \$300.

Supporting documentation shows that the check was to reimburse the Sheriff's Office for artwork for a chalkboard at the café at the Sheriff's Office, even though the café was owned and operated by the defendant's niece, not by the Sheriff's Office;

f. On July 23, 2014, the SAV Chase credit card was used to purchase a photograph for the Sheriff's Office for \$31.34. A handwritten note on an email reflecting the purchase states that the photograph was requested by the defendant;

g. On July 24, 2014, the SAV Chase credit card was used to purchase two model airplanes for the Sheriff's Office for \$599.90 and to pay \$90 for shipping. The invoice lists the defendant's last name next to one of the model airplanes and that the model airplanes were being shipped to the Sheriff's Office;

h. On July 29, 2014, the SAV Chase credit card was used to pay \$50 for a rush shipping charge for the model airplanes to be shipped to the Sheriff's Office;

i. On March 31, 2015, the SAV Chase credit card was used to purchase a chalkboard for \$366.29 and to pay \$135 for shipping and handling charges.

Supporting documentation shows that the chalkboard was purchased for the café at the Sheriff's Office, even though the café was owned and operated by the defendant's niece, not by the Sheriff's Office; and

- j. On April 20, 2015, an SAV check was issued to an artist for \$500. Supporting documentation shows that the check was to reimburse the Sheriff's Office for artwork for a chalkboard at the café at the Sheriff's Office, even though the café was owned and operated by the defendant's niece, not by the Sheriff's Office.

All in violation of 18 U.S.C. § 1956(h).

COUNT II

18 U.S.C. § 666(a)(1)(A)
(Theft Concerning Programs Receiving Federal Funds)

On or about August 8, 2011, in the District of Arizona,

CHRISTOPHER MARK RADTKE,

the defendant herein, being an agent of Pima County, a local government that received in excess of \$10,000 in federal funding in a one-year period before or after the commission of the offense, embezzled, stole, obtained by fraud, and otherwise without authority knowingly converted to his own use and intentionally misapplied, property valued at \$5,000 or more and owned by, and under the care, custody, and control of Pima County, namely, forfeiture funds that the Pima County Attorney's Office approved the Pima County Sheriff's Office to donate to the Pima County Sheriff's Auxiliary Volunteers,

Inc., for the use of the Sheriff's Auxiliary Volunteers, and did aid and abet therein, in violation of 18 U.S.C. §§ 666(a)(1)(A) and 2(a).

COUNT III

18 U.S.C. § 666(a)(1)(A)
(Theft Concerning Programs Receiving Federal Funds)

On or about July 20, 2012, in the District of Arizona,

CHRISTOPHER MARK RADTKE,

the defendant herein, being an agent of Pima County, a local government that received in excess of \$10,000 in federal funding in a one-year period before or after the commission of the offense, embezzled, stole, obtained by fraud, and otherwise without authority knowingly converted to his own use and intentionally misapplied, property valued at \$5,000 or more and owned by, and under the care, custody, and control of Pima County, namely, forfeiture funds that the Pima County Attorney's Office approved the Pima County Sheriff's Office to donate to the Pima County Sheriff's Auxiliary Volunteers, Inc., and did aid and abet therein, in violation of 18 U.S.C. §§ 666(a)(1)(A) and 2(a).

COUNT IV

18 U.S.C. § 666(a)(1)(A)
(Theft Concerning Programs Receiving Federal Funds)

On or about August 26, 2013, in the District of Arizona,

CHRISTOPHER MARK RADTKE,

the defendant herein, being an agent of Pima County, a local government that received in excess of \$10,000 in federal funding in a one-year period before or after the commission of the offense, embezzled, stole, obtained by fraud, and otherwise without authority

knowingly converted to his own use and intentionally misapplied, property valued at \$5,000 or more and owned by, and under the care, custody, and control of Pima County, namely, forfeiture funds that the Pima County Attorney's Office approved the Pima County Sheriff's Office to donate to the Pima County Sheriff's Auxiliary Volunteers, Inc., and did aid and abet therein, in violation of 18 U.S.C. §§ 666(a)(1)(A) and 2(a).

COUNT V

18 U.S.C. § 666(a)(1)(A)

(Theft Concerning Programs Receiving Federal Funds)

On or about July 21, 2014, in the District of Arizona,

CHRISTOPHER MARK RADTKE,

the defendant herein, being an agent of Pima County, a local government that received in excess of \$10,000 in federal funding in a one-year period before or after the commission of the offense, embezzled, stole, obtained by fraud, and otherwise without authority knowingly converted to his own use and intentionally misapplied, property valued at \$5,000 or more and owned by, and under the care, custody, and control of Pima County, namely, forfeiture funds that the Pima County Attorney's Office approved the Pima County Sheriff's Office to donate to the Pima County Sheriff's Auxiliary Volunteers, Inc., and did aid and abet therein, in violation of 18 U.S.C. §§ 666(a)(1)(A) and 2(a).

COUNT VI

18 U.S.C. § 666(a)(1)(A)

(Theft Concerning Programs Receiving Federal Funds)

On or about July 27, 2015, in the District of Arizona,

CHRISTOPHER MARK RADTKE,

the defendant herein, being an agent of Pima County, a local government that received in excess of \$10,000 in federal funding in a one-year period before or after the commission of the offense, embezzled, stole, obtained by fraud, and otherwise without authority knowingly converted to his own use and intentionally misapplied, property valued at \$5,000 or more and owned by, and under the care, custody, and control of Pima County, namely, forfeiture funds that the Pima County Attorney's Office approved the Pima County Sheriff's Office to donate to the Pima County Sheriff's Auxiliary Volunteers, Inc., and did aid and abet therein, in violation of 18 U.S.C. §§ 666(a)(1)(A) and 2(a).

COUNT VII

18 U.S.C. § 666(a)(1)(A)
(Theft Concerning Programs Receiving Federal Funds)

On or about February 15, 2016, in the District of Arizona,

CHRISTOPHER MARK RADTKE,

the defendant herein, being an agent of Pima County, a local government that received in excess of \$10,000 in federal funding in a one-year period before or after the commission of the offense, embezzled, stole, obtained by fraud, and otherwise without authority knowingly converted to his own use and intentionally misapplied, property valued at \$5,000 or more and owned by, and under the care, custody, and control of Pima County, namely, forfeiture funds that the Pima County Attorney's Office approved the Pima County Sheriff's Office to donate to the Pima County Sheriff's Auxiliary Volunteers, Inc., for the use of the Sheriff's Auxiliary Volunteers, and did aid and abet therein, in violation of 18 U.S.C. §§ 666(a)(1)(A) and 2(a).

NOTICE OF INTENT TO SEEK FORFEITURE

Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), upon conviction of a violation of 18 U.S.C. § 666 or § 1956, as set forth in this indictment, the defendant shall forfeit to the United States of America, any property, real or personal which constitutes or is derived from proceeds traceable to this violation.

SUBSTITUTE ASSETS

If any of the above-described forfeitable property, as a result of any act or omission of the defendant,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 28 U.S.C. § 2461(c) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above-forfeitable property.

A TRUE BILL:

/s/

FOREPERSON OF GRAND JURY

LORETTA LYNCH
Attorney General of the United States
JOHN W. HUBER
United States Attorney

REDACTED FOR
PUBLIC DISCLOSURE



DAVE BACKMAN
Special Attorney Appointed Under 28
U.S.C. § 515

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