

FILED
04-14-2023
Walworth County
Clerk of Circuit Court
2023CM000160

STATE OF WISCONSIN CIRCUIT COURT WALWORTH COUNTY

STATE OF WISCONSIN
Plaintiff,

DA Case No.: 2022WL002456
Assigned ADA: Zeke S Wiedenfeld
Agency Case No.: 22-002226

vs.

CRIMINAL COMPLAINT

THEODORE E MCCARRICK
4900 Lasalle Rd.
Hyattsville, MD
DOB: 07/07/1930
Sex/Race: M/W
Eye Color:
Hair Color:
Height: ;
Weight: ;
Alias:

Defendant.

The undersigned, being first duly sworn, on information and belief, states that:

Count 1: FOURTH DEGREE SEXUAL ASSAULT

The above-named defendant on or about and between April 1, 1977 and April 30, 1977, in Walworth County, Wisconsin, did have sexual contact with VICTIM 1 (dob 5/28/58) without that person's consent, contrary to sec. 940.225(3m) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

PROBABLE CAUSE:

- 1) Your complainant makes this complaint based upon the following, all of which your complainant believes to be reliable. The information in this complaint does not exhaust your complainant's knowledge of this incident.
- 2) Complainant has reviewed the reports of the Walworth County Sheriff's Office and Wisconsin Department of Justice – Division of Criminal Investigation (DCI) which reflect that on February 22, 2022, Special Agent Tijerino of DCI and Deputy Dodge of the Walworth County Sheriff's Office interviewed Victim 1, a male with a date of birth of May 28, 1958. Special Agent Tijerino reports that Victim 1 disclosed that he was sexually assaulted by Theodore McCarrick (dob 7/7/30), hereafter "the defendant", in Walworth County, Wisconsin in April of 1977, when Victim 1 was 18 years old.
- 3) Special Agent Tijerino reports that Victim 1 stated that the incident occurred at a residence located on Geneva Lake, which is located in Walworth County, Wisconsin. Victim 1 stated that Victim 1 and the defendant were guests at the residence. Victim 1 stated that Victim 1 was in the water off of the dock at the residence when the defendant and another adult male entered the water. Victim 1 stated that the defendant and the other adult male fondled Victim 1's penis without his consent and the defendant and the other adult male discussed Victim 1's penis while they were in the water. Victim 1 stated that he tried to get away from the defendant and

the other adult male and began to splash and make noise. Victim 1 stated that he was able to get out of the water and Victim 1 only had one leg in his swimming trunks. Victim 1 stated that Victim 1 took off his swimming trunks and ran into the residence. Victim 1 stated that he put on clothes and asked for a ride to the train station.

4) Special Agent Tijerino reports that Victim 1 stated that the defendant had previously sexually assaulted Victim 1 numerous times. Victim 1 stated that the defendant was the holy man for Victim 1's family and was clergy within the Catholic Church. Victim 1 stated that the defendant first exposed himself to Victim 1 when Victim 1 was 11 years old and began to touch Victim 1 sexually shortly thereafter. Victim 1 described several incidents that occurred in other states when Victim 1 was under the age of 18 where the defendant would take Victim 1 to a special event or lavish party and then sexually assault Victim 1. Victim 1 also described a time where the defendant took Victim 1 to an event where several adult males had sexual intercourse with Victim 1. Victim 1 stated that the defendant had sexual intercourse with Victim 1 without his consent in Chicago, Illinois the day before the incident on Geneva Lake. Victim 1 stated that the defendant has never resided in Wisconsin.

5) Pursuant to Wis. Stat. § 939.74(3), the time when a defendant is not publicly a resident of the State of Wisconsin is not counted when applying the statute of limitations to a Wisconsin prosecution. Special Agent Shaw of DCI reports that she reviewed records indicating that the defendant has never paid taxes in the State of Wisconsin nor has the defendant possessed a Wisconsin driver's license. Complainant has reviewed records of where the defendant served as clergy, and has confirmed that the defendant never served in a Wisconsin Diocese.

Subscribed and sworn to before me on 04/14/23

Electronically Signed By:

Zeke S Wiedenfeld

District Attorney

State Bar #: 1069306

Electronically Signed By:

Ann Shaw

Complainant