

FILED
06-22-2023
Anna Maria Hodges
Clerk of Circuit Court
2023CM001757
Honorable Jack L. Davila-
01
Branch 1

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

STATE OF WISCONSIN
Plaintiff,

DA Case No.: 2023ML014652
Court Case No.:

vs.

CRIMINAL COMPLAINT

ROLLAND, SHAWN M
1715 NORTH 68TH STREET
WAUWATOSA, WI 53213
DOB: 09/24/1981

Defendant(s).

For Official Use

THE BELOW NAMED COMPLAINANT BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: MAKE FALSE STATEMENT/ELECTION CANDIDATES

The above-named defendant on or about Monday, December 27, 2021, at 901 North 9th Street Room G10, in the City of Milwaukee, Milwaukee County, Wisconsin, did knowingly make or publish, or cause to be made or published, a false representation pertaining to a candidate or referendum which was intended or tended to affect voting at an election., contrary to sec. 12.05, Wis. Stats.

Upon conviction for this offense, a Misdemeanor, the defendant, under sec. 12.60(1)(b), may be fined not more than One Thousand Dollars (\$1,000), or imprisoned not more than six (6) months, or both.

Probable Cause:

Complainant is an Investigator with the Milwaukee County District Attorney’s Office (MCDAO). I base this complaint upon my own investigation, as well as the statements of citizen witnesses and a review of documentary evidence.

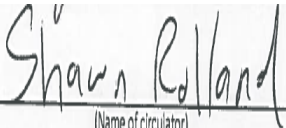
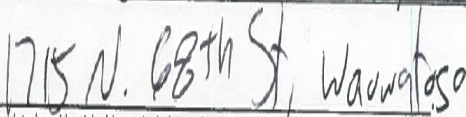
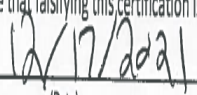
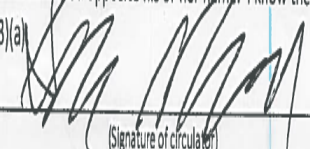
As part of this investigation, I received copies of the “Nomination Papers for Nonpartisan Office” relating to Rolland from the Milwaukee County Board of Election Commissioners Office, located at 901 North Ninth Street in the City and County of Milwaukee. Those papers were filed on December 27, 2021 in order for Rolland to be on the ballot for Milwaukee County Board Supervisor District 6 in the April 5, 2022, spring election. I reviewed 31 separate nomination papers. On 17 of those forms, Rolland certified that he personally circulated the forms and personally obtained 144 signatures. In reviewing those papers and interviewing the signatories therein, it was determined that, on at least four pages, Rolland falsely certified that he personally obtained each signature when he did not.

BACKGROUND

Candidates for office for a spring election must file nomination papers to be placed on the ballot. *See* Wis. Stat. § 8.10(1). For county supervisors in Milwaukee, there must be at least 200 but no more than 400 signatures. Wis. Stat. § 8.10(3)(f). Those signatures may be gathered during the circulation period of December first until the first Tuesday in January preceding the election. A certification of a qualified circulator is required to be appended to each nomination paper. Wis. Stats. §§ 8.10(3) and 8.15(4)(a). I reviewed a copy of the Instructions for Preparing Nomination Papers for Nonpartisan Office. Those instructions contain explicit language stating that the circulator must be present for each signature and that papers cannot be left unattended. A copy of that language is below:

Signature of Circulator - The circulator should carefully read the language of the *Certification of Circulator*. The circulator must personally present the nomination paper to each signer. The nomination paper may not be left unattended on counters or posted on bulletin boards. The circulator's complete residential address including municipality of residence must be listed in the certification. After obtaining signatures of electors, the circulator must sign and date the certification.

In December of 2021, Shawn Rolland began circulating Nomination Papers for Nonpartisan Office. He was running for election as a Milwaukee County Board Supervisor. The date of the election was April 5, 2022. As such, all nomination signatures and paperwork needed to be provided between December 1, 2021, and January 4, 2022. As part of his signature collection, Rolland submitted 31 pages of Nomination Paper for Nonpartisan Office, containing a total of 254 signatures. In reviewing the different nomination papers, of the 31 papers filed, Rolland personally signed 17 of them as the circulator. Those papers each included a "Certification of Circulator," in which the signor certifies that they personally circulated the nomination paper and obtained all signatures on it. A representative copy of that certificate is below:

 (Name of circulator)		CERTIFICATION OF CIRCULATOR certify: I reside at		 (Circulator's residential address - Include number, street, and municipality.)	
I further certify I am either a qualified elector of Wisconsin, or a U.S. citizen, age 18 or older who, if I were a resident of this state, would not be disqualified from voting under Wis. Stat. §6.03. I personally circulated this nomination paper and personally obtained each of the signatures on this paper. I know that the signers are electors of the jurisdiction or district the candidate seeks to represent. I know that each person signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I intend to support this candidate. I am aware that falsifying this certification is punishable under Wis. Stat. § 12.13(3)(a).					
 (Date)		 (Signature of circulator)		Page No. 1	

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INVESTIGATION

In March of 2023, the MCDAO received a complaint that Rolland had inappropriately used an unsupervised drop box in front of his home during the nomination period for the April 2022 election. The original complaint arrived via the Wauwatosa Police Department via mail. Included in that submission were blank copies of nomination papers, as well as printouts of Rolland's personal Facebook page.

Those records showed that in December of 2021, Rolland posted to his personal Facebook page a picture of a drop box to sign his nomination paperwork. The posting included a message that signature sheets were available. A review of the comments surrounding that posting show multiple people saying that they will sign the sheet and asking questions about signing. One individual, BC, posted that he signed the sheet that day. A review of the Nomination Papers shows that occurred on December 6, 2021. Rolland responded to that message with, "thank you!"

Based on the investigation, Complainant obtained a copy of the Nomination Papers for Nonpartisan Office that Rolland filed. Those papers were received from the Milwaukee County Election Commission. Those papers had been filed on December 27, 2021, at the Commission offices at 901 North 9th Street, in the City and County of Milwaukee. In reviewing those documents and interviewing several of the electors who signed, Complainant determined that in multiple instances Rolland certified that he circulated a document when that was not true.

Instead, the investigation revealed that several witnesses circulated nomination papers on Rolland's behalf and Rolland was not present for those signatures. Yet, Rolland signed the Certification of Circulator on those forms, indicating that he personally circulated the paper and personally obtained each signature. This was false.

ROLLAND STATEMENT

On March 24, 2023, Complainant interviewed Rolland. Rolland verified that he was a candidate for County Board Supervisor in April of 2022 and that he was circulating nomination paperwork during December of 2021. He stated that he was experienced in the process of getting listed on a ballot and running a campaign. He also stated that the rules for nominations are on the nomination papers. Rolland described for Complainant the process he underwent to collect signatures.

Complainant asked Rolland if he recalled creating a Facebook page to solicit signatures. He stated he did not recall. Upon being shown a copy of the Facebook page, Rolland then recalled making the post and placing the box in front of his home. He stated that he was home the entire time the box was outside and was able to see everyone through his front window and spoke with them through his ring doorbell. He asserted that he witnessed everyone who signed.

When asked whether there was a time where someone signed not in his presence, Rolland admitted that there was one house that he observed a woman sign and the woman then took the nomination paper into her house for her husband and daughter to sign. Both signed outside his presence. Rolland also admitted that the signor told him that she got her neighbors to sign the papers as well.¹ Rolland noted a second instance where he witnessed a man sign, who then took the form to his wife to sign outside Rolland's presence.² Rolland's admitted to signing the certification of circulation for both instances.

CONCLUSION

Rolland was a candidate for Milwaukee County Board Supervisor and was required to submit Nomination Papers for Nonpartisan Office to the Milwaukee County Election Commission. Rolland signed the Certification of Circulator on multiple forms, indicating that he personally circulated the paper and personally obtained each signature. On four of those forms, that certification was false. On four of those papers, Rolland certified that he personally obtained each signature when, in fact, on each form there were multiple signatures that he did not obtain. As such, Rolland made a false statement in certifying each of the four forms. These false statements pertained to his candidacy and intended to gain his admission to the ballot, which thus affected voting at an election.

****End of Complaint****

Electronic Filing Notice:

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov> and may withdraw as an electronic party at any time. There is a \$ 20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Criminal Complaint prepared by Matthew Richard Westphal.
ADA Assigned Email Address: Matthew.Westphal@da.wi.gov

¹ Complainant's investigation revealed this to be KC, GC, JC, JB, and KB from page 30 of the Nomination Papers.

² Complainant's investigation revealed this to be BW, LL, and ML from page 26 of the Nomination Papers.

Subscribed and sworn to before me on 06/22/23
Electronically Signed By:
Matthew Richard Westphal
Assistant District Attorney
State Bar #: 1071292

Electronically Signed By:
Thomas Meverden
Complainant