

FILED
02-05-2021
Clerk of Circuit Court
Polk County, Wisconsin
2021CF000067

STATE OF WISCONSIN

CIRCUIT COURT

POLK COUNTY

STATE OF WISCONSIN,

Plaintiff,

v.

Case No. 21CF_____

DANIEL P. STEFFEN
1814 60th Avenue
Osceola, WI 54020-4701
DOB: 11/7/1970
Sex/Race: M/W
Eye: Blue Hair: Brown,

Defendant.

CRIMINAL COMPLAINT

Special Agent Mary Van Schoyck, Wisconsin Department of Justice – Division of Criminal Investigation, being first duly sworn on oath, states the following upon her information and belief:

COUNT 1: REPRESENTATIONS DEPICTING NUDITY

On or about August 8, 2018, in the town of Osceola, Polk County, Wisconsin, the defendant did capture an intimate representation of VICTIM #1 without the consent of VICTIM #1 under circumstances in which VICTIM #1 had a reasonable expectation of privacy, and did know or had reason to know that VICTIM #1 did not consent to the capture of the intimate representation, in violation of Wis. Stat. § 942.09(2)(am)1.

Upon conviction of this offense, a Class I Felony, the defendant may be fined not more than \$10,000 or imprisoned for not more than 3 years and 6 months, or both.

COUNT 2: REPRESENTATIONS DEPICTING NUDITY

On or about September 11, 2018, in the town of Osceola, Polk County, Wisconsin, the defendant did capture an intimate representation of VICTIM #1 without the consent of VICTIM #1 under circumstances in which VICTIM #1 had a reasonable expectation of privacy, and did know or had reason to know that VICTIM #1 did not consent to the capture of the intimate representation, in violation of Wis. Stat. § 942.09(2)(am)1.

Upon conviction of this offense, a Class I Felony, the defendant may be fined not more than \$10,000 or imprisoned for not more than 3 years and 6 months, or both.

COUNT 3: REPRESENTATIONS DEPICTING NUDITY

On or about February 11, 2018, in the town of Osceola, Polk County, Wisconsin, the defendant did capture an intimate representation of VICTIM #2 without the consent of VICTIM #2 under circumstances in which VICTIM #2 had a reasonable expectation of privacy, and did know or had reason to know that VICTIM #2 did not consent to the capture of the intimate representation, in violation of Wis. Stat. § 942.09(2)(am)1.

Upon conviction of this offense, a Class I Felony, the defendant may be fined not more than \$10,000 or imprisoned for not more than 3 years and 6 months, or both.

FACTUAL BASIS

In early 2020, Wisconsin Department of Justice – Division of Criminal Investigation (DCI) Special Agent (SA) Mary Van Schoyck began an investigation after receiving information from a witness that a female known to the witness had openly talked about having sexual relations with a Burnett County Assistant District Attorney (ADA) in exchange for leniency on criminal cases the female had pending in Burnett County. The female was identified by the witness as VICTIM #1. The witness said VICTIM #1 identified the ADA as the defendant, Daniel Steffen.

On February 14, 2020, SA Van Schoyck interviewed VICTIM #1 at the Burnett County jail. SA Van Schoyck asked VICTIM #1 if she knew or had any relationship with Daniel Steffen, the defendant. VICTIM #1 denied any relationship with the defendant. VICTIM #1 said she met the defendant only a couple times in court. VICTIM #1 said she had several cases pending and ended up having to pay a fine.

On May 21, 2020, SA Van Schoyck again interviewed VICTIM #1, this time at her residence. VICTIM #1 said she did know who the defendant was and admitted to a relationship with him. VICTIM #1 said she first met the defendant at a pretrial conference for a case where she was facing charges for violating a restraining order obtained by the father of her child. The defendant was the ADA handling the case. VICTIM #1 said that the pretrial conference happened in the defendant's office. She said that during the pretrial conference, the defendant gave VICTIM #1 his personal cell phone number. VICTIM #1 said she texted the defendant that night. VICTIM #1 said the next day she knew that the defendant went to a work conference. She said she continued to text with the defendant while he was at his conference. VICTIM #1 said that when the defendant returned a few days later, he invited her to his residence. VICTIM #1 said they then had sex. VICTIM #1 said that she and the defendant had sex several times at his residence and at her residence. VICTIM #1 also said they had sex at his office during work hours.

SA Van Schoyck obtained a search warrant to search the defendant's home and office for digital devices to look for, among other things, evidence of an ongoing relationship with VICTIM #1. On October 30, 2020, agents with DCI executed that warrant at the defendant's residence in the town of Osceola, Polk County, Wisconsin. During the search of the residence, agents seized a black iPad from the dresser of the master bedroom.

During an examination of the iPad, agents discovered videos depicting VICTIM #1 and the defendant engaged in sexual activity. The first video had a file creation date of August 8, 2018. The video is approximately 72 minutes long. It begins by depicting the defendant turning on and positioning the iPad in a bedroom with the iPad's camera pointed at the bed. The defendant can be seen on the video positioning the camera so that it pointed directly at the bed. SA Van Schoyck was able to identify the bedroom depicted in the video as the defendant's master bedroom. The defendant disappears from the room until the 46-minute mark, when the defendant reenters the room with a female that SA Van Schoyck identified as VICTIM #1. The defendant is seen naked from the waist down. VICTIM #1 is depicted partially naked with exposed intimate parts. The video then depicts the defendant and VICTIM #1 engaged in oral and what appears to be vaginal sex on the bed. While they are engaged in sex, the defendant can be heard referring to VICTIM #1 by her first name. He also asks VICTIM #1 several times, "Who's in charge?" At 53:27 in the video, the defendant makes an unintelligible comment followed by, ". . . can't go anywhere but my office." At approximately 1:02:35, while the defendant and VICTIM #1 are still engaged in sex, the defendant looks at the camera, sticks his tongue out, and winks several times. The defendant again asks VICTIM #1, "who's in charge?" VICTIM #1 can be heard saying, "you're in charge." The defendant replies, "that's my girl." Several minutes later, the defendant and VICTIM #1 exit the room. It does not appear that VICTIM #1 knew she was being recorded.

SA Van Schoyck spoke to VICTIM #1 about the video and showed her still photographs from the video. VICTIM #1 identified herself as the female in the video. She said that she was unaware the defendant had filmed them having sex with his iPad. VICTIM #1 told SA Van Schoyck that she had consented to recordings made by the defendant with his iPhone in the past, but he was holding the phone in his hand when he made recordings. VICTIM #1 told SA Van

Schoyck that the iPad recording on that date was done without her consent. SA Van Schoyck verified through geolocation phone records that on August 8, 2018, VICTIM #1's phone was located at the defendant's residence.

The second relevant video found on the iPad had a file creation date of September 11, 2018. This video was approximately 1 hour and 42 minutes long. The video again begins with the defendant turning on and setting up the iPad with the camera directly facing the bed. SA Van Schoyck again identified the bedroom as the defendant's master bedroom. The defendant can be heard saying, "hello" as he exits the bedroom. At the 0:01:37 mark, the defendant and a female enter the bedroom. SA Van Schoyck was able to identify the female in the video as VICTIM #1. They talk briefly and then begin to have oral and what appears to be vaginal sex on the bed in view of the iPad camera. VICTIM #1 is again in various stages of undress with intimate parts visible. Defendant calls VICTIM #1 by her first name several times in the video. It does not appear that VICTIM #1 knew she was being recorded.

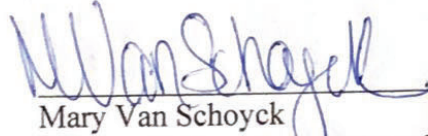
SA Van Schoyck communicated with VICTIM #1 about the second video. VICTIM #1 said that she was unaware the defendant had filmed them having sex with his iPad. VICTIM #1 told SA Van Schoyck that the recording was done without her consent. SA Van Schoyck verified through geolocation phone records that on September 11, 2018, VICTIM #1's phone was located at the defendant's residence.

While examining the iPad, agents located a third video with a file creation date of February 11, 2018. This video was slightly over 45 minutes long. It begins with the defendant turning on the iPad and positioning the camera directly towards the same bed. SA Van Schoyck again identifies the bedroom as the defendant's master bedroom. At approximately 5 minutes into the video, male and female voices can be heard talking. Approximately 12 minutes into the video,

the defendant and VICTIM #2 enter the bedroom and begin to have oral and what appears to be vaginal sex. Later in the video, the defendant and VICTIM #2 talk about how she could avoid criminal charges for hitting a mailbox. VICTIM #2 and the defendant then leave the room at approximately the 35-minute mark. During the video, VICTIM #2 appears completely naked, with intimate parts clearly visible on the camera. It does not appear that VICTIM #2 knew she was being recorded.

On November 12, 2020, SA Van Schoyck spoke with VICTIM #2. VICTIM #2 stated that she was introduced to the defendant through a mutual acquaintance and they began a relationship in 2018. She described the relationship as mostly “hookups.” SA Van Schoyck showed VICTIM #2 still photographs from the video on the iPad. VICTIM #2 identified herself and the defendant in the pictures. VICTIM #2 said that based on the date and what was in the pictures, this recording was likely of the first time she had sex with the defendant. VICTIM #2 stated she went to the defendant’s house to drink, relax, and talk to the defendant about her recent breakup. She stated she had sexual intercourse in his bedroom. VICTIM #2 told SA Van Schoyck that she did not know she was being recorded and never gave consent to be recorded.


The information in this complaint is not an exhaustive recitation of all the facts known to complainant. Based on the foregoing, the complainant believes this complaint to be true and correct.



Mary Van Schoyck
Wisconsin Department of Justice
Division of Criminal Investigation
Complainant

Subscribed and sworn to before me
and approved for filing this 5th day
of February 2021.




DAVID W. MAAS
Assistant Attorney General
State Bar #1025522

Wisconsin Department of Justice
Post Office Box 7857
Madison, Wisconsin 53707-7857
(608) 266-3990
(608) 294-2907 (Fax)
maasdw@doj.state.wi.us