

**STATE OF WISCONSIN                      CIRCUIT COURT                      MILWAUKEE COUNTY**

**STATE OF WISCONSIN**

**Plaintiff,**

**DA Case No.: 2017ML002426**

**Court Case No.:**

vs.

**CRIMINAL COMPLAINT**

MARSICEK, ROBERT RAYMOND  
1735 HI MOUNT BLVD  
MILWAUKEE, WI 53033  
DOB: █████/1941

**Defendant(s).**

*For Official Use*

Detective James Donovan BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

**Count 1: 1ST DEGREE CHILD SEXUAL ASSAULT - CONTACT WITH A CHILD UNDER AGE 13**

The above-named defendant from on or about, September 01, 2007 through June 30, 2010, at 2520 Wauwatosa Avenue, in the City of Wauwatosa, Milwaukee County, Wisconsin, did have sexual contact with a person who has not attained the age of thirteen, AC, DOB █████/2001, contrary to sec. 948.02(1)(e), 939.50(3)(b) Wis. Stats.

Upon conviction for this offense, a Class B Felony, the defendant may be sentenced to a term of imprisonment not to exceed sixty (60) years.

**Count 2: 1ST DEGREE CHILD SEXUAL ASSAULT - CONTACT WITH A CHILD UNDER AGE 13**

The above-named defendant from on or about September 01, 2007 through June 30, 2010, at 2520 Wauwatosa Avenue, in the City of Wauwatosa, Milwaukee County, Wisconsin, did have sexual contact with a person who has not attained the age of thirteen, AC, DOB █████/2001, contrary to sec. 948.02(1)(e), 939.50(3)(b) Wis. Stats.

Upon conviction for this offense, a Class B Felony, the defendant may be sentenced to a term of imprisonment not to exceed sixty (60) years.

**Count 3: 1ST DEGREE CHILD SEXUAL ASSAULT - CONTACT WITH A CHILD UNDER AGE 13**

The above-named defendant from on or about September 01, 2007 through June 30, 2010, at 2520 Wauwatosa Avenue, in the City of Wauwatosa, Milwaukee County, Wisconsin, did have sexual contact with a person who has not attained the age of thirteen, AC, DOB █████/2001, contrary to sec. 948.02(1)(e), 939.50(3)(b) Wis. Stats.

Upon conviction for this offense, a Class B Felony, the defendant may be sentenced to a term of imprisonment not to exceed sixty (60) years.

**Probable Cause:**

On December 2, 2016 City of Wauwatosa Detective James Donovan met with AC who has a dob of █████/2001. The purpose of this meeting was to discuss with AC about allegations that she was sexually assaulted by the defendant, Robert Marsicek, when she was in grade school and while in the grades of

1<sup>st</sup>-4<sup>th</sup> while she attended St. Pius X Grade School located at 2520 Wauwatosa Avenue, City of Wauwatosa, County of Milwaukee.

AC told Detective Donovan that she recalls that this first began when she was in 1<sup>st</sup> grade and attended St. Pius. AC stated that the defendant was a Priest at the school and that he often would hug her and give her a "tigger" which she described as her standing facing away from Father Bob (the defendant) and standing on his foot and that he would grab her by the hips and lift her in the air. AC remembers that when he would lift her that he would always press his thumbs into her buttocks. He would also hug her repeatedly from behind and he would often let one hand slip down and briefly touch her vagina over her clothing. She recalls wearing a jumper in the summer which she described as a dress with straps worn over a shirt and would wear pants in the winter.

AC stated that in 2<sup>nd</sup> grade she recalls this being a difficult year as she was stressing over multiplication time table tests. She specifically recalled field days or spirit days in which kids were allowed to roller skate in the gym. AC stated that this happened during the winter months. She recalls one night where she was wearing pajamas and fell and that Father Bob came over and picked her up. He then gave her a big hug and touched her vagina while doing so. He then took her over to a nearby bench and had her sit on his lap and once again put his hand on her vagina and patted her and said its ok. AC remembered that it was odd that he was patting her there and not on her arm or back.

AC recalls in third grade that she often had stomach issues and that her teacher had pillows in the back of the classroom for children to lay down if they needed to. She recalled one specific incident in which she had earned tickets for good work in class and that she had used them to buy a pack of wax soda bottle candy. She recalls not feeling well and going in the back to lay down. Father Bob entered the classroom and sat down next to her and started to rub her back and that his hand then moved down to her buttocks and touched her there. She recalled that this was at the beginning of the school year as it was still warm outside and that she was wearing a dress. He did not touch her underneath her dress. AC recalled another incident in 3<sup>rd</sup> grade in which Father Bob carried her to bell practice and that when they got to practice she wanted down and that Father Bob held her tightly and was pressing his hands into her buttocks.

In fourth grade AC recalls that she and the other kids liked to go to the boiler room. She remembered the bad smell it had. She also remembers that the boiler room had big grates that looked out into the gym and that you could look through the grates to see kids skating. AC recalled one skating night she was in the boiler room alone with Father Bob and that she was looking through the grate at the other kids skating when Father Bob hugged her from behind and reached his right hand and placed it onto her vagina while holding onto her with his left arm. She was wearing jeans and felt that she could not get away. He finally let go when she yelled out the name of another student who was skating who came over to her by the grate.

Also in fourth grade AC recalls that Father Bob bought her a beanie baby and that she was very happy to get the present. She recalls sitting in a rocking chair in her classroom and that Father Bob sat next to her and then reached under her jumper skirt and touched her vagina. AC stated that this felt like it lasted for hours and that she was scared someone would see them or find out and that she would get in trouble.

While also in fourth grade AC recalls being with Father Bob in a hallway that lead to an old fallout shelter that they referred to as the "dungeon." This was also during a skate night and that the lights never worked there and she was scared. Father Bob picked her up and pressed his hand into her buttocks and did it so hard that she told him and he loosened his grip.

The last incident that AC remembers happening was also in fourth grade and that also occurred on a skate night. She recalled going to his office where he had a golf putting game on his floor. She recalled the putter was a fishing pole. At one point Father Bob came up behind her and grabbed her in

an overly tight manner. Father Bob went back to his desk and AC laid down and was blowing the golf ball with her mouth trying to get it into the hole. Father Bob came over and laid down directly on top of her and reached under her body and placed his hand directly onto her breasts.

This does not exhaust all of the information that the state has that pertains to other allegations that the defendant engaged in inappropriate conduct with children around this same time frame and extending into 2013. The state is also aware of allegations involving the defendant during his time when he was serving as a Priest in California. With regards to the California allegations they involved young boys and allegations that Father Bob was rubbing his penis into these young boys from behind.

On January 10, 2017 Father Bob was questioned by Detective James Donovan. During this questioning Father Bob did remember AC and recalled that she was more clingy than other students, that she felt as though she was not accepted and always wanted hugs. He recalled giving children "tiggers" and did give AC more of these than the other children. He did recall that AC would at times sit on his lap but that he told her that this was not acceptable. He did recall taking AC down to the boiler room but doesn't remember the rest of it "at all."

The defendant recalled some of the young boys from California and did recall that on one occasion he did sleep in the same bed with one child because that child had been fighting with his brother who slept in the other room. He did recall taking children out for boat rides in California and that at times he let the younger boys drive the boat and that he would stand behind them and press against them. He said that at times he would get an erection stating "bouncing around in the water as you do, became sexual" and "when you are up against somebody and holding on to the wheel at the same time...umm, that creates an arousal." The defendant further admitted that he liked doing this, that is pressing himself against the young boys. He indicated that he only did this with those whose ages were 8 or 9 and possibly 7.

The defendant was asked if he was aroused by boys and small girls and he stated "certainly I'm aroused just the cuteness and beauty of them." When asked if he was attracted in a sexual manner he replied not to the point that he would not want to have sex with them "but in a sexual manner in so far as your groin... begins to be the dictator." He did admit to having erections while dealing with children and admitted that this did seem odd.

\*\*\*\*End of Complaint\*\*\*\*

Subscribed and sworn to before me and approved for filing this \_\_\_\_\_ day of February, 2017.

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Complaining Witness