

IOWA DIVISION OF CRIMINAL INVESTIGATION
INVESTIGATIVE COMMUNIQUE
POLYGRAPH REPORT
TITLE PAGE

TYPE: POLYGRAPH/QUESTIONED DEATH
LOCATION: EARLY, IOWA (SAC COUNTY)

CASE #: 0113423

DATE OF INCIDENT: DECEMBER 13, 2001
CASE AGENT/GEO: SPECIAL AGENT DAN MOSER
ASSISTING AGENT/GEO: SPECIAL AGENT DON K. SHREFFLER, POLYGRAPH EXAMINER
REQUESTING AGENCY: SAC COUNTY SHERIFF'S OFFICE
ASSISTING AGENCY: SAC COUNTY SHERIFF'S OFFICE

☒ OPEN
☐ ADDED INFO
AS OF

VICTIM(S):

NAME:
ADDRESS:

SEX:
RACE:
DOB:
SS#
HGT:
WGT:
EYES:
EMPLOYMENT:
OCCUPATION:
DCI:
FBI:

☐ See Next Page for Add'l Victims

SUBJECT(S):

NAME: **MICHAEL ROSS ROBERTS**
ADDRESS:

SEX: MALE
RACE: CAUCASIAN
DOB: 05-11-67
SS#: 346-92-9246
HGT:
WGT:
EYES:
EMPLOYMENT:
OCCUPATION:
DCI:
FBI:

☐ See Next Page for Add'l Subjects

DISTRIBUTION:

M	HD	PU	O

1. FILE-(ORIGINAL)
2. SPECIAL AGENT DAN MOSER - 1
3. SPECIAL AGENT DON SHREFFLER - 1
4. SAC BOB HENDERSON (SYNOPSIS ONLY)
- 5.
- 6.

EXHIBIT # 9-2

CASE 0113423

Transcribed By/Date: Dorothy/44590 03-06-02

EXHIBIT # 6-4
CASE 0113423

CASE #: 0113423

INVESTIGATIVE COMMUNIQUE (con't)

SYNOPSIS:

At the request of Special Agent Dan Moser, Iowa DCI, a polygraph examination was conducted of MICHAEL ROBERTS for the purpose of determining whether he was being completely truthful regarding the above-named issue. Special Agent Moser advised that he wanted ROBERTS tested to determine if he had been responsible for the presence of DUSTIN WEDHE at ROBERTS home on the evening of December 13, 2001. WEDHE was in the ROBERTS home uninvited and apparently had assaulted ROBERTS' wife. He was subsequently shot to death as an intruder by ROBERTS' wife, TRACEY ROBERTS.

An appointment was set for the examination to be conducted at the Storm Lake Police Department on the morning of February 13, 2002. ROBERTS appeared as scheduled and willingly submitted to the examination procedure.

EXAMINATION:

On his arrival at the Storm Lake Police Department, ROBERTS was advised by the examiner that the polygraph procedure was strictly voluntary, that he had the right to refuse the examination, and that no examination would be conducted against a subject's will. ROBERTS stated that he was present voluntarily and did wish to submit to a polygraph examination. ROBERTS was further advised that he was not under arrest and was free to terminate the exam procedure and leave the premises at any time. ROBERTS stated that he understood this. He was then read the standard DCI polygraph rights waiver form, which he stated he understood and did sign.


Prior to the first polygram, ROBERTS denied that he was responsible for DUSTIN WEDHE's presence inside his home on the evening of the shooting. He stated that he had been completely truthful with investigators during all interviews. ROBERTS said that he was present to submit to a polygraph examination on this issue, "to enable law enforcement to narrow the focus."

At the beginning of the pre-test interview, ROBERTS inquired as to whether the procedure was being videotaped. He was informed that it was not. He then asked if the exam procedure was under observation and he was told that both Special Agent Moser and Sac County Sheriff's Deputy Dennis Cessford were viewing the procedure via closed circuit camera.

ROBERTS stated that he understood the facts of the case to be that his wife was home with their three children and a friend's wife during the afternoon hours of December 13th. At that time, ROBERTS was out of town on a business trip with one of his


CASE #: 0113423


INVESTIGATIVE COMMUNIQUE (con't)

employees. The friend who was at his residence was the wife of the employee with ROBERTS. At some point during the afternoon hours of December 13th, DUSTIN WEDHE stopped by the ROBERTS residence in Early. TRACEY ROBERTS' friend, MARIE, had been planning on staying the night at the ROBERTS residence that night. She later decided not to as she and TRACEY found out that ROBERTS and his employee would be home from their business trip that night. ROBERTS stated he does not know exactly how TRACEY and MARIE learned that they would be home that evening. He assumed that they must have called home to let their wives know. 

As ROBERTS understood it, WEDHE had stopped at the residence looking for a job of some sort. WEDHE stated that his wife told him that he would have to talk to ROBERTS.

Later in the evening, ROBERTS' two boys, BURT and NOAH, were in BURT's bedroom on the second floor of ROBERTS' two story house. As he understood it, TRACEY had been in the bathroom on the same floor near the top of the stairs with their youngest child, two year old MAE. TRACEY told him that as she came out of the bathroom, she saw an intruder coming up the steps from the downstairs and ran for BURT's bedroom. She "threw" the baby into the room with the boys and was "yanked" back into the hallway by her assailant by her ponytail. At that time, she was choked into unconsciousness by the assailant.

ROBERTS repeated the account of the following events as they had been told to him by TRACEY. These were consistent with statements already given to investigators. ROBERTS stated that he left on the evening of Tuesday, December 11th, for a business trip with the aforementioned employee, RAYMOND FRIEDMAN, after a bible study at a residence in Storm Lake. He stated that at first that he could not remember whose residence this was and stated that he did not remember who was present. He then said that he came into the meeting late and was not there for very long. 

FRIEDMAN and ROBERTS drove to Minneapolis together in FRIEDMAN's vehicle. ROBERTS thought he had been driving his white Geo to get from his residence in Early to Storm Lake. They left the Geo at FRIEDMAN's residence. 

When questioned about the bible study, ROBERTS stated that this really was not a "bible study" per say but rather consisted of a group of individuals discussing starting a church. He stated that this would have been "an assembly" of the "brethren." He stated that this type of church is simply referred to as "The Assembly" at whatever town in which it was located.

CASE #: 0113423

INVESTIGATIVE COMMUNIQUE (con't)

ROBERTS said the two of them drove from Storm Lake to Minneapolis and he thought they probably got in around 1:30 a.m. on December 12th. They stayed at a motel that evening and caught an early flight to Denver. They stayed the evening of Wednesday, December 12th, in Denver and had dinner with a client at his home with his wife. On Thursday, December 13th, the two flew back to Minneapolis and had a long meeting with another client, named KEN MAYER and his wife. ROBERTS said that he and FRIEDMAN left for home around 8:00 p.m.

On the way, ROBERTS tried calling his wife to tell her that they were starting home but his line was busy. He stated that he started getting worried because of this. They finally got a hold of his next door neighbor, who told him that their had been a shooting. While still on the road, he called other friends to ask them to pray about the situation. ROBERTS said they arrived home "well after midnight." ROBERTS added that at one point during one conversation, he did get a hold of TRACEY and BURT at the hospital. After learning that his family was okay, BURT told him, "Dad, it was DUSTIN!"

ROBERTS said that he had tried to be something of a mentor to DUSTIN WEDHE. His mother, MONA WEDHE, was very, very appreciative of the time that he had spent with DUSTIN.

ROBERTS said that he had no idea what would motivate DUSTIN to come into his house uninvited and assault his wife. He said he did not know if perhaps DUSTIN was jealous of what MICHAEL had (a wife and children) and wanted to take what MICHAEL had away from him. ROBERTS said that he does not think that WEDHE could have come up with the idea of this home invasion by himself and must have been given the idea by another person.

The examiner questioned ROBERTS about WEDHE's purpose in being inside the ROBERTS house that night. He was asked if he had another explanation besides what he referred to as "rape, pillage, and plunder" and he advised that he did not have any other ideas. However, he stated that he is open to any suggestions law enforcement would like to make to him concerning other motivation and would be happy to offer feedback on those suggestions.

ROBERTS said that he understood that the only other friend that DUSTIN had was in jail that night so he could not have been the second intruder which TRACEY reported seeing.

ROBERTS did finally offer another explanation as to DUSTIN's possible motivation which was anger and resentment toward MICHAEL ROBERTS because ROBERTS had not spent a lot of time with DUSTIN recently. His only thoughts regarding

CASE #: 0113423

INVESTIGATIVE COMMUNIQUE (con't)

the actual object of DUSTIN's invasion was either simply mischief or possibly burglary in light of the fact that one of the family's computers was later found in WEDHE's car parked in the driveway at the residence.

The rest of ROBERTS statements were consistent with those given to investigators.

ROBERTS was asked the following relevant questions, which he answered as indicated:

Question #5	Did you arrange for DUSTIN to be in your house last December 13 th ?
Answer	No.
Question #7	Did you plan in advance for DUSTIN to be in your home last December 13 th ?
Answer	No.
Question #10	Do you know the name of the second intruder in your home last December 13 th ?
Answer	No.

ROBERTS' polygrams contained consistent specific responses indicative of emotional stress on the relevant questions set forth above. When given the opportunity to explain those responses, ROBERTS gave no explanation for their occurrence. He listened quietly to the examiner's explanation as to the outcome of the examination. He then questioned the examiner with an air of surprise as to whether or not the examiner was being serious with him. When he was assured that the examiner was indeed serious about the results of the examination, ROBERTS explained, still surprised, that he thought the examiner was lying to him about the deceptive charts, stating that he expected the examiner to then say, "I was just kidding! I just wanted to see if you were telling us everything!" He was again assured that the examiner was very serious about the outcome of the examination. At that point, ROBERTS held up his hand, palm out, toward the examiner, interrupted and stated, "Let's talk to Dan!"

At that point, the examiner left the examination room and advised Special Agent Moser that ROBERTS wished to talk to him. Special Agent Moser and Deputy Cessford then went into the exam room and discussed further the results of the examination and the investigation itself with ROBERTS.

CASE #: 0113423

INVESTIGATIVE COMMUNIQUE (con't)

DIAGNOSTIC EVALUATION:

After careful analysis of the MICHAEL ROBERTS' polygrams, and based on the case facts available, it is the examiner's opinion that ROBERTS' truthfulness could not be verified and he could not be cleared in this matter.



Submitted by

DON K. SHREFFLER, Special Agent
Polygraph Examiner
Division of Criminal Investigation
2025 Hunt Avenue
Council Bluffs, Iowa 51503-4254

EXHIBIT # 6-4

CASE 0113423

Page 6 of 6

IOWA DIVISION OF CRIMINAL INVESTIGATION

REINTERVIEW:

CASE:0113423

Typed By: JANA/44403

NAME: MICHAEL ROBERTS
ADDRESS: 105 WEST SOUTH AVENUE
EARLY, IOWA
SEX: MALE
RACE: CAUCASIAN
BIRTHDATE:
SOC SEC #:
EMPLOYMENT: SELF EMPLOYED

OCCUPATION: XELLEX
PHONE: (RES) 712-273-5050
(BUS)
DATE: 2/13/02
TIME: 2:25 PM
PLACE: STORM LAKE PD
CASE AGENT/GEO: S/A MOSER
INTERVIEWED BY: S/A MOSER & LT. DENNIS CESSFORD

DICTATED BY: S/A MOSER
PURPOSE: ROBERTS WAS INTERVIEWED AFTER TAKING A POLYGRAPH
EXAMINATION ON 2/13/02

MICHAEL ROBERTS was asked if he could offer any explanation why the polygraph examination that he had just completed taking indicated that he was 99% deceptive on the relevant questions. ROBERTS indicated that he spoke the truth and questioned officers if they were trying to freak him out by advising him that he had failed the polygraph. ROBERTS indicated that he was flabbergasted at the results.

ROBERTS was asked to share more details about his knowledge of this situation that happened on December 13, 2001. ROBERTS insisted that he had nothing to share.



CASE: 0113423

REINTERVIEW - MICHAEL ROBERTS - (con't)

MICHAEL ROBERTS related that the files pertaining to his wife's divorce from her first husband had been stored in the office area until approximately two weeks ago when they were moved and stored in a different location.

MICHAEL ROBERTS admitted that in the past when he had contact with DUSTIN WEHDE, he may have shared some of the details concerning his wife's first divorce but indicated he would not have got too specific. ROBERTS was asked what he would have shared and ROBERTS responded by indicating that he would not have painted a pretty picture of his wife's first husband.



ROBERTS stated that the files pertaining to his wife's divorce and custody documents would have been stored in the office area of Xellex and admitted that MONA WEHDE could have read the documents when she worked at Xellex.

ROBERTS indicated that DUSTIN also was in the office area and if left unattended, would have the opportunity to review the divorce and custody documents. ROBERTS indicated that as far as he knows, DUSTIN WEHDE nor MONA WEHDE would have had the opportunity to review the documents pertaining to the divorce and custody actions.

ROBERTS indicated that the only thing he ever offered DUSTIN WEHDE was friendship. ROBERTS indicated that he did take DUSTIN WEHDE on paintball excursions in the past but began to not invite him along on occasions because he suspected DUSTIN WEHDE of taking equipment which was not his such as a cleaning rod. ROBERTS indicated that other members of the paintball exercises believed that DUSTIN was cheating and there was some question about missing ammo, squeegees, and other participants were not comfortable with DUSTIN.

ROBERTS indicated that he has told the truth all along and has not tried to deceive investigators. ROBERTS indicated that he did not take any prescription medications before the polygraph, he does have some scripts for anti-inflammatory drugs for his back and has also been recently prescribed Ritalin and has used an inhalant for his allergies.

ROBERTS indicated that he has not taken any drugs and in fact had a Ritalin tablet in his billfold which he displayed and again claimed he did not take any drugs before the test.

ROBERTS stated that the only thing he is guilty of is not following up on his failed friendship with DUSTIN and has not committed any wrongs, the only thing possibly could be acts of omission, not commission.


CASE: 0113423

REINTERVIEW - MICHAEL ROBERTS - (con't)

ROBERTS indicated that he does not deny the readings of the polygraph but denies its reliability.

ROBERTS indicated that he doesn't know for sure that there were two intruders in the house on December 13, 2001, but indicated that his wife indicates that there was.

ROBERTS indicated that the reward poster which was posted in the Early Iowa area, did have an incorrect date, the date of 12/12 opposed to 12/13. ROBERTS indicated that when the date was brought to his attention as to being incorrect, it was corrected before a majority of the signs were hung up. ROBERTS indicated that the reward poster was prepared the day after the incident and would not have been prepared prior to the incident.

ROBERTS was asked about the email that he sent and a copy that was received by MONA WEHDE. ROBERTS indicated that the email, which was presented to ROBERTS, was inadvertently sent to MONA WEHDE in a group broadcast. ROBERTS indicated that he should have removed MONA from his address book but apparently had not. ROBERTS indicated that his program personalizes each email that is sent out even though it may be part of a broadcast to make it look like it is more individual. ROBERTS indicated that the email was in poor taste considering the circumstances surrounding DUSTIN WEHDE'S death but indicated that it was sent to other individuals to be satirical and humorous and he stated he has deep regrets that a copy of the email went to MONA WEHDE. 

MICHAEL ROBERTS indicated that the life insurance policies for he and his wife would have gone into effect on December 16, 2002. ROBERTS indicated review of the life insurance policies was conducted prior to that date and believes that his wife did make arrangements for the review of the life insurance.

ROBERTS indicated that in the summer and fall of last year, he was trying to sell part of the Xellex business and was looking for investors to possibly acquire 60% of the company. ROBERTS indicated that he believes his company has been valued at between four hundred thousand (\$400,000) and six hundred thousand dollars (\$600,000). ROBERTS indicated that it was designed to reflect that 1% of the shares were owned by his wife TRACEY and the 49% remaining would have been shares owned by him. ROBERTS pointed out that the shares were never issued and the reason that TRACEY ROBERTS was to have 51% was because it gave the company the ability to get contracts with the government under a special minority class. ROBERTS indicated that later it was determined that the minority owner had to be working actively in the company.

CASE: 0113423

REINTERVIEW - MICHAEL ROBERTS - (con't)

ROBERTS indicated that initially he was the president of Xellex and his wife was secretary. ROBERTS indicated that he would admit to some sloppy practices in the past and went on to explain the makeup of Xellex Corporation and the holding companies and subsidiaries that are related.

ROBERTS indicated that it is his plan that he would own 90% of Xellex and an employee by the name of MATTHEW could have 10%. Eventually, another 10% would be issued to MATTHEW for his commitment to the company and as a reward for his efforts. ROBERTS indicated that in September of 2002 and then again in the following year, RAY FREEDMAN present employee, is expected to get 10% for each year.

ROBERTS stated that he has failed in two ways. He indicated that he should not have left his family for business and should have been home and the second way he failed was that he failed in his attempt to build and maintain a friendship with DUSTIN WEHDE.

ROBERTS indicated that he believes his wife and MONA shared some information but indicated that he believes his wife TRACEY would have been discreet and very sensitive with the details about her family and her son BERT.

ROBERTS indicated that he did not plan to do anything against the interests of JOHN PITMAN.

ROBERTS indicated that the domestic incident which occurred between he and his wife in December of 2000, was a turning point in their marriage and he has nothing but positive things to say about the status of his marriage to TRACEY.

ROBERTS related that in the past when he and his wife lived in Chicago, there was an incident where a back door, off an alley, was broken into a common area off their apartment and for some reason, ROBERTS indicated that his wife woke up and went and got NOAH, who was an infant at the time, and went back to bed. TRACEY apparently got up the next morning and discovered that the back door had been broken into and did report that to police. ROBERTS indicated that the back door that was broken into, did not lead directly into the apartment where his wife and children were at. ROBERTS indicated that he was again out of town when that incident occurred.

ROBERTS indicated that while living in Early, there was a window broken on the ground floor of their residence sometime in 2002 but indicated the window was found pushed open and it looked like part of the mechanism had broke. ROBERTS indicated that nothing was taken and the outside screen was not disturbed.

CASE: 0113423

REINTERVIEW - MICHAEL ROBERTS - (con't)

ROBERTS indicated that his relationship with his stepson, BERT, is very good and indicated that he does dish out discipline to include grounding and restricting his stepson from playing Playstation. In the past, ROBERTS admitted using a bamboo cane to spank his stepson but indicates that form of punishment is no longer utilized.

ROBERTS indicated that in the past ASHLEY WEHDE, the sister of DUSTIN WEHDE, has been a babysitter and also indicated that some HIGGINS' girls have babysat for the ROBERTS.

ROBERTS indicated that he has tried to figure out who would possibly have tried to harm his wife on December 13 and he could not settle on any theory that would make sense. ROBERTS indicated that he dismissed TRACEY ROBERTS' first husband JOHN PITMAN as a suspect because any effort of that nature would cause him to lose too much and it wouldn't be worth the risk. ROBERTS indicated that the dentist who took advantage of his wife while she was under sedation had no further reason to strike at his wife because that situation had been taken care of just days before the incident and the dentist only was out approximately six thousand dollars (\$6,000) and the problem was over for him.



ROBERTS indicated that he saw no benefit for KIRK GOETTSCHE to strike out at his wife and could not find any reason why MONA WEHDE and/or son would have any reason to strike out at TRACEY ROBERTS.

ROBERTS stated that if JOHN PITMAN was somehow involved in this, he could not see any plan that would include DUSTIN WEHDE in the picture.

End of interview.