

STATE OF SOUTH DAKOTA)	IN CIRCUIT COURT
) SS:	
COUNTY OF HUGHES)	SIXTH JUDICIAL CIRCUIT
STATE OF SOUTH DAKOTA,)	Crim. No. _____
)	
Plaintiff,)	
)	
vs.)	AFFIDAVIT IN SUPPORT OF
)	COMPLAINT
)	
TED ALVIN KLAUDT,)	
)	
Defendant.)	

STATE OF SOUTH DAKOTA)
) SS:
COUNTY OF HUGHES)

Comes now, Larry Long, and upon being duly first sworn upon oath deposes and says as follows:

1. I am the Attorney General for the State of South Dakota. This Affidavit is made based upon my personal knowledge, information and belief based upon the activities of investigators working for the Division of Criminal Investigation.

2. On January 8th, 2007, the Division of Criminal Investigation received a referral from the South Dakota Department of Social Services pertaining to a complaint that had been lodged with a Juvenile Corrections Agent regarding sexual contact with a child who had been placed in foster care with Ted and Connie Klautd of rural Walker, South Dakota. The complaint had been lodged by the mother of the foster child.

3. On January 30th, 2007, an interview was conducted with A.M., regarding these allegations. A.M. was a ward of the

Department of Corrections, and had been sent to live with Ted and Connie Klaudt in Walker, South Dakota, Corson County, in 2003, when she was 15 years old. A.M. stated that at some point while she was living with the Klaudt's, she made a statement about not wanting to have kids. After she had made this statement, Klaudt began talking to her around the end of 2004 about donating her eggs in order to make a lot of money, so that she would not need student loans for college. A.M. agreed that this would be a good idea, initially under the assumption that someone other than Klaudt would be doing the egg collections.

4. Klaudt then purported to put A.M. in contact with an "agent" to facilitate her egg donation. This purported "agent" began contacting A.M. via e-mail, using the name "Terri Linee." A.M. had saved a number of the e-mails she received from "Terri Linee" and provided them to DCI. These e-mails directed her to allow Klaudt to perform various "exams" which were purportedly necessary for her to participate in this egg donation process.

5. A.M. described to DCI the details of these "exams" which Klaudt conducted on her. A.M. explained that Klaudt kept a briefcase in his office which contained a "dildo thing" which he would use to stimulate her vagina. Klaudt would then inject "water stuff" into her vagina with a syringe and then collect fluid from her vagina. A.M. explained that she was very uncomfortable during these procedures and would start crying, whereupon Klaudt would tell her "you can't cry, you have to get

stimulated." When A.M. would continue crying, Klaudt would get mad and storm out of the room. Eventually, A.M. would give in and advise him to go ahead and complete the "procedure."

6. A.M. further described the "exams" in which Klaudt would use the dildo. She explained that she would make Klaudt leave the room while she disrobed and would cover her head and torso, leaving her legs, buttocks and vaginal area exposed. She explained that in addition to the dildo, Klaudt also used a long tube and a speculum to complete this "exam." A.M. also advised that Klaudt would use a lubricant such as KY and also put "antibacterial stuff down there." She described the "antibacterial stuff" as a small bottle of bacterial hand sanitizer. A.M. stated that when Klaudt would use the dildo to attempt to stimulate her and she would cry, Klaudt would then give her beer or alcohol to relax her.

7. A.M. advised that Klaudt kept the briefcase containing the dildo, gloves, speculum and all the other "tools" in it in his office. She described the dildo as shaped like a penis and flesh-toned or "pinker" in color, and thought there may have been a hole at the end of it, but could not be certain. Klaudt told A.M. that he had performed such procedures for a number of people.

8. Klaudt also advised A.M. that it was necessary to do "breast exams" and "ovary checks" on a regular basis. A.M. advised that these "exams" needed to be done approximately every

week. A.M. explained that the ovary checks were conducted by Klaudt putting on rubber gloves and inserting his fingers into her vagina while pressing down on her lower abdomen.

9. When questioned about how many times Klaudt performed the "procedures" in which he purported to collect her eggs, A.M. stated that Klaudt had done it twice during the 2005 Legislative Session, and once during the 2006 Legislative Session, when she had been a page. A.M. was 17 years old at that time. These occurred in Pierre while she was staying with Klaudt in his motel suite during the Legislative Sessions. A.M. stated that these procedures were also done in Klaudt's office and in a back room, both at Klaudt's residence in Walker. A.M. estimated that over the entire period, from late 2004 or early 2005 through August of 2006, Klaudt performed these "exams" approximately 8 to 10 times. The "uterus checks" and "breast exams" were also done numerous times in both Pierre and at Klaudt's house in Walker. The last time A.M. stated that the egg collection procedure was performed was in the summer of 2006. A.M. recalled at least two such incidents in approximately July or August of 2006, when she was 18 years old.

10. A.M. also advised that Klaudt printed a form off the internet which Klaudt claimed he had gotten from "Terri" for A.M. to fill out regarding the egg donation. A.M. indicated that there was no heading on the form so she was not sure whether or not it did in fact come from "Terri."

11. A.M. also explained that after the egg collection "procedures" were conducted in Pierre, the speculum and rubber gloves would be taken from the hotel, and Klaudt would stop at a park between Pierre and Walker to throw the items away in a park dumpster. She also recalled one incident after one of these "exams" when Klaudt told her to take the speculum and gloves and bury them in other trash and then take them out to the dumpster. A.M. advised that while she was living with the Klaudts, she and Klaudt's daughter were cleaning his office when they found a whole box of disposable speculums.

12. A.M. graduated from high school in the spring of 2006, and left for college in the fall. A.M. explained that she was having a financial disagreement with Klaudt regarding a car that she had purchased, for which Klaudt had cosigned the loan and was also listed on the vehicle title. Klaudt insisted that A.M. come back to his residence in Walker to work on the farm on weekends and whenever she was not in school in exchange for him helping her with the car payments and maintaining the insurance on the vehicle. Klaudt was trying to get her to sign a contract in which she agreed to come back to his farm and work every weekend for \$6.50 an hour, and also directed her to bring all of her possessions valued at over \$50 back to the Klaudt residence, along with her vehicle, if she did not sign it. A.M. stated that Klaudt had been text-messaging her on her phone approximately 20 times a day and calling her five times a day. Klaudt insisted on

knowing exactly what she was doing, where she was going, and who she was with.

13. A.M. further related that she had been receiving e-mails from an individual identified as "Brandon White" who she suspected was in fact Klaudt. A.M. explained that she first got an e-mail from "Brandon" in reference to a dirt bike she wanted to sell. A.M. saved several of these e-mails and on-line conversations with "Brandon" and provided them to DCI. Although "Brandon" indicated he wanted to buy her dirt bike, he would never finalize the deal. Instead, she received repeated e-mails from "Brandon" demanding information on her whereabouts, activities, friends, boyfriend, and sex life. A.M. recalled an incident when she was home at the Klaudt's residence during her Christmas break of 2006. While she was there, she was talking to "Brandon" online when she got up from her computer to go brush her teeth and saw Klaudt typing on his computer in his office. When A.M. returned to her computer she had received another message from "Brandon" which was quite sexually explicit. A.M. then saw another one of Klaudt's foster daughter's walk into Klaudt's office, after which Klaudt shut his laptop computer and acted very suspicious. A.M. did not receive any further messages from "Brandon" that night. A.M. advised that Klaudt often asked her about "Brandon."

14. A.M. received a call from Klaudt approximately January 18th, 2007, in which Klaudt told her that he "loved [her] more

than a daughter" and that he had been "jealous of all the guys." Klaudt claimed that he had never wanted her sexually, but made a statement referring to being ashamed. Klaudt had found out about the report A.M.'s mother had made to the Department of Corrections. Klaudt told A.M. "if you bail me out, I will forget about everything." A.M. understood this comment to refer to their disagreements over finances and property.

15. After the conclusion of DCI's interview with A.M., she agreed to participate in a recorded telephone call with Klaudt. DCI suggested that A.M. inform Klaudt that she was studying the reproductive system in her anatomy class and ask him questions about the egg donation procedures. During this telephone call, A.M. asked Klaudt how the eggs were collected and preserved so that they would not die. A.M. asked Klaudt if he remembered when they did it, to which Klaudt replied "Yeah, but there was no eggs." Klaudt told A.M. that there were never any eggs collected, but that it was just to see if the eggs were healthy. Klaudt also informed A.M., "There was never no eggs sent nowhere, hon." "That was just to see if the fluid in it was healthy enough to support egg donation."

16. The copies of the e-mails A.M. provided to DCI include ones she had received from Klaudt's e-mail address, repklaudt@yahoo.com, as well from terri_linee2000@yahoo.com. These e-mails are dated between December 2, 2005, through January 15, 2007. In a December 2, 2005, e-mail from "Terri" to Klaudt,

she states that she has a client willing to pay \$10,000 or more for A.M.'s eggs, and that they would send \$500 up front to get started. This e-mail also refers to Klaudt's "last client" and purports to have paid her \$14,000. "Terri" states that it would be necessary to do at least 2 or 3 tests, but if "she won't let you do it right" then it might take 3 - 5 times, but that the number of times it would be necessary "depends on how much fluid you can get out of her each time." The e-mail from "Terri" also suggests to Ted that he have A.M. read the messages she was sending him. The e-mail states that the upfront money is "hers to keep no matter what as long as she allows you to submit all the tests we need from her." In a responsive e-mail, Klaudt refers to "his client" and asks "Terri" if the "3-time uterus flush is the best way to go."

17. The next e-mail dated December 27th, 2005, from "Terri" to A.M. reminds her that her "next test" has to be done around the middle of her cycle. "Terri" explains that the reason for the tests is to "see how healthy your eggs will be." "Terri" directs A.M. to "get a hold of Ted and set up a time to complete these tests." Further, the e-mail states: "it would help if you could relax more. I know it [sic] hard but please try harder to relax for the testing. I did talk with Ted just after the last test and he is getting kinda burned out with the problems he has had with your testing. He does it as best as he know how [sic] and he is good at it. Please don't upset him to the point of

where he won't finish the testing for us. I have worked with Ted for about 3 years now and I have found out you can push only so far and he will just stop so please take it easy and work with him not against him."

18. When A.M. would not reply to "Terri's" e-mails, A.M. received follow-up e-mails directing her to complete the tests because they had sent her money. A January 6, 2006, e-mail advised A.M. that based on her last period, she should get a hold of Ted to do a test around January 8-10, and then she would need another one 3-8 days after her next period.

19. In an e-mail dated June 8, 2006, "Terri" pleads with A.M. to talk to Ted to finish the tests and states "I do know the other type of testing was hard for you but the new ones are a lot easier and you don't need to expose yourself so much."

20. A June 29th, 2006, e-mail from "Terri" advises A.M. that there are two couples interested in her eggs and that she could make \$20,000. The e-mail states "I do need to remind you that if you don't at least try I will be forced to take action to collect the \$250 we paid in good faith money that you have never completed. This will affect your credit and even affect you when you apply for a student loan."

21. In a July 7, 2006, e-mail "Terri" refers to the \$20,000 and the Mustang car and explains the tests that Ted must perform. "The first one you will need to have [sic] the breast exam and the breast measurements done along with a view of the ovaries

[sic] and a position of them. This needs to happen before your next period and then for each week after that u will need to have just the gland location and and and ovaries [sic] position done on you. for all but the first and last time in which you will need the complete exam again you should be able to stay completely covered with a sheet hun." "Terri" advises A.M., "Ted know [sic] just what to look for and to do so he will explain it all to you please dont [sic] get all upset as he does these tests on you. He will stop doing them after the first one if you dont [sic] be a big girl about them....When you feel like crying, just think about how nice that mustang will be driving around in and all the fun you will have with it."

22. In an e-mail dated July 15th, 2006, "Terri" states that "Ted's report was excellent the breast glands are [sic] very good position and the ovaries [sic] are in exact position and the uterus looks very healthy. Dont [sic] forget the next test that needs to be done on sunday or monday. Make sure you contact Ted and remind him. Ted said you were a little upset hun please try to relax and the tests wond [sic] hurt as much please dont [sic] make Ted to [sic] upset." "P.S. you need to remind Ted to do the breast measurement this time and the next three times he will know what this means."

23. In an August 9th, 2006, e-mail, "Terri" explains a further test that must be done as follows: "Its a vaginal stimulation test iam [sic] sure you have what is needed to

perform this test." In a subsequent e-mail that same day, "Terri" advises A.M. that she has three other clients who want A.M.'s eggs and that she could make over \$40,000 by the first of the year.

24. In an e-mail dated August 11th, 2006, "Terri" advises A.M. that she talked with Ted and he is willing to do the testing if A.M. makes some commitments first: "You need to promise that you will not do the crying act stuff he just cant [sic] do it. He feels like he is hurting you and he told me that is the last thing he would ever do is hurt you. A.M. you are 18 now and it [sic] time you start to act like and [sic] 18 year old girl. I dont [sic] mean to sound rude but come on girl it [sic] not like you are a virgin."

25. In an August 13th, 2006, e-mail, "Terri" advises A.M., "I can send Ted a relaxer for you if you want. I know any type of alcohol will work just as well."

26. In an August 15th, 2006, e-mail, "Terri" explains to A.M., "The reason for the vaginal stimulation is we need to see if your overies [sic] are working properly and after the vagina is stimulated the overies [sic] will open and they will be in a position so Ted can see just what position they are in. That is the most important part of a [sic] egg donor. If they dont [sic] open correctly then you cant [sic] get into a donor program. So Ted will need to do what ever it takes to get them stimulated so he can see what they are doing."

27. In an August 26th, 2006, e-mail "Terri" directs A.M. to get with Ted to complete paperwork and to "remember you need to have a breast exam at that time." In a subsequent e-mail on September 10th, 2006, "Terri" states "I have been very patient with you the last couple of years." The e-mail goes on to chastise A.M. for not responding, and requests that A.M. check her e-mail at least a couple of times every day. It also threatens to close A.M.'s "file" if she does not.

28. A September 15th, 2006, e-mail from "Terri" lists several "items" that must be done by Monday, September 18th, including a completed application, photos of A.M. at many different times of her life, a current breast exam, a complete visual and manual exam of her vulva, and a pap smear. A September 17th, 2006, e-mail from Ted Klaudt to A.M. then includes an egg donor application form. Also in this e-mail, Klaudt informs A.M. that he misses her and thinks about her all the time. He states, "you will always be daddy's little girl."

29. On October 2, 2006, "Terri" advises A.M. that she is sorry to hear that A.M. is backing out of the donor program, and that Ted is very upset with A.M. "Terri" advises A.M. that Ted wants to send the \$250 back that was paid to A.M. for a good faith fee. The e-mail also states that "he think [sic] he has hurt you and you will never forgive him for it."

30. In a November 7th, 2006, e-mail, "Terri" refers to Ted having "several female [sic] he was working with including u

[sic] and u [sic] allway [sic] seemed to be the one that could get to him." The e-mail advises A.M. to talk to Ted now or she would be withdrawn from the listing. The remaining e-mails from "Terri" which continue through January 15, 2007, repeatedly urge A.M. to talk to Ted and complete the testing.

31. After DCI received these e-mails from A.M., along with those from "Brandon," subpoenas were issued to Yahoo for subscriber information. The West River Cooperative Telephone Company was also subpoenaed in order to obtain the Internet Protocol (I.P.) addresses for the subscriber information obtained from Yahoo. The documentation received from Yahoo established that the alternate e-mail address listed for the terri linee2000@yahoo.com account was the same alternate e-mail address listed under Klaudt's repklaudt@yahoo.com e-mail account. In addition, the terri linee2000@yahoo.com e-mail account was shown to be created on March 6, 2001. While the "Brandon White" e-mail account, moose white 86@yahoo.com, did not list an alternate e-mail address, the Yahoo records indicated that this e-mail account was created on August 15th, 2006. This is the approximate time frame in which A.M. started receiving e-mails from "Brandon." The terri linee2000@yahoo.com and moose white 86@yahoo.com accounts were accessed on dates and times from I.P. addresses which were assigned on those dates and times to the repklaudt@yahoo.com account. Further, a forensic

analysis of Klaudt's laptop computer established that these two Yahoo accounts were in fact logged onto from Klaudt's laptop.

32. In the course of this investigation, DCI also interviewed another former foster child of the Klaudt's, J.S. After requesting copies of all of the DSS referrals regarding Ted and Connie Klaudt, DCI learned that in March of 2006, allegations of sexual abuse of J.S. by Klaudt had been reported to DSS by the mother of a friend of J.S.'s. J.S. had related an incident to her friend, who then told her mother, in which Klaudt had fondled J.S. and had performed some sort of test on her to determine if she was fertile. J.S. subsequently contacted DSS and stated that she had lied about Klaudt and that she had simply had a conversation about fertility, but that he did not touch her in any way. J.S. stated that this conversation occurred in February of 2006 when she came to visit Klaudt in Pierre during the legislative session.

33. J.S. was initially reluctant to speak with DCI, but did state that Klaudt did not take her "eggs," but rather "female discharge." When the DCI agent first attempted to speak with J.S., she informed him that she and her family were having dinner with Klaudt that night. Later that day, J.S. contacted the DCI agent and advised that she did not want to speak further about the investigation.

34. J.S. was subsequently interviewed by DCI and gave additional information. She explained that because she had been

having problems with her uterus, Klaudt gave her supplies to attempt to do a fertility test. J.S. stated that this occurred during her senior year of high school when she was 19 years old. J.S. initially stated that Klaudt supplied her with a jar, and a tube with a bulb on it, but that she obtained her own bodily sample and gave it to Klaudt, who then sent the fertility test to Pierre. In this interview, J.S. stated that she did not want to ruin Klaudt's life, and that she had spoken with Klaudt's wife recently, who, while crying, informed J.S. that their foster children had been removed. J.S. indicated that Klaudt was the first male she ever trusted.

35. In a subsequent interview with J.S., she apologized to the DCI agent for previously lying and agreed to provide the actual details of what happened between her and Klaudt. J.S. explained that she had overheard Klaudt talking with another foster child, L.H., about an intern who had sold her eggs for money. In 2005, the summer between J.S.'s junior and senior years in high school, Klaudt started talking to her about egg donation. J.S. was also concerned about gynecological problems she was having and whether she would be able to have children. Klaudt advised her that the costs of "fertility" tests would not be covered by Medicaid, however he could do them. Klaudt told J.S. that he could do a "normal fertility test." J.S. stated that this exam occurred when she visited Klaudt during the Legislative Session in February of 2006. J.S. stayed with Klaudt

in his suite at the Capitol Inn in Pierre. J.S. explained that Klaudt had a briefcase in which he stored all of the items he used in the "exam." Klaudt instructed her to get fully undressed and then get under the bed sheet. Klaudt then gave her a bottle of KY lubricant and a dildo with tubing in the back end of it and instructed to her to use the dildo on herself. When J.S. had trouble inserting it, Klaudt told her to let him help. Klaudt then put KY Jelly on the dildo and felt under the sheet to locate her. J.S. stated that she asked Klaudt to stop two or three times and was crying because it hurt. Klaudt stated that he needed more fluid to be sure that he had enough, so he continued despite her protests. J.S. also stated that she felt pressured to do the exam. J.S. stated that afterward, Klaudt cleaned off the dildo. J.S. stated that she felt dirty, and locked herself in the bathroom to take a shower. She stated that Klaudt informed her he was going to send the sample to a clinic in Pierre, but she did not know what he had done with the fluid.

36. J.S. also informed investigators that beginning as early as 2002, when she was 15, and continuing throughout 2006, while she was living with Klaudt, he would frequently grab her breasts and rub them to "get the fibroids out." Klaudt told her he did this for his wife. He also told J.S. that she needed breast cream to "enhance her boobs."

37. J.S. stated that after Klaudt learned that the report of sexual abuse had been made to DSS in 2006, he told J.S. that

this would ruin his and his wife's lives. Klaudt told J.S. that she would be sent to juvenile prison, would not graduate, and would not be able to come home if she did not recant the allegations. Klaudt made her call the Department of Social Services to recant, and she complied. J.S. also informed DCI that on the evening of her first interview with DCI, Klaudt came to see her in Sioux Falls and she told him about DCI coming to see her. Klaudt gave her \$50 that evening to look after his mother who is in a nursing home in Sioux Falls. Approximately two days after this meeting, J.S. called the Klaudt residence and spoke with Klaudt about her interview with DCI. J.S. stated that Klaudt cried during this conversation, and told her that A.M. was making up a bunch of lies. J.S. told Klaudt she was on his side and he advised her to tell law enforcement it was all A.M.'s idea. Klaudt told her that if she did not, his wife would lose her job and that all of their foster children would be without a home.

38. DCI also interviewed another foster child of Klaudt's, L.H., who lived with them from October of 2003 until 2005. L.H. stated that while she was a page in the 2005 Legislative Session, she learned of an intern donating eggs for money and had talked to Klaudt about this. L.H. stated that when she expressed interest in egg donation, Klaudt printed off applications from the internet and provided them to her, as well as her cousin, N.H., who briefly stayed with her at the Klaudt residence in the

spring/summer of 2005. Klaudt offered to help L.H. with the screening process and breasts exams herself required for the egg donation, but she refused. L.H. stated that Klaudt then explained to her how she should do the breast exams herself. L.H. related an incident where Klaudt drove her in his pickup one night out into a pasture, and put on gloves to do the "exam." When L.H. was reluctant to allow Klaudt to perform the exam, he asked her if she wanted to do it herself, and she agreed. Klaudt then gave her the gloves and told her what she was suppose to feel inside her vagina. L.H. put her hands down her pants and attempted to do so, while Klaudt touched and pushed on her lower abdomen.

39. L.H. also related an incident which occurred in Flandreau, South Dakota, in approximately December of 2006. Klaudt came to Flandreau where L.H. was living at the time, for a family member's funeral. Klaudt visited L.H. at her apartment and advised her that he could do an exam, but she told him she was uncomfortable with him doing the tests. Klaudt informed her that they needed to do measurements. Klaudt then measured her hips and talked about the breast exam. Klaudt then touched her breasts and advised L.H. that he was looking for "milk glands." L.H. stated that Klaudt gave her a speculum to allow her boyfriend to conduct the rest of the tests at a later time, and also gave her some lubricant and a vibrator. Klaudt advised her that she needed to get stimulated to collect a sample.

40. As a result of the information received from L.H., DCI also interviewed her cousin, N.H., who came to the Klaudt's residence for L.H.'s graduation in 2005, and stayed with them through June of 2005. N.H., who was 19 years old at that time, had previously learned about egg donation from L.H., and Klaudt agreed to assist them with this process. N.H. indicated that she approached Klaudt about egg donation and he agreed to print off an application for her. N.H. explained that after filling out parts of the application, she spoke with Klaudt about the fact that she was on birth control and was bleeding frequently and asked him what needed to be done to become an egg donor. Klaudt explained that a pelvic examination needed to be completed to find out more about her fertility and ovulation. Klaudt explained that he had certain "tools" that he could use to do such an examination to see if she was a good candidate. Klaudt offered to do the exam and N.H. agreed. N.H. described the exam as occurring in Klaudt's office. Klaudt obtained a white sheet and had what N.H. described as a "kit" or a briefcase. N.H. removed her pants and underwear and Klaudt had her lie down on some office furniture. Klaudt then put on latex gloves and used lubricant to insert a speculum and a long Q-tip into her vagina. Klaudt then informed N.H. that she had a yeast infection and that she needed to clean up the infection prior to any other examination being conducted.

41. In a subsequent interview with DCI, N.H. related a second incident that had occurred with Klaudt. N.H. advised that she had met with Klaudt in Pierre on a previous occasion a few weeks prior to the one she described at Klaudt's residence. N.H. had lunch with Klaudt, then went to his motel room in Pierre. Klaudt instructed her to remove her clothes and told her to wrap a small sheet around her, and lie down on the bed. Klaudt was sitting on a chair. He then inserted the speculum and informed her that she had sperm in her vagina. N.H. stated that Klaudt had a microscope and slides and informed her he had done this with other girls as well. Klaudt informed her that he would need to do another exam once all of the sperm was out of her vagina. After the exam in Pierre, Klaudt informed N.H. that they could do another exam to see if she was ovulating. N.H. said that this was the exam that occurred later at the Klaudt residence.

42. Law enforcement also spoke with a friend of Klaudt's daughter, B.H., who recalled Klaudt mentioning egg donation to her in 2002 or 2003. Klaudt informed her that she could make a lot of money, which she related to her mother, who told her not to do it. B.H. was also friends with A.M. Klaudt again approached her about egg donation on a number of occasions during her junior year. B.H. stated that Klaudt really wanted her to do it (referring to egg donation). B.H. advised that she was a page during the 2006 Legislative Session, and while she was riding with Klaudt to Pierre, he advised her that he had two people

lined up to receive her eggs, and told her that they needed to do a test but that he needed to know when she last ovulated. When B.H. explained she did not know, Klaudt informed her they could do a breast exam to determine when she last ovulated. Klaudt then performed a breast exam on B.H. and stated he was looking for "little balls" which would tell him when she was going to ovulate. B.H. was uncomfortable after the breast exam, and told Klaudt that she did not want to do any other tests. This breast exam occurred in Klaudt's motel room in the Capitol Inn in Pierre.

43. On February 2, 2007, DCI conducted an interview of Klaudt at his residence. When Klaudt was questioned about egg donations with regard to A.M., he initially stated that A.M. had asked him about egg donation, and that he had told her she could check into it, but that was about as far as it had gone. Klaudt denied setting anything up with regard to tests which had to be completed for the egg donations. Klaudt informed the investigators that he had learned about egg donation through an intern in Pierre, and stated that he did not know a great deal about it. Klaudt indicated that A.M. was making up this information due to the financial problems they were having with regard to the vehicle he helped her purchase.

44. The DCI agents then informed Klaudt that they had received several e-mails from A.M. which were looped through his e-mail address regarding egg donation. When Klaudt was asked

about his knowledge of the "Terri Linee" e-mail account, he explained that "Terri" was "a gal that knew something about this stuff, who he had learned about from the intern in Pierre." When questioned as to the name of the intern, Klaudt advised that he could not remember her name. Klaudt indicated that he relayed some stuff from "Terri" on to A.M. Klaudt also indicated he did not have a telephone number for "Terri."

45. Klaudt initially denied performing any of the tests that needed to be completed for egg donation. He stated that he had not ever received any medical training. When further confronted with the content of the "Terri" e-mails, Klaudt stated that he was just trying to "help her out." Klaudt then stated that "maybe I did some things I shouldn't have." When asked about the tests A.M. had described and which were referred to in the e-mails, Klaudt initially stated that A.M. had done the tests on herself. When questioned further about how that would be possible, and about the fact that the e-mails from "Terri" directed A.M. to "get with Ted and do these tests," Klaudt stated that he would tell A.M. how to complete the tests based on the e-mails. Klaudt also stated that all of the equipment was supplied by "Terri" who had sent the equipment to A.M. Klaudt was then asked if he and the investigators could get on the telephone and call "Terri," and Klaudt indicated he did not have her number. Klaudt eventually admitted that he did in fact help A.M. with some of the tests. Klaudt first explained that A.M. would insert

a little "probe thing" into her vagina and that he would use a syringe to withdraw fluid and place it in a vial which would be given to A [REDACTED] and then she would take care of it. Klaudt estimated that he assisted A.M. with these tests approximately 3 or 4 times.

46. When asked if he had assisted others with egg donation, Klaudt advised that he had talked with a lot of people about it. When asked again how often he was asked to assist A.M. with these tests, Klaudt indicated it was approximately 5 to 8 times. Klaudt admitted helping A.M. with the ovary checks "which he described as feeling the ovaries by pushing on her stomach." Klaudt also admitted that while doing this, he would have his fingers in her vagina. When asked how many time he had helped with the "ovary checks," Klaudt indicated he thought it seemed like once but may have been more. Klaudt stated that A.M. would take his hand and place it into her vagina, and then stated that while A.M. would want these tests done, she would have a "hissy fit" and cry. Klaudt stated that he then advised that he was not going to help her anymore. Klaudt also stated that A.M. would put lubricant on his hand when he completed the ovary check. Klaudt stated that he thought the lubricant was KY jelly. When asked whether or not a dildo or marital aid was used in the testing, Klaudt replied "not that I'm aware of." Klaudt was then asked about any other tools that were used for the tests, and he advised that A.M. had used a speculum one time. Klaudt also

stated that all of the testing was done at their residence in Walker and denied that any had occurred in Pierre. When confronted further about how it would be possible for A.M. to use a speculum on herself, Klaudt admitted that "I helped her maybe once." Klaudt stated that A.M. inserted the speculum but that he operated it for her.

47. The DCI agents then informed Klaudt that they intended to find out who or where "Terri" was or if she existed and asked Klaudt if he had ever accessed the "Terri Linee" e-mail account. Klaudt replied "yea I think I have." When asked if he had created the "Terri Linee" e-mail account, Klaudt stated that he did not. The investigators then informed Klaudt that they could determine this information based upon the IP address for that account, after which Klaudt admitted that he did in fact create the "Terri Linee" e-mail account. Klaudt was asked whether he wrote all the "Terri Linee" messages and he indicated that he had.

48. Klaudt also admitted that he had never sent any of the samples collected from A.M. to anyone. He stated that he looked at the fluid under a microscope which he uses for semen testing on boars, to search the samples for microorganisms and bacteria. Klaudt was questioned as to where he had purchased the speculum and he indicated he thought he bought it at a drug store in Mobridge, but then stated he did not know where he got it. When asked again about a dildo or marital aid, Klaudt advised that he

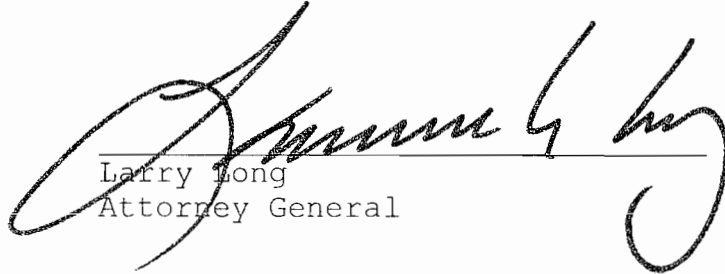
never used one and that he has never had one. When asked about the "vaginal stimulation tests" Klaudt advised that A.M. needed to be stimulated and he was simply trying to help her.

49. Klaudt was then advised by the investigators that they had a search warrant for his residence and that they would be taking his computers and would be looking for a dildo and a speculum. Klaudt then admitted that he did have a speculum. Klaudt also advised that he had a vibrator in his brief case, which he never used.

50. The search warrant was then executed on February 2, 2007, at Klaudt's residence. In addition to Klaudt's laptop computer, law enforcement collected a briefcase containing numerous items, including the following: 3 pipettes, a vibrator, 2 syringes, 4-play sexual aid, a pornographic video entitled "Teen Sneakers," a tape measure, 6 plastic speculas, 7 blue latex gloves, a stethoscope, a caliper, a bottle of antiseptic gel, a roll of black electrical tape, telephone cord, Crimson Contour Modeling Agency applications, an egg donor application form filled out by L.H., and a tablet paper with notes (one dated 7-9-06 with two circles labeled "L" and "R" with several dots contained in the circles, and another with various bodily measurements recorded, circles with notations consistent with the description of the breast exams, notations regarding tenderness in the breasts, and dates of last period recorded as 11-25-26-06).

Based upon the foregoing, I believe there is probable cause for the issuance of an arrest warrant for Ted Alvin Klaudt for the offenses set forth in the attached complaint.

Dated this 18th day of May, 2007, at Pierre, South Dakota.



Larry Long
Attorney General

Subscribed and sworn to before me this 18th day of May, 2007.



Lynell Euckson
Notary Public, South Dakota

My Commission Expires:

7-26-2011
(Seal)