

STATE OF MICHIGAN 43rd JUDICIAL DISTRICT 6TH JUDICIAL CIRCUIT	COMPLAINT FELONY	DISTRICT: CIRCUIT: CTN: 88-21900094-01 COMPLAINT #:
District Court ORI: MI630065J	Circuit Court ORI: MI630015J	AG ORI: MI630025A

THE PEOPLE OF THE STATE OF MICHIGAN v			Victim or complainant: CITY OF HAZEL PARK POLICE DEPARTMENT
SEAN KENJI BOUCHER [REDACTED] WARREN, MI 48089 Co-defendant(s)			Complaining Witness D/SGT SUNSHINE PONZETTI
			Date: On or about 01/01/2013-09/30/2017
City/Twp./Village City of Hazel Park	County in Michigan Oakland	Defendant SID	Defendant DOB [REDACTED]
Charge(s) See Below			Maximum Penalty See Below
[1] A sample for chemical testing for DNA identification profiling is on file with the Michigan State Police from a previous case.			

STATE OF MICHIGAN, COUNTY OF OAKLAND
The complaining witness says that on the date and at City of Hazel Park, County of Oakland, the defendant, contrary to law,

COUNT 1: CRIMINAL ENTERPRISES - CONDUCTING
being a person employed by or associated with an enterprise, to wit: defendant and the Hazel Park Police Department, a governmental unit; and/or defendant and other persons associated in fact including other police officers and Hazel Park employees that collected or handles fees or other funds from citizens paid to Hazel Park, often in cash, that were in turn given to defendant Detective Sean Boucher, who, did knowingly conduct or participate in the affairs of the enterprise directly or indirectly through a pattern of racketeering activity, consisting of two or more of the following incidents of racketeering, to wit:

(1) on or about 01/01/2017 to 09/30/2017, in the City of Hazel Park, County of Oakland, defendant did commit and/or attempt to commit the following offense for financial gain, to wit:

Defendant did, being a person holding public office in this state; or, the agent or employee of any person holding public office in this state; knowingly and unlawfully appropriate to his own use, or the use of any other person, money or property received by him in his official capacity or employment, to-wit, cash, of the value of \$50.00 or more; contrary to MCL 750.175, [750.175];

which had the same, or a substantially similar, victim, purpose, result, participants, or method of commission and which amount would pose a threat of continued criminal activity; contrary to MCL 750.175i(1), 750.175(1)

(2) and on or about 01/01/2016 to 12/31/2016, in the City of Hazel Park, County of Oakland, defendant did commit or attempt to commit the following offense for financial gain, to wit:

Defendant did, being a person holding public office in this state; or, the agent or employee of any person holding public office in this state; knowingly and unlawfully appropriate to his own use, or the use of any other person, money or property received by him in his official capacity or employment, to-wit, cash, of the value of \$50.00 or more; contrary to MCL 750.175, [750.175];

which had the same, or a substantially similar, victim, purpose, result, participants, or method of commission and which amount would pose a threat of continued criminal activity; contrary to MCL 750.175i(1), 750.175(1)

(3) and on or about 01/01/2015 to 12/31/2015, in the City of Hazel Park, County of Oakland, defendant did commit or attempt to commit the following offense for financial gain, to wit:

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Defendant did, being a person holding public office in this state; or, the agent or employee of any person holding public office in this state; knowingly and unlawfully appropriate to his own use, or the use of any other person, money or property received by him in his official capacity or employment, to-wit, cash, of the value of \$50.00 or more; contrary to MCL 750.175, [750.175];

which had the same, or a substantially similar, victim, purpose, result, participants, or method of commission and which amount would pose a threat of continued criminal activity; contrary to MCL 750.175i(1), 750.175(1)

(4) and on or about 01/01/2014 to 12/31/2014, in the City of Hazel Park, County of Oakland, defendant did commit or attempt to commit the following offense for financial gain, to wit:

Defendant did, being a person holding public office in this state; or, the agent or employee of any person holding public office in this state; knowingly and unlawfully appropriate to his own use, or the use of any other person, money or property received by him in his official capacity or employment, to-wit, cash, of the value of \$50.00 or more; contrary to MCL 750.175, [750.175];

which had the same, or a substantially similar, victim, purpose, result, participants, or method of commission and which amount would pose a threat of continued criminal activity; contrary to MCL 750.175i(1), 750.175(1)

(5) and on or about 01/01/2013 to 12/31/2013, in the City of Hazel Park, County of Oakland, defendant did commit or attempt to commit the following offense for financial gain, to wit:

Defendant did, being a person holding public office in this state; or, the agent or employee of any person holding public office in this state; knowingly and unlawfully appropriate to his own use, or the use of any other person, money or property received by him in his official capacity or employment, to-wit, cash, of the value of \$50.00 or more; contrary to MCL 750.175, [750.175];

which had the same, or a substantially similar, victim, purpose, result, participants, or method of commission and which amount would pose a threat of continued criminal activity; contrary to MCL 750.175i(1), 750.175(1)

FELONY: 20 Years and/or \$100,000.00; criminal forfeiture of proceeds, substituted proceeds, and instrumentalities of racketeering listed on attached notification (see MCL 750.159j(4)); court may order court costs, costs of investigation, and/or costs of prosecution.

COUNT 2: EMBEZZLEMENT - \$50,000.00 OR MORE BUT LESS THAN \$100,000.00

being an agent, servant, or employee of the City of Hazel Park Police Department, did convert to his own use, without the consent of his principal or employer, money of his principal, having a value of more than \$50,000.00 but less than \$100,000.00, that came into the defendant's possession or under the defendant's charge or control by virtue of his relationship with the principal; contrary to MCL 750.174(6). [750.1746]

FELONY: 15 Years and/or \$25,000.00, or 3 times the amount embezzled, whichever is greater. To impose a fine of 3 times the value, the defendant must admit the amount, or it must be determined by the trier of fact at trial. See *Southern Union Co. v United States* 567 U.S. ___; No. 11-94 (2012).

COUNT 3: EMBEZZLEMENT - PUBLIC OFFICIAL OVER \$50.00

did, being a person holding public office in this state; or, the agent or employee of any person holding public office in this state, knowingly and unlawfully appropriate to his own use, or to the use of any other person, money or property received by him in his official capacity or employment, to-wit: cash, of the value of \$50.00 or more; contrary to MCL 750.175. [750.175]

FELONY: 10 Years or \$5,000.00

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COUNT 4: EMBEZZLEMENT - PUBLIC OFFICIAL OVER \$50.00

did, being a person holding public office in this state; or, the agent or servant of any person holding public office in this state, knowingly and unlawfully appropriate to his own use, or to the use of any other person, money or property received by him in his official capacity or employment, to-wit:

Embezzlement by a Public Official cash, of the value of \$50.00 or more; contrary to MCL. 750.175. [750.175]

FELONY: 10 Years or \$5,000.00

COUNT 5: EMBEZZLEMENT - PUBLIC OFFICIAL OVER \$50.00

did, being a person holding public office in this state; or, the agent or servant of any person holding public office in this state, knowingly and unlawfully appropriate to his own use, or to the use of any other person, money or property received by him in his official capacity or employment, to-wit:

Embezzlement by a Public Official cash, of the value of \$50.00 or more; contrary to MCL. 750.175. [750.175]

FELONY: 10 Years or \$5,000.00

COUNT 6: EMBEZZLEMENT - PUBLIC OFFICIAL OVER \$50.00

did, being a person holding public office in this state; or, the agent or servant of any person holding public office in this state, knowingly and unlawfully appropriate to his own use, or to the use of any other person, money or property received by him in his official capacity or employment, to-wit:

Embezzlement by a Public Official cash, of the value of \$50.00 or more; contrary to MCL. 750.175. [750.175]

FELONY: 10 Years or \$5,000.00

COUNT 7: EMBEZZLEMENT - PUBLIC OFFICIAL OVER \$50.00

did, being a person holding public office in this state; or, the agent or servant of any person holding public office in this state knowingly and unlawfully appropriate to his own use, or to the use of any other person, money or property received by him in his official capacity or employment, to-wit: cash, of the value of \$50.00 or more; contrary to MCL. 750.175. [750.175]

FELONY: 10 Years or \$5,000.00

Court shall order law enforcement to collect a DNA Identification profiling sample before sentencing or disposition, if not taken at arrest.

The complaining witness asks that defendant be apprehended and dealt with according to law.

Warrant authorized on February 13, 2021 by: [Signature]

Date

[Signature]

Michael G. Frezza (P48946)
 Assistant Attorney General
 MI Dept of Attorney General
 Cadillac Place, 3030 W. Grand Blvd., Suite 10-200
 Detroit, MI 48202
 (313) 456-0180

Security for costs posted

[Signature] #313
 Complaining witness signature

Subscribed and sworn to before me on 02/12/2021
 Date

[Signature] P37508
 Judge/Magistrate/Clerk Bar no.

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STATE OF MICHIGAN 43rd JUDICIAL DISTRICT 6TH JUDICIAL CIRCUIT	WARRANT FELONY	DISTRICT: CIRCUIT: CTN: 96-21900094-01 COMPLAINT #:
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District Court ORI: MI630065J Circuit Court ORI: MI630015J AG ORI: MI330025A

THE PEOPLE OF THE STATE OF MICHIGAN v SEAN KENJI BOUCHER ████████████████████ WARREN, MI 48089	Victim or complainant: CITY OF HAZEL PARK POLICE DEPARTMENT
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Complaining Witness D/SGT SUNSHINE PONZETTI					
Height: 5-8	Weight: 200	Hair Color: BRN	Eye Color: UKN	Race: White	Sex: M
Date: On or about 01/01/2013-09/30/2017		Defendant DOB ██████████			
City/Twp./Village City of Hazel Park	County in Michigan OAKLAND	Defendant SID ██████████			Maximum Penalty See Below
Charge(s) See Below					

1 A sample for chemical testing for DNA identification profiling is on file with the Michigan State Police from a previous case.

STATE OF MICHIGAN, COUNTY OF OAKLAND
To any peace officer or court officer authorized to make arrest: The complaining witness has filed a sworn complaint in this court stating:

COUNT 1: CRIMINAL ENTERPRISES - CONDUCTING
being a person employed by or associated with an enterprise, to wit: defendant and the Hazel Park Police Department, a governmental unit; and/or defendant and other persons associated in fact including other police officers and Hazel Park employees that collected or handles fees or other funds from citizens paid to Hazel Park, often in cash, that were in turn given to defendant Detective Sean Boucher, who, did knowingly conduct or participate in the affairs of the enterprise directly or indirectly through a pattern of racketeering activity, consisting of two or more of the following incidents of racketeering, to wit:

(1) on or about 01/01/2017 to 09/30/2017, in the City of Hazel Park, County of Oakland, defendant did commit and/or attempt to commit the following offense for financial gain, to wit:

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FELONY: 15 Years and/or \$25,000.00, or 3 times the amount embezzled, whichever is greater. To impose a fine of 3 times the value, the defendant must admit the amount, or it must be determined by the trier of fact at trial. See *Southern Union Co. v United States* 567 U.S. ____; No. 11-94 (2012).

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contrary to MCL. 750.175. [750.175]

FELONY: 10 Years or \$5,000.00

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FELONY: 10 Years or \$5,000.00

COUNT 7: EMBEZZLEMENT - PUBLIC OFFICIAL OVER \$50.00

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FELONY: 10 Years or \$5,000.00

Court shall order law enforcement to collect a DNA identification profiling sample before sentencing or disposition, if not taken at arrest.

Upon examination of the complaining witness, I find that the offense(s) charged has/have been committed and that there is probable cause to believe that defendant committed the offense(s). THEREFORE, IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN, I order you to arrest and bring defendant before the 43rd District Court immediately.

The defendant may be released before arraignment if \$_____ is posted as interim bail

by _____
Date

February 12, 2021

Date

(SEAL)

Jan Patel

Judge/Magistrate

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Bar no.

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