

District Court, City and County of Denver, Colorado City and County Building, Room 424 1437 Bannock Street Denver, CO 80202	COURT USE ONLY
Plaintiff: THE PEOPLE OF THE STATE OF COLORADO Defendant: William Carl Schwartz	
Case Number: Grand Jury No. 21CR2 Div.: Criminal Ctrm: 424 / ____	
INDICTMENT	

THEFT, C.R.S. 18-4-401(1),(2)(j), (F2) < 08A17 > 1 (1 count)

MONEY LAUNDERING, C.R.S. 18-5-309(1)(b)(II), (F3) < 12214 > 2 (1 count)

THEFT, C.R.S. 18-4-401(1),(2)(i), (F3) < 08A16 > 3 (1 count)

The Grand Jury presents the within Indictment and the same is ordered filed.

Dated this 13th day of April, 2022.



Shelley I. Gilman
Presiding Judge
Denver District Court

BETH McCANN
District Attorney

By: 
Katherine V. Kirk, Reg. No. **47721**
Denver District Attorney's Office
201 W. Colfax Ave., Dept. 801
Denver, CO 80202
720-913-9015

COUNT ONE

THEFT, C.R.S. 18-4-401(1),(2)(j), (F2) < 08A17 >

Between and including November 12, 2014 and July 31, 2019, at or triable in the City and County of Denver, State of Colorado, **WILLIAM CARL SCHWARTZ** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over, or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: **US CURRENCY** of [REDACTED] with the value of one million dollars or more, and knowingly used, concealed, or abandoned the thing of value in such manner as to permanently deprive [REDACTED] of its use or benefit; in violation of section 18-4-401(1)(b),(2)(j), C.R.S.

Further the People submit that the date of discovery of the **THEFT** by [REDACTED] was on or about May 8, 2019 upon [REDACTED] discovery of suspicious transfers from [REDACTED] accounts.

COUNT TWO

MONEY LAUNDERING, C.R.S. 18-5-309(1)(b)(II), (F3) < 12214 >

Between and including December 18, 2014 and June 26, 2018, at or triable in the City and County of Denver, State of Colorado, **WILLIAM CARL SCHWARTZ** unlawfully and feloniously transported, transmitted, or transferred a monetary instrument or moneys, with knowledge or a belief that the monetary instrument or moneys represented the proceeds of a criminal offense and that the transportation, transmission, or transfer was designed, in whole or in part, to conceal or disguise the nature, location, source, ownership, or control of the proceeds of a criminal offense; in violation of section 18-5-309(1)(b)(II), C.R.S.

Further the People submit that the date of discovery of the **MONEY LAUNDERING** by [REDACTED] was on or about May 8, 2019 upon [REDACTED] discovery of suspicious transfers from [REDACTED] accounts.

The facts supporting Counts 1 and 2 are as follows:

1. All facts in support of all other counts are incorporated herein by reference.
2. At all times relevant to this Indictment, on or about January 16, 2014, William Carl “Bill” Schwartz (Schwartz) incorporated Yolo Holdings Inc (Yolo Holdings), at times dba “Blockz,” with the Colorado’s Secretary of State’s Office.
3. On or about October 28, 2014, Schwartz incorporated Trowel Foundation Inc (the Trowel Foundation) with Colorado’s Secretary of State’s Office.

4. At all times relevant to this Indictment, Schwartz was the primary owner and controller of Yolo Holdings and the Trowel Foundation.

5. In approximately January 2012, Schwartz was elected Treasurer, a volunteer position, for [REDACTED]

6. In approximately January 2013, [REDACTED] hired Schwartz as [REDACTED] bookkeeper and building manager. At that time, [REDACTED] main offices were located at [REDACTED] in the City and County of Denver. In approximately September 2015, [REDACTED] offices were relocated to [REDACTED], also in the City and County of Denver.

7. As part of Schwartz's employment duties at [REDACTED] Schwartz was responsible for depositing all donations, dues, and other funds raised during [REDACTED] events; paying [REDACTED] operating expenses and reimbursement requests; entering deposit and withdrawal transactions into [REDACTED] accounting program, QuickBooks; and submitting financial statements to [REDACTED] for review. Schwartz was also responsible for coordinating contractors and other vendors working on building renovations at [REDACTED] offices. Schwartz was paid a salary and by check by [REDACTED] for his employment and other contracted duties.

8. On or about December 12, 2012, Schwartz moved all of [REDACTED] bank accounts to [REDACTED], where Schwartz and his [REDACTED] held personal bank accounts ("Schwartz's personal [REDACTED] accounts").

9. On or about December 12, 2012, Schwartz opened [REDACTED] account [REDACTED] as [REDACTED] new "Operating Account;" [REDACTED] account [REDACTED] as [REDACTED] new main "Transportation Account;" and [REDACTED] account [REDACTED] as [REDACTED] new "Building Account." On or about June 6, 2014, Schwartz further opened [REDACTED] savings account" [REDACTED] (jointly referred to herein as, "[REDACTED]").

10. At all times relevant to this Indictment, Schwartz was the primary controller of [REDACTED] accounts.

11. On or about November 12, 2014, Schwartz opened [REDACTED] account # [REDACTED] held in the name of the Trowel Foundation ("the Trowel Foundation account"). On that same date, Schwartz deposited [REDACTED] check # [REDACTED] for \$25,000 made payable to "Trowel Foundation" into the Trowel Foundation account. Schwartz knew the [REDACTED] intended these funds to be a donation to [REDACTED]; and not for the use or benefit of the Trowel Foundation or Schwartz, personally.

12. On or about May 4, 2017, Schwartz opened First Bank account [REDACTED] held in the name of YOLO Holdings (“the YOLO Holdings account”). At all times relevant to this Indictment, Schwartz was the primary owner and controller of the Trowel Foundation’s and YOLO Holding’s accounts at [REDACTED].

13. On October 25, 2015, Schwartz opened Charles Schwab investment account [REDACTED] held in the name of William Carl Schwartz (“the Schwab investment account”). Schwartz was the only signor on the Schwab investment account.

14. At all times relevant to this Indictment, Schwartz controlled the movement of funds within and between the Trowel Foundation account, the Yolo Holdings account, the Schwab investments account, as well as within and between [REDACTED] accounts.

15. Because Schwartz had transferred [REDACTED] accounts to [REDACTED] this enabled Schwartz to transfer funds between all of [REDACTED] accounts, as well as to and from Schwartz’s personal [REDACTED] accounts and Schwartz’s Trowel Foundation and Yolo Holdings accounts.

16. On or about November 14, 2014, Schwartz opened a credit card account with Barclaycard US (Barclay), which remained open through October 2021 with various cards issued to Schwartz during this time period. Schwartz was the only authorized user on these Barclay credit cards (referred to herein as “Schwartz’s personal Barclay credit cards”).

17. Between December 18, 2014 and June 26, 2018, without the knowledge or permission of [REDACTED], Schwartz knowingly and intentionally transferred [REDACTED] donated transportation funds and operating funds from [REDACTED] accounts into Schwartz’s Trowel Foundation account, with knowledge or a belief that these transfers were designed, in whole or in part, to conceal or disguise the nature, location, ownership and/or original source of these funds. Schwartz knew these funds were the proceeds of Schwartz’s criminal offense of Theft. In doing so, Schwartz made it appear to recipients of the stolen funds that Schwartz owned these funds personally.

18. From Schwartz’s Trowel Foundation account, Schwartz further transferred [REDACTED] stolen funds, which Schwartz knew to be the proceeds of his criminal offense of Theft, into Schwartz’s Yolo Holdings account, Schwartz’s Schwab investment account, and Schwartz’s personal [REDACTED] accounts with the further knowledge or a belief that these transfers were designed, in whole or in part, to conceal or disguise the nature, location, ownership and/or original source of these funds. In doing so, Schwartz made it appear to recipients of the stolen funds that Schwartz owned these funds personally.

19. Between August 12, 2016 and June 19, 2019, from within Schwartz’s Trowel Foundation account, his Yolo Holdings account, and his Schwab investment account, Schwartz issued a total of approximately \$486,438.71 in payments to various vendors for Schwartz’s personal purchases and personal expenses unrelated to [REDACTED] including payments to car, RV and watercraft dealerships, as well as transferred some of [REDACTED] funds into Schwartz’s personal accounts held at [REDACTED] and Bellico Credit

Union. Schwartz permanently deprived [REDACTED] of the use and benefit of these funds.

20. Between October 25, 2015 and July 31, 2019, Schwartz further lost approximately \$66,404.52 of [REDACTED] funds through investments made by Schwartz within Schwartz's Schwab investment account, permanently depriving [REDACTED] of the use and benefit of these funds.

21. Between April 28, 2015 and January 25, 2019, without the knowledge or permission of [REDACTED], Schwartz further transferred a total of approximately \$469,381.67 in funds belonging to [REDACTED] transportation and building accounts to Barclaycard US. Schwartz used these funds to pay for personal purchases Schwartz charged to Schwartz's personal Barclay credit cards.

22. Between April 19, 2016 and January 25, 2019, without the knowledge or permission of [REDACTED], Schwartz further issued a total of approximately \$176,027.23 in checks and wires directly from [REDACTED] operating and building accounts to various vendors for payment of Schwartz's personal expenses and personal purchases.

23. Between December 16, 2014 and February 8, 2019, without the knowledge or permission of [REDACTED], Schwartz also charged approximately \$9,488.38 in personal expenses to [REDACTED] Vectra Bank credit card.

24. In total, between November 12, 2014 and July 31, 2019, without the knowledge or permission of [REDACTED], Schwartz stole a total of approximately \$1,207,740.51 of funds which Schwartz knew belonged to [REDACTED]. Schwartz knowingly used these funds to pay Schwartz's personal purchases and personal expenses unrelated to [REDACTED], permanently depriving [REDACTED] of the use and benefit of these funds.

25. [REDACTED] were unaware of Schwartz's embezzlement of their funds until May 8, 2019 upon [REDACTED] discovery of suspicious transfers from [REDACTED] accounts.

COUNT THREE

THEFT, C.R.S. 18-4-401(1),(2)(i), (F3) < 08A16 >

Between and including March 7, 2019 and June 5, 2019, at or triable in the City and County of Denver, State of Colorado, **WILLIAM CARL SCHWARTZ** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over, or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of a thing of value, namely: **US CURRENCY** of [REDACTED] [REDACTED], with the value of one hundred thousand dollars or more but less than one million dollars, and knowingly used, concealed, or abandoned the thing of value in such manner as to permanently deprive [REDACTED] [REDACTED] of its use or benefit; in violation of section 18-4-401(1)(b),(2)(i), C.R.S.

Further the People submit that the date of discovery of the **THEFT** from the [REDACTED] [REDACTED] was in February 2022 during Denver District Attorney Investigator Wertsch's review of the [REDACTED] [REDACTED] bank accounts' documentation.

The facts supporting Count 3 is as follows:

1. All facts in support of all other counts are incorporated herein by reference.
2. At all times relevant to this Indictment, in approximately October 2018, Schwartz was elected Treasurer, a volunteer position, for the national [REDACTED] [REDACTED]
3. On or about October 26, 2018, Schwartz opened account [REDACTED] and account [REDACTED] at [REDACTED] on behalf of the [REDACTED] [REDACTED]. Unknown to the [REDACTED] [REDACTED], Schwartz was the only signor on these accounts.
4. On or about June 10, 2019, Schwartz resigned his Treasurer position with the [REDACTED] [REDACTED] and facilitated the transfer of the [REDACTED] [REDACTED] funds held in the [REDACTED] [REDACTED] accounts to its new Treasurer.
5. Between March 7, 2019 and June 5, 2019, without the [REDACTED] [REDACTED] knowledge or permission, Schwartz transferred a total of \$89,359.93 in funds from the [REDACTED] [REDACTED] accounts to Barclaycard US. Schwartz used the [REDACTED] [REDACTED] funds to pay for purchases Schwartz charged to Schwartz's personal Barclay credit cards that were unrelated to the [REDACTED] [REDACTED]
6. On or about May 9, 2019, without the [REDACTED] [REDACTED] knowledge or permission, Schwartz further transferred a total of \$251,218.34 in funds from the [REDACTED] [REDACTED] accounts to Schwartz's Trowel Foundation account. On or about May 10, 2019, Schwartz combined these stolen funds with the Trowel Foundation account's remaining balance of [REDACTED] [REDACTED]

\$3,428.00 of funds belonging to [REDACTED] in order to issue cashier's check # [REDACTED] for \$254,646.34 made payable to [REDACTED]. Schwartz gave cashier's check # [REDACTED] to [REDACTED] as payment for some funds when [REDACTED] members learned Schwartz had transferred from [REDACTED] accounts to Schwartz's Trowel Foundation account.

7. In total, between March 7, 2019 and June 5, 2019, without the knowledge or permission of [REDACTED], Schwartz stole approximately \$340,578.27 of funds which Schwartz knew belonged to [REDACTED]. Schwartz knowingly used these funds to pay Schwartz's personal purchases and personal expenses charged to Schwartz's personal Barclay credit cards; and to repay [REDACTED] for a portion of the funds Schwartz had stolen from [REDACTED] bank accounts.

8. Schwartz's theft of the [REDACTED] funds was discovered in February 2022 during Denver District Attorney Investigator Wertsch's review of the [REDACTED] bank accounts' documentation.