

Pastor Don Matolyak told www.accountabilityinthemedia.com that the written information he provided to the police for this report was his "journaling and was not originally designed to be a police report."

AGENCY NAME Mount Vernon Police Department				INCIDENT NUMBER 2010-0216			
CALL NUMBER 100000001639 GEOCODE MVP				CLEARANCES			
TOD <input type="checkbox"/> INCIDENT				A <input type="checkbox"/> DEATH OF OFFENDER G <input type="checkbox"/> ARREST - JUVENILE			
TOA <input type="checkbox"/> OFFENSE				B <input type="checkbox"/> PROSECUTION DECLINED H <input type="checkbox"/> WARRANT ISSUED			
TOC <input type="checkbox"/> SUPPLEMENT				C <input type="checkbox"/> EXTRADITION DENIED I <input type="checkbox"/> INVEST. PENDING			
				D <input type="checkbox"/> VICTIM REFUSED TO COOP J <input type="checkbox"/> CLOSED			
				E <input type="checkbox"/> JUVENILE/NO CUSTODY K <input type="checkbox"/> UNFOUNDED			
				F <input type="checkbox"/> ARREST - ADULT U <input type="checkbox"/> UNKNOWN			
OHIO UNIFORM INCIDENT REPORT							
CLEARANCE DATE 2/27/2010 CLEARED BY:							
REPORT DATE/TIME		INCIDENT OCCURRED FROM		INCIDENT OCCURRED TO			
MONTH	DAY	YEAR	TIME	MONTH	DAY	YEAR	TIME
02	04	2010	1536	02	02	2010	1043
INCIDENT LOCATION (Street, Apt, City, State, Zip)				HATE / BIAS EXPLAIN:			
1051 BEECH ST MT VERNON, OH 43050				<input type="checkbox"/> Y <input type="checkbox"/> N			
OFFENSE		OFFENSE CODE		A/C F / M & DEGREE		TYPE OF CRIMINAL ACTIVITY	
1.						1. 2. 3.	
2.						1. 2. 3.	
3.						1. 2. 3.	
4.						1. 2. 3.	
5.						1. 2. 3.	
LOCATION OF OFFENSE(s) (Enter up to two for each offense)				LARCENY TYPE			
1. 2. 3. 4. 5.				23A <input type="checkbox"/> POCKET PICKING			
RESIDENTIAL STRUCTURE				23B <input type="checkbox"/> PURSE SNATCHING			
01 SINGLE FAMILY HOME				23C <input type="checkbox"/> SHOPLIFTING			
02 MULTIPLE DWELLING				23D <input type="checkbox"/> THEFT FROM BUILDING			
03 RESIDENTIAL FACILITY				23E <input type="checkbox"/> THEFT FROM COIN-OP MACH.			
04 OTHER RESIDENTIAL				23F <input type="checkbox"/> THEFT FROM MOTOR VEH.			
05 GARAGE / SHED				23G <input type="checkbox"/> MOTOR VEH. PARTS/ACCES.			
PUBLIC ACCESS BLDGS.				240 <input type="checkbox"/> THEFT OF MOTOR VEHICLE			
06 TRANSIT FACILITY				23H <input type="checkbox"/> OTHER			
07 GOVERNMENT OFFICE				SUSPECTED OF USING			
08 SCHOOL				A <input type="checkbox"/> ALCOHOL			
09 COLLEGE				D <input type="checkbox"/> DRUGS			
10 CHURCH				C <input type="checkbox"/> COMPUTER EQUIP			
11 HOSPITAL				N <input type="checkbox"/> NOT APPLICABLE			
12 JAIL/PRISON							
13 PARKING GARAGE							
14 OTHER PUBLIC ACCESS BUILDING							
COMMERCIAL LOCATIONS							
15 AUTO SHOP							
16 FINANCIAL INSTITUTION							
17 BARBER / BEAUTY SHOP							
18 HOTEL/MOTEL							
19 DRY CLEANER/LAUNDRY							
20 PROFESSIONAL OFFICE							
21 DOCTOR'S OFFICE							
22 OTHER BUSINESS OFFICE							
23 AMUSEMENT CENTER							
24 RENTAL STORAGE FACILITY							
25 OTHER COMMERCIAL SERVICE LOC.							
RETAIL							
26 BAR							
27 BUY / SELL / TRADE SHOW							
28 RESTAURANT							
29 GAS STATION							
30 AUTO SALES LOT							
31 JEWELRY STORE							
32 CLOTHING STORE							
33 DRUGSTORE							
34 LIQUOR STORE							
35 SHOPPING MALL							
36 SPORTING GOODS							
37 GROCERY / SUPERMARKET							
38 VARIETY / CONVENIENCE							
39 DEPARTMENT STORE							
40 OTHER RETAIL STORE							
41 FACTORY/MILL/PLANT							
42 OTHER BUILDING							
OUTSIDE							
43 YARD							
44 CONSTRUCTION SITE							
45 LAKE/WATERWAY							
46 FIELD/WOODS							
47 STREET							
48 PARKING LOT							
49 PARK/PLAYGROUND							
50 CEMETERY							
51 PUBLIC TRANSIT VEHICLE							
52 OTHER OUTSIDE LOCATION							
77 OTHER							
METHOD OF ENTRY				METHOD OF ENTRY - BURGLARY / B & E			
1 <input type="checkbox"/> FORCE				ENTRY EXIT			
2 <input type="checkbox"/> NO FORCE				1 <input type="checkbox"/> BASEMENT <input type="checkbox"/>			
NO. PREMISES ENTERED				2 <input type="checkbox"/> 1ST FLOOR <input type="checkbox"/>			
01 <input type="checkbox"/> MOTOR RUNNING / KEYS IN CAR				3 <input type="checkbox"/> 2ND FLOOR <input type="checkbox"/>			
02 <input type="checkbox"/> UNLOCKED				4 <input type="checkbox"/> OTHER <input type="checkbox"/>			
03 <input type="checkbox"/> DUPLICATE KEY USED				ENTRY EXIT			
04 <input type="checkbox"/> WINDOW BROKEN				1 <input type="checkbox"/> DOOR <input type="checkbox"/>			
05 <input type="checkbox"/> TOWED				2 <input type="checkbox"/> WINDOW <input type="checkbox"/>			
				3 <input type="checkbox"/> GARAGE <input type="checkbox"/>			
				4 <input type="checkbox"/> SKYLIGHT <input type="checkbox"/>			
				5 <input type="checkbox"/> OTHER <input type="checkbox"/>			
				ENTRY EXIT			
				1 <input type="checkbox"/> FRONT <input type="checkbox"/>			
				2 <input type="checkbox"/> SIDE <input type="checkbox"/>			
				3 <input type="checkbox"/> REAR <input type="checkbox"/>			
				4 <input type="checkbox"/> ROOF <input type="checkbox"/>			
				5 <input type="checkbox"/> OTHER <input type="checkbox"/>			
METHODS OF OPERATION							
NO. TOTAL VICTIMS NAME (Last, First, Middle)							
ADDRESS (Street, Apt., City, State, Zip)				PHONE			
EMPLOYER NAME AND ADDRESS (Street, Apt., City, State, Zip)				PHONE			
AGE / DOB		SEX		RACE <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> W <input type="checkbox"/> I <input type="checkbox"/> U		HEIGHT	
OCCUPATION		SSN		WEIGHT		HAIR	
						EYES	
VICTIM TYPE		F <input type="checkbox"/> FINANCIAL INSTITUTION		P <input type="checkbox"/> POLICE OFFICERS (IN THE LINE OF DUTY)		RESIDENT STATUS	
B <input type="checkbox"/> BUSINESS		G <input type="checkbox"/> GOVERNMENT		R <input type="checkbox"/> RELIGIOUS ORGANIZATION		1 <input type="checkbox"/> RESIDENT 3 <input type="checkbox"/> MILITARY 5 <input type="checkbox"/> OTHER	
VICTIM <input type="checkbox"/> Y						2 <input type="checkbox"/> TOURIST 4 <input type="checkbox"/> STUDENT 6 <input type="checkbox"/> UNKNOWN	
INJURED? <input type="checkbox"/> N						S <input type="checkbox"/> SOCIETY / PUBLIC O <input type="checkbox"/> OTHER	
						U <input type="checkbox"/> UNKNOWN	
AGG.ASLT / HOMICIDE CIRCUM		VICT. OFF. RELAT		VICTIM LINKED TO OFFENDER NO(S)		VICTIM LINKED TO OFFENSE NO(S)	
My signature verifies that the information on this report is accurate and true.				DATE			
REPORTING OFFICER THARP, TRAVIS				BADGE NO. 292-18		DATE 2/04/2010	
APPROVING OFFICER MARTI, BETHANY				BADGE NO. 292-9		DATE 2/07/2010	
FOLLOW-UP? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N If yes, follow-up assignment:							
ADDITIONAL <input type="checkbox"/> VICTIM / WITNESS <input checked="" type="checkbox"/> PROPERTY <input type="checkbox"/> STATEMENT				FORM RECEIVED BY: <input type="checkbox"/> INTELLIGENCE			
SUPPLEMENTS <input type="checkbox"/> SUSPECT / ARREST <input checked="" type="checkbox"/> NARRATIVE <input type="checkbox"/> OTHER				<input type="checkbox"/> INVESTIGATION <input type="checkbox"/> RECORDS			
				SPECIAL COPIES			

INCIDENT REPORT - PART 2

INCIDENT NUMBER 2010-0216

INCIDENT LOCATION 1051 BEECH ST MT VERNON, OH 43050						REPORT DATE / TIME 2/04/2010 1536	
NO. 001		NAME (Last, First, Middle) MATOLYAK, DONALD J.			AGE/D.O.B.		SSN
ADDRESS (Street, Apt. City, State, Zip) MT VERNON OH 43050						PHONE (740)	
EMPLOYER NAME AND ADDRESS (Street, Apt., City, State, Zip)						PHONE	
STATEMENT OBTAINED <input type="checkbox"/> Y <input type="checkbox"/> N TYPE <input checked="" type="checkbox"/> WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/> TAPED <input type="checkbox"/> OTHER							
CHECK CATEGORIES <input type="checkbox"/> STOLEN <input type="checkbox"/> RECOVERED <input type="checkbox"/> IMPOUNDED <input type="checkbox"/> RECEIVED <input type="checkbox"/> SUSPECT VEH <input type="checkbox"/> VICTIM'S VEH <input type="checkbox"/> UNAUTH. USE <input type="checkbox"/> ABANDONED							
NO.	<input type="checkbox"/> DAMAGE TO VEHICLE <input type="checkbox"/> THEFT FROM VEHICLE	LIC	LIS	LIY /	LIT	VIN / OAN	VALUE
VYR	VMA	VMO	VST	VCO	TOP BOTTOM	VEHICLE LOCKED	<input type="checkbox"/> Y KEYS IN <input type="checkbox"/> N VEHICLE <input type="checkbox"/> Y HOLD <input type="checkbox"/> N VEHICLE <input type="checkbox"/> Y RELEASE <input type="checkbox"/> N CONTENT
VEHICLE ASSOC. W/ SUSPECT NO.		VEHICLE ASSOC. W/ VICTIM NO.		VEHICLE TOWED? <input type="checkbox"/> Y <input type="checkbox"/> N		TOWED BY	
STOLEN MOTOR VEHICLE ONLY		NO. STOLEN		AREA STOLEN: <input type="checkbox"/> RESID. <input type="checkbox"/> BUSINESS <input type="checkbox"/> RURAL		ADDITIONAL DESCRIPTION	
AUTO INSURER NAME (Company) ADDRESS (Street, City, State, Zip)						PHONE	
MOTOR VEHICLE RECOVERY ONLY		NO. RECOVERED		DATE REC.		STOLEN IN YOUR JURISDICTION <input type="checkbox"/> Y <input type="checkbox"/> N WHERE RECOVERED?	
TYPE PROPERTY LOSS / ETC.		(enter codes below)		1 NONE 3 COUNTERFEITED / FORGED 5 STOLEN / ETC. 7 RECOVERED P PHOTO 2 BURNED 4 DESTROYED / DAMAGED / VANDALIZED 6 SEIZED U UNKNOWN E EVIDENCE		TOTAL VALUE	
LOSS CODE	SAF	QUANTITY	DESCRIPTION BLACK COMPUTER BAG CONTAINING MISC DOCUMENTS, \$45 IN CASH, THREE STOP WATCHES AND PICTURES.				PROP CODE 1
VEH NO.		MAKE / BRAND		MODEL		DATE RECOVERED	
SERIAL NUMBER		NCIC NUMBER		OTHER NUMBER			
LOSS CODE	SAF	QUANTITY	DESCRIPTION				PROP CODE 6
VEH NO.		MAKE / BRAND		MODEL		DATE RECOVERED	
SERIAL NUMBER		NCIC NUMBER		OTHER NUMBER			
LOSS CODE	SAF	QUANTITY	DESCRIPTION THREE STOP WATCHES AND ONE WHISTLE.				PROP CODE 54
VEH NO.		MAKE / BRAND		MODEL		DATE RECOVERED	
SERIAL NUMBER		NCIC NUMBER		OTHER NUMBER			
LOSS CODE		QUANTITY	DESCRIPTION				PROP CODE
VEH NO.		MAKE / BRAND		MODEL		DATE RECOVERED	
SERIAL NUMBER		NCIC NUMBER		OTHER NUMBER			

PROPERTY CODES: EXCHANGE MEDIUMS 01 Money 02 Credit / Debit Card 03 Negotiable Instruments 04 Other Exchange Mediums DOCUMENTS 05 Non-Negotiable Instruments 06 Personal Papers 07 Other Documents	VALUABLES 08 Jewelry / Precious Metals 09 Art Objects, Antiques 10 Other Valuables PERSONAL EFFECTS 11 Clothing Furs 12 Purses / Handbags / Wallets 13 Other Personal Effects HOUSEHOLD ITEMS 14 Household Items EQUIPMENT 15 Drug / Narcotic Equip.	16 Gambling Equipment 17 Computer Hardware / Soft. 18 Office Equipment 19 Stereo / TV Equip. 20 Recordings Audio / Vis. 21 Sports Equipment 22 Photographic Equip. 23 Farm Equipment 24 Heavy Construction / Industrial 25 Building Supplies - Const. 26 Tools 27 Vehicle Parts / Acces.	28 School Supplies 29 Other Equipment CONSUMABLE ITEMS 30 Alcohol 31 Drugs / Narcotics 32 Consumable Goods ANIMALS 33 Livestock 34 Household Pets VEHICLES 35 Aircraft	36 Automobiles 37 Bicycles 38 Buses 39 Trucks 40 Trailers 41 Watercraft 42 Recreational Veh. 43 Other Motor Veh. WEAPONS 44 Firearms 45 Other Weapons	STRUCTURES 46 Single Occupancy 47 Other Dwellings 48 Commercial / Bus. 49 Indus. / Mfg. 50 Public / Comm. 51 Storage 52 Other Structure OTHER 53 Merchandise 54 Other Property 55 Pending Inventory
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On the above date and time the Comp contacted the PD to report found property.

NARRATIVE SUPPLEMENT

INCIDENT NUMBER

2010-0216

VICTIM

OFFENSE

INCIDENT DATE / TIME

2/02/2010 1043**Narrative Type: Supplement****Topic: Found Property****Narrative Reporting Officer: THARP, TRAVIS 292-18**

On the above date and time the Comp contacted the PD to report found property. The Comp already had a statement written pertaining to the sequence of events that lead to the found property. The property was reported to have been located in the Soccer/Baseball field parking lot off of S. Division Street. The Comp informed that the property was located in the southeast corner of the parking lot near a garbage can. The Comp found the property on February 2nd at between 1043pm and 1255 am on the 3rd of February.

The property found was a black computer bag, misc documents and photo's, \$45 dollars in cash, three (3) stop watches and one (1) whistle. The cash was one \$20, one \$10, two \$5 and five \$1 bills. The property was taken for safekeeping and placed into evidence. The black computer bag was found in a black trash bag according to the Comp. The Comp since the finding had placed the property in a cardboard box.

Steve Short, of the Mount Vernon City School's was contacted concerning the finding of the property. The report number was given to Mr. Short.

Ptl. Tharp

REASON CLEARED	A <input type="checkbox"/> DEATH OF OFFENDER B <input type="checkbox"/> PROSECUTION DECLINED C <input type="checkbox"/> EXTRADITION DENIED	D <input type="checkbox"/> VICTIM REFUSED TO COOP. E <input type="checkbox"/> JUVENILE / NO CUSTODY F <input type="checkbox"/> ARREST - ADULT	G <input type="checkbox"/> ARREST - JUVENILE H <input type="checkbox"/> WARRANT ISSUED I <input type="checkbox"/> INVEST. PENDING	J <input type="checkbox"/> CLOSED K <input type="checkbox"/> UNFOUNDED U <input type="checkbox"/> UNKNOWN	DATE CLEARED 2/27/2010
REPORTING OFFICER	THARP, TRAVIS			BADGE NO. 292-18	DATE 2/04/2010
APPROVING OFFICER	MARTI, BETHANY			BADGE NO. 292-9	DATE 2/07/2010

NARRATIVE SUPPLEMENT

VICTIM	OFFENSE	INCIDENT NUMBER 2010-0216 INCIDENT DATE / TIME 2/02/2010 1043
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Narrative Type: Supplement

Topic:

Narrative Reporting Officer: DAILEY, MATTHEW 292-8

On 02-08-10 I was contacted by Phone from Attorney Douglas Mansfield about viewing the contents of the found property. I contacted City Law Director Robert Broeran and he told me that since it was found property it was fine for Attorney Mansfield to view the contents. At around 1330hrs Mount Vernon School Superintendent Steve Short arrived and also requested to view the box. I allowed him to view the contents of the box and he left. At the same time he was leaving Attorney Mansfield also arrived and viewed the contents of the box. The box was then placed back into evidence for safekeeping and nothing was removed.

REASON CLEARED	A <input type="checkbox"/> DEATH OF OFFENDER B <input type="checkbox"/> PROSECUTION DECLINED C <input type="checkbox"/> EXTRADITION DENIED	D <input type="checkbox"/> VICTIM REFUSED TO COOP. E <input type="checkbox"/> JUVENILE / NO CUSTODY F <input type="checkbox"/> ARREST - ADULT	G <input type="checkbox"/> ARREST - JUVENILE H <input type="checkbox"/> WARRANT ISSUED I <input type="checkbox"/> INVEST. PENDING	J <input type="checkbox"/> CLOSED K <input type="checkbox"/> UNFOUNDED U <input type="checkbox"/> UNKNOWN	DATE CLEARED 2/27/2010
REPORTING OFFICER	THARP, TRAVIS	BADGE NO. 292-18 DATE 2/04/2010			
APPROVING OFFICER	MARTI, BETHANY	BADGE NO. 292-9 DATE 2/07/2010			

MOUNT VERNON POLICE DEPARTMENT
WITNESS STATEMENT

Donald J. Matolyak do hereby make the following statement of my
own free will and accord concerning Finding Materials
which occurred (location) at _____
on the 2nd Day of February 20 10 at Appx 11:00 am / pm

Please See My Attached Notes

Property Log = Black Computer bags
Documents / Paperwork from Classroom / Photo copies of Pictures
Cash = 20, 10, 5, 5 And 5 ones = \$45
3 Stop Watches, Whistle

Officer PTL T. Thang
Case Number 10-C216
Date 02/01/2010
Time 1542

Signed Donald J. Matolyak
Address _____
D.O.B. _____
Phone _____

CASE NO. E-448

February 2, 2010

Tonight at 10:43 p.m. John Freshwater called me. He was at his parent's in Dover, OH and we had been texting just to see how each other's day had gone.

He told me he had received **an anonymous message on his voicemail with the person trying to conceal their identity**. The person indicated that there was more information-materials for John. They would be found in a plastic bag by a garbage can at the corner of Mount Vernon Avenue and Division Street. We assumed this was the person who had sent the previous letter in the mail to John & School Superintendent, Steve Short (Jan 14, 2010). John asked me to get Charles Fisher and go check this out since he was in Dover. Charles is very trustworthy and has his Conceal Carry permit so he would be armed in case of trouble. I called Charles and agreed to pick him up at his house. I got my things and headed out the door wondering what I might be getting myself into.

As I drove to the home of Charles Fisher I questioned whether we should contact the police. I wondered if we would be facing some kind of danger as the person who did this would be expecting John Freshwater to be the one to follow up on the voice mail message. But I decided it wouldn't be necessary to contact the police as we were just on a fact-finding mission. We didn't know if anything was even there. And I didn't know if any kind of crime had been committed. I did decide that we would do our best to be very careful. We would also document everything we did.

As we drove through town we discussed our approach and that we would be very careful. We arrived at the corner of Mount Vernon Ave and Division St and turned South on Division St (toward the school). We pulled into a parking lot located near the soccer & softball fields north of Yellow Jacket Baseball field and Stadium but on the South side of Mount Vernon Ave. As we drove into the parking area we saw a garbage can in the southeast corner of the parking lot. We drove near the area and Charles got out of the car with his flashlight. He saw a plastic bag on the ground behind the garbage can. He took photos of it and carefully checked it out. He brought it around to the front of my car where we had better visibility. Inside the plastic bag was an old black computer bag. In the bag were papers appx 3-4 inches high. On top of the bag was a short letter on

white copy paper addressed to John. It was obvious that the contents of the bag were papers from John's room and also there was a large number of copies of photographs of items from John's room.

After our quick inspection of the bag we got in the car and drove to the church. During this time we called John at his parent's home to fill him in on our discovery. Charles began describing to John the contents of the bag and the letter as I drove.

Once at the church we went into the conference room in the office area. We proceeded to carefully go through the bag with John on the phone. Charles went through the items taking some photos as I talked with John and described the items. We even found appx. \$40 cash in the computer bag (John can treat us to lunch...Ha Ha!) I also made 3 copies of the letter from the bag. One letter was placed in a sealed envelope and left for Pastor Paula Powell to scan and send an E-FAX to Kelly Hamilton when she got to the office Wednesday morning. After about 15 minutes or so we placed everything back in the bag as it was found and locked the items in my office.

Even though it is about 12:55 A.M. February 3 I wanted to type this out while it is fresh in my mind, before going to bed.

NOTE..... February 3, 2010..... 9:45 A.M.

I spent another 90+ minutes after finishing this note last night-early this morning before I could go to sleep.... I had numerous questions running through my mind. Questions like: Who this person is? (I had several possibilities come to mind) What is their true motive? Could this actually be some kind of set-up to make John Freshwater and Kelly Hamilton look foolish? By looking at the letter it seems like they had spoken with an attorney. But why didn't the attorney just make contact with Kelly and begin to get things moving? What do all of these materials mean for John? What does this mean when placed alongside of the anonymous letter received on January 14th that caused all of the stuff before the hearing was to resume on January 15th. **WAY MORE QUESTIONS THAN ANSWERS FOR SURE!** Kelly sent a text saying that we would be talking later in the day.

10-0216
E - 448

WEDNESDAY EVENING.....

Late afternoon Kelly Hamilton & John Freshwater came to my office. John had been away visiting his parents in Dover so this meeting was held after he returned. Kelly asked me to review again how everything took place. We also focused on the exact times of phone calls from our cell phone records. I then gave Kelly the box containing the materials. Kelly carefully examined them and asked John if he could identify these items as being his. He could except noted that the 300 copies of photos were new to him, but were items they showed were familiar to John. Most were photos of items he had used in teaching.

After nearly 1 $\frac{3}{4}$ hrs of reviewing the materials and discussing what this information means we went to the location where Charles & I found the materials. I showed them exactly where the bag was located by the trash can. We spent about 10 minutes there and returned to the church.

Charles came to my office and showed Kelly the photos he had taken Tuesday night. Kelly asked a variety of questions to make sure he understood exactly what we had done and when. It was at this time that Kelly explained to us that we may need to make a police report. He was going to take the items back to his office to review more closely. He would then be in touch to give more instructions on what we would need to do.

E-448