



Ohio Attorney General's Office  
Bureau of Criminal Investigation  
Prosecutor Summary

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Date of Activity: 05/30/2022  
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To: Union County Prosecutor David Phillips

CC: Special Agent Supervisor William Jones

From: Special Agent Perry Roeser

Date: June 30, 2022

Case Title: Officer-Involved Critical Incident- Matthew Todhunter (S)

Case Number: BCI# 2022-1190

### Preface

The following prosecutor summary serves as an overview of the criminal investigation into the Officer-Involved Critical Incident (OICI), which occurred in front of 1551 Meadowlark Lane, Marysville, Ohio. The OICI incident involved Deputy Jacob Matejko from the Union County Sheriff's Office. The Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Perry Roeser investigated the incident.

This report only summarizes the investigation activity and information gathered by BCI. This report does not present every fact, detail, and complete summary of all interviews. Audio and video recordings exist for some interviews, revealing further details of the statements regarding the incident. Therefore, it is recommended that each report from which this document was delivered be reviewed to understand the investigation.

### Synopsis of Incident:

On May 30, 2022, BCI received a Request for Assistance from the Marysville, Ohio, Police Department, Chief Tony Brooks, regarding an OICI in the roadway in front of 1551 Meadowlark Lane, Marysville, Ohio. Chief Brooks explained a 911 call for service arrived, which described a man with a gun threatening family members during a child custody exchange. Besides Marysville police being dispatched, the Union County Sheriff's Office was also alerted to the call for mutual aid.

When law enforcement officers arrived, Deputy Jacob Matejko encountered the involved subject, Matthew Todhunter, sitting in his truck. When Todhunter exited his vehicle, he presented

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a firearm to the deputy. The deputy discharged his gun toward Todhunter, striking him. Todhunter did not survive the contact with law enforcement and was pronounced deceased at an area hospital. The firearm that Todhunter brandished was later identified as a Glock-style BB gun which showed no indications on the frame it was a non-lethal weapon.

Chief Brooks asked BCI to conduct an independent investigation into the circumstances surrounding the OICI. BCI Crime Scene Unit was requested to process the outdoor scene, and Special Agent Perry Roeser from BCI's Special Investigation Unit (SIU) was assigned to lead the criminal investigation. BCI's Cyber Crime Unit also arrived for the investigation.

The involved deputy has been interviewed with his respected attorney. And all evidence from the case has been submitted to BCI, London, Ohio.

#### **Summary of Investigative Process:**

- OICI scene processed by BCI Crime Scene Unit
- Cell phone processed by BCI Cyber Crime Unit
- Firearms, cartridge cases, and bullets were examined by BCI Laboratory-Firearm Section.
- Obtained written letter of Request for Assistance for BCI
- Obtained cruiser and body-worn video from Marysville Police and Union County Sheriff's Office
- Obtained OPOTA training and personnel records for Deputy Matejko
- Obtained Montgomery County Coroner's Report(s)
- Received Dispatch Logs, Radio recordings, and Uniformed Incident Reports
- Marysville Fire Department Patient Care Report
- Search Warrant for 2004 Dodge pick-up truck
- Search Warrant for Todhunter's cell phone
- Obtained copies of the Union County Sheriff's Office Use of Force, First Aid, and BWC policy
- Obtained written witness statements
- Obtained all other known records or recordings

#### **Investigative Interviews:**

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Interviews conducted during the investigation were: Union County Deputies, Mitchell, and Jarman. Witnesses Cheryl Watts, Brittany Harding, Brett Eberhard, Lindsey Todhunter, and Savanna Vorhies. The neighborhood canvass produced reports from Abby Gamby and numerous witness statements from the neighbors who only heard police activity, not witnessing the OICI.

**Involved Officer Interviews:**

On June 7, 2022, BCI investigators interviewed the involved deputy. Union County Deputy Sheriff Matejko stated he was in fear of his life when Todhunter exited his truck and presented a firearm in his direction. And Matejko said he ordered Todhunter to drop the weapon before discharging his firearm. Matejko described Todhunter as an "immediate threat to his life."

**Subsequent Investigation:**

**BCI Firearms Laboratory Report:**

Four cartridge cases were recovered from the scene. The involved deputy's weapon (1) one Glock, recovered bullets, and fragments from Todhunter's autopsy were submitted to BCI Laboratory for analysis. The laboratory confirmed the cartridge casings recovered were fired from the involved deputy's firearm. The surrendered firearm was operational.

**BCI DNA Laboratory Report:**

No DNA was associated with the OICI.

**BCI Cyber Crime Report:**

Cyber Crime analyzed an Apple iPhone owned by Todhunter. After the sim card was extracted and downloaded, Cyber Crimes found text threads from Brittany Harding, Lindsey Todhunter, and Todhunter's mother. Cyber Crimes also pulled the call log around the time of the incident.

**Montgomery County Coroner's Office Autopsy/Toxicology Report:**

Dr. Lee Lehman, PH.D., M.D., Forensic Pathologist, conducted the autopsy on Todhunter. [REDACTED]

**Summary:**

BCI strives to conduct a thorough and impartial investigation into the Officer-Involved Critical Incident. All persons with information regarding the investigation have been interviewed, and all known records have been obtained and reviewed. BCI will continue to offer investigation assistance to any newly identified witnesses or information relative to this criminal investigation. It would appear that BCI's investigation into this Officer-Involved Critical

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Incident would be concluded unless such added information/witnesses would be identified through Grand Jury or other processes.

As always, we remain available for consultation and look forward to your assessment of this investigation and your decision as to any additional efforts, processes, or further assistance/involvement you might determine to be necessary.