



Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report



2022-1190
Officer Involved Critical Incident – 1551 Meadowlark Lane,
Marysville, Ohio 43040 (L)

Investigative Activity: Interview with Witness
Involves: Brett Eberhard (W)
Date of Activity: 05/30/2022
Activity Location: Eberhard, Brett – Home – 1551 Meadowlark Lane, Marysville, OH 43040, Union County
Author: SA Douglas Eveslage, #66

Narrative:

On May 30, 2022, Special Agent Douglas Eveslage with the Ohio Bureau of Criminal Investigation (BCI) was requested to assist the Marysville Police Department with an Officer –Involved Critical Incident (OICI) that occurred at 1551 Meadowlark Lane, Marysville, Ohio, with the Union County Sheriff's Department and subject Matthew Todhunter (Matthew). As a result of this OICI, SA Eveslage interviewed Brett Eberhard (Eberhard), resident of 1551 Meadowlark Lane, about interacting with Matthew earlier that evening and what he witnessed during the OICI.

At approximately 2214 hours, SA Eveslage sat at Brett Eberhard's dining room table to get a voluntary statement and advised Eberhard that this interview would be audio recorded. Eberhard stated that two minutes after his fiancé, Savanna Vorhies, and his sister, Lindsay Todhunter, went to pick up Lindsay's son, Maddox (four years of age), from Lindsay's estranged husband, Matthew Todhunter, he (Matthew) and Maddox arrived at 1551 Meadowlark Lane. Matthew gave Eberhard a bag of Maddox's personnel items. Matthew also had a small talk about Maddox for a short time. Matthew asked Eberhard for a beer, opened the refrigerator, but Eberhard advised that they did not have any beer.

Eberhard explained that as Matthew was exiting the residence through the door that leads into the garage. He noticed Matthew with a holstered handgun in the small of his back, which was made visible due to Matthew's shirt being caught exposing the handgun. Eberhard further stated that he has seen Matthew with a gun before and said, "I guess it didn't trigger me but why wasn't it in his truck and why would he be getting it out during the exchange, so I thought that was kind of odd." Eberhard stated that he walked Matthew outside and then return back into the residence to use the restroom.

Eberhard said that Maddox went into garage, while the garage door was still open, because

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law – a statute, an administrative rule, or any rule of procedure.

Lindsay Todhunter, Savanna Vorhies, and Vorhies' five year old daughter arrived home. Eberhard explained that while he was still using the restroom near the garage, he could hear his sister, Lindsay yelling, "Brett, Brett!"

Eberhard stated that while he was still using the restroom, Vorhies explained to him that Matthew pulled a gun on Lindsay. Eberhard finished using the restroom, decided they did not need to go outside, and he locked the door to the garage since the garage door was still open. He looked outside the front windows and noticed that Matthew's white Dodge truck was parked in the yard. Eberhard asked Vorhies and Lindsay if they called the police, and they stated, "yeah." Eberhard thought that Matthew was probably not leaving the residence, and they have had a "confrontation" before that ended with Matthew going to the hospital and receiving "twenty two staples in his head", so Eberhard wanted to avoid another issue.

Eberhard said that he saw Matthew back his Dodge truck onto the street, so he thought Matthew was leaving. "Next thing you know I heard four shots," said Eberhard. SA Eveslage asked where Eberhard was when he heard the shots, and he stated that everyone was inside his house. SA Eveslage asked if Eberhard knew of anyone being outside when the shots were fired, and Eberhard thought Matthew's girlfriend, Brittany was possibly outside because Brittany's white car was there. Eberhard stated that he looked out the front window right after the shots were fired, but he could not tell if shots were fired when "he was in his truck or if the police pulled him out of the vehicle." Eberhard explained that Matthew's truck is so big, a lifted Dodge Ram, he could not see much other than "you know trauma kit trying to save him whatever was going on."

SA Eveslage asked if Eberhard could see how many people were attending to Matthew's medical needs, and Eberhard said a police officer came with a medical bag and there were at least two people working on him and the life squad did arrive to assist.

Eberhard said that he could see "her," Brittany Harding, screaming, "it was just a BB gun!" "Like I said, to me it looked like a gun," said Eberhard, "who has a holster for a BB gun and carries it around like it is a real gun." Eberhard said they watched outside until the life squad "rolled him off," and then they went outside to provide information to the police.

SA Eveslage asked Eberhard to describe the gun, and Eberhard said it was all black and the holster clipped into the pants around the belt. SA Eveslage asked if Matthew made any threatening statements that he heard, and Eberhard said that Lindsay and Vorhies heard the threats. SA Eveslage asked Eberhard if he knew of any reason why Matthew acted like this, and he said, "no" and thought Matthew's conversation with him was normal, but "he seemed off a little bit." SA Eveslage asked if Eberhard could smell anything on Matthew, and Eberhard said "no", but thought Matthew may have been drinking since he asked for a beer. SA Eveslage asked if there was anything else Eberhard wanted to say, but Eberhard advised, "I think that's it, man."

This interview was concluded at approximately 2223 hours. The interview was audio recorded. See audio recording for further details. SA Eveslage attached a photo of the scene taken from inside the residence where Brett Eberhard was watching the OICI.

It also should be noted that Brett Eberhard gave a written statement to the Marysville Police prior to his recorded interview with SA Eveslage. See attachment #03 for details of the written

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law – a statute, an administrative rule, or any rule of procedure.

statement.

Attachments:

Attachment # 01: 2022-05-30 Brett Eberhard Interview

Attachment # 02: Brett Eberhard POV

Attachment # 03: Brett Eberhard statement

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law – a statute, an administrative rule, or any rule of procedure.

Exhibit 1

Included as a separate file.

Exhibit 2



Exhibit 3



CITY OF MARYSVILLE DIVISION OF POLICE WITNESS STATEMENT

NAME: <u>Brett Eberhard</u>	DOB: <u>01-13-1983</u>	STATE ID #: [REDACTED]	INCIDENT NO:
ADDRESS: <u>1551 Meadowlark Ln</u>	HOME PHONE:	DATE/TIME OF STATEMENT: <u>PAGE: 530-22 OF 8:13PM</u>	
	WORK PHONE: <u>614-736-3688</u>		

I hereby make this voluntary statement to an officer of the Marysville Division of Police as attested to by my signature below. I further stipulate the following statement is true and accurate to the best of my knowledge.

He came and dropped off Maddox he seemed fine we talked about how much fun his son had when he left I saw he had a gun in his waist band. I was in the bathroom I heard them yelling so i looked out window seen his truck in my yard so we called the cops

NATURE OF OFFICER:

SIGNATURE OF WITNESS: