

Rape case vs. officer weakens

Summit prosecutors lack help from woman, clear details to go to grand jury, report says

By Marilyn Miller
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Summit County prosecutors will not be taking a rape allegation involving an Akron police officer to the grand jury, Chief Counsel Mary Ann Kovach said in a report Tuesday.

Kovach blamed a lack of cooperation from the complainant and sketchy and inconsistent details as the major reasons behind the decision.

The accusation involved a 22-year-old Wayne County woman and a 26-year-old police officer. The woman claims the officer sexually assaulted her Aug. 17 at a hotel after she and her friend met two off-duty police officers at a downtown eatery.

The foursome attended a bachelor party at the hotel.

The alleged victim made a call to a 911 operator after the sexual encounter and was taken to St. Thomas Hospital, where she was examined.

The statements that were reviewed showed witnesses and bachelor party participants gave varying accounts of what each of the participants was doing and their state of dress and behavior in front of each other while in the rooms, the report said.

"All agree insults were exchanged following the sexual encounter," the report said, but it was unclear "whether a perceived 'slight' — officers' leaving the room early, their departure for Myrtle Beach, failure by the officer to give his full name, phone number or a ride to the two women when they were leaving at approximately 4:45 a.m. — or some other abuse, precipitated the rape complaint."

The three-page finding was distributed to Police Chief Michael Matulavich and the media.

"The complainant was clearly upset and angry when she left the hotel room," the report said. "She reported rape to the front desk at the Radisson Hotel at 4:50 a.m. and made two statements during the investigation."

According to the report, the whereabouts of the Burbank woman have not been determined, despite several attempts by an investigator to contact her.

There were also conflicting accounts on whether the woman had a brief sexual contact with another officer prior to having sex with this officer.

The officer does not deny having sex with the woman, but says it was consensual. He has been on administrative leave.

"The bottom line is, this officer did nothing wrong. He was falsely accused and this investigation reveals that," said Paul Hlynsky, Akron police union president. "Sadly, when you are a police officer you have to pay the price twice even with a false accusation, because now he will have to face an internal investigation."

Kovach states in the report that there is a lack of clarity surrounding the incidents. "Ordinarily this office would proceed to the grand jury with a case such as this in order to sort out the facts; however without the cooperation of the complainant, this cannot be accomplished . . . If the complainant contacts our office we will meet to determine whether there is sufficient evidence to proceed to the grand jury."

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Posted by **tim** 02:00 AM, 10/15/2008

No surprise there; the charges were bogus to begin with.

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Posted by **JACK** 03:05 AM, 10/15/2008

Well well well. How things change after a couple of months.

Now, the person who was making these allegations is not cooperating with the Police. Hmm.

So where are all the cop haters now who were saying these police were guilty as soon as the story came out?

Oh yeah. Those hating morons now have to register with Ohio.com.

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Posted by **Beta** 04:36 AM, 10/15/2008

I can't imagine why any-buddy took a complaint from these sordid women to begin with.

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Posted by **paddy** 04:40 AM, 10/15/2008

Good enough for sex with an officer, but not good enough to make a complaint.

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Posted by **Barbara** 05:15 AM, 10/15/2008

I don't know what happened but I can tell you this never made a whole lot of sense from the beginning.

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Posted by **Hank** 05:57 AM, 10/15/2008

Let this young man get back to work. Enough with this false accusation.

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Posted by **MayFong** 07:22 AM, 10/15/2008

I thought the compensation wasn't to her liking when this story popped up before.

It gives less credibility for the ones that actually are assaulted.

I say Charge HER with a crime for False accusations.

If a man is guilty of sexual assault throw him in jail and throw away the key.

But if it's out of a grudge or upset about feeling like you were used after you willingly participated.

The girl should do time for it. I think there was a crime here. But perpetrated by the scorned woman.

Just like the Duke Lacrosse team party scenario.

That girl should have went to jail for that mess she caused.

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Posted by **Barbara** 08:44 AM, 10/15/2008

I agree May.

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Posted by **Ryan** 09:24 AM, 10/15/2008

Cops never break the law and they always tell the truth

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Posted by **Iris** 03:50 PM, 10/15/2008

test "comment" encoding

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Posted by **KRISTINE** 04:53 PM, 10/15/2008

WOMEN NEED TO START TAKING RESPONSIBILITY FOR THEIR ACTIONS WHAT DO YOU THINK IS GOING TO HAPPEN IF YOU GO TO A STRANGE MANS HOTEL ROOM AT 4AM AFTER YOUVE BEEN DRINKING YOU BOTH KNOW ITS NOT TO PLAY CHECKERS AND MEN REMEMBER THIS COULD HAPPEN TO YOU !! ITS NOT WORTH YOUR JOB,MARRIAGE,ETC

<http://www.ohio.com/news/30993814.html>