

NOTE ON THE GRAND JURY INDICTMENT

The problem with this Grand Jury Indictment, which propelled the case into the Court, is that the children were not even living with me at the time it alleges the crimes were committed (June 1, 2000 through July 28, 2000). In point of fact, the County had removed the children from my custody on May 18, 2000, and by late July 2000 they were living in foster care in Toledo, Ohio.

A brief (and actual) time line will suffice to further demonstrate the indictment's arbitrary and non-factual manipulation of dates:

- Cleveland Police Report alleges that the crimes occurred in September 2000 at an address not consistent with my actual address during even the fabricated date. The children had already been living outside of my home since April 2000. The address on the police report was an address neither myself or my children had resided at since May 1999.

- The County's case plan for my family, generated in June 2000, indicates that sexual abuse **was not an issue**; the case plan further notes that the children had been voluntarily placed by myself at the Providence House domestic violence shelter on **April 27, 2000**, where they remained up to the time of this case plan.

- Children's medical examinations of May 18, 2000, and June 6, 2000, as required prior to their placement in foster care, state that the children were in good health and fail to note any signs of sexual abuse; nor was such abuse even indicated on the medical reports by the accompanying county worker.

The police report, case plan, and medical reports are available for viewing on this site. Comparisons between - **at the very least** - their dates, and the dates alleged in the Indictment (also produced here) serve to demonstrate that the children were already out of my home and well on their way to foster care at the time I was alleged to have abused them.

None of this evidence was produced, or entered into the record, by my defense counsel at trial, nor has it been used on my appeals. It is only through my long and determined efforts to obtain these documents that I have them at all. And there is much more information out there to be obtained and secured.

THE STATE OF OHIO

VS.

GRADY KRZYWKOWSKI

A TRUE BILL INDICTMENT FOR

RAPE R.C. 2907.02

DATE OF OFFENSE

JUNE 1, 2000
THRU JULY 28, 2000

THE TERM OF

JANUARY OF 2001

CASE NO.

CR 401497

COUNT

1

The State of Ohio,
CUYAHOGA COUNTY

SS.

The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OHIO, Do find and present, that the above named Defendant(s), on or about the date of the offense set forth above, in the County of Cuyahoga, unlawfully

engaged in sexual conduct with Jane Doe, not his spouse, by purposely compelling her to submit by the use of force or threat of force, Jane Doe being under the age of 13 years, to-wit: DOB: May 24, 1995,

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JAN 25 2001

GERALD E. FUERST

BY _____ DEP.

contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Ted S. Dutton
Foreman of the Grand Jury

William A. Mason
Prosecuting Attorney

EXHIBIT

THE STATE OF OHIO

VS.

GRADY KRZYWKOWSKI

A TRUE BILL INDICTMENT FOR

RAPE R.C. 2907.02

DATE OF OFFENSE

JUNE 1, 2000

THRU JULY 28, 2000

THE TERM OF

JANUARY OF 2001

CASE NO.

CR 401497

COUNT

2

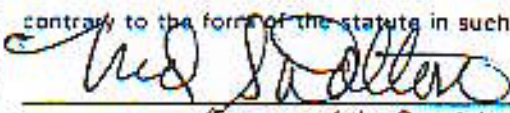
The State of Ohio, }
 CUYAHOGA COUNTY }

SS.

The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OHIO, Do find and present, that the above named Defendant(s), on or about the date of the offense set forth above, in the County of Cuyahoga, unlawfully

engaged in sexual conduct with Jane Doe, not his spouse, by purposely compelling her to submit by the use of force or threat of force, Jane Doe being under the age of 13 years, to-wit: DOB: May 24, 1995,

contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.


 Foreman of the Grand Jury


 Prosecuting Attorney

THE STATE OF OHIO
VS.

GRADY KRZYWKOWSKI

A TRUE BILL INDICTMENT FOR

RAPE R.C. 2907.02

DATE OF OFFENSE

JUNE 1, 2000

THRU JULY 28, 2000

THE TERM OF

JANUARY OF 2001

CASE NO.

CR 401497

COUNT

3

The State of Ohio, }
CUYAHOGA COUNTY

SS.

The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OHIO, Do find and present, that the above named Defendant(s), on or about the date of the offense set forth above, in the County of Cuyahoga, unlawfully

engaged in sexual conduct with Jane Doe, not his spouse, by purposely compelling her to submit by the use of force or threat of force, Jane Doe being under the age of 13 years, to-wit: DOB: May 24, 1995,

contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

And Potters

foreman of the Grand Jury

William A. Mason

Prosecuting Attorney

THE STATE OF OHIO
vs.

GRADY KRZYWKOWSKI

A TRUE BILL INDICTMENT FOR

GROSS SEXUAL IMPOSITION R.C. 2907.05

DATE OF OFFENSE

JUNE 1, 2000
THRU JULY 28, 2000

THE TERM OF

JANUARY OF 2001

CASE NO.

CR 401497

COUNT

4

The State of Ohio,
CUYAHOGA COUNTY

ss.

The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OHIO, Do find and present, that the above named Defendant(s), on or about the date of the offense set forth above, in the County of Cuyahoga, unlawfully

had sexual contact with Jane Doe not his spouse, whose age at the time of the said sexual contact was under 13 years of age, to-wit: May 24, 1995,

contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.


Foreman of the Grand Jury


Prosecuting Attorney

THE STATE OF OHIO

VS.

GRADY KRZYWKOWSKI

A TRUE BILL INDICTMENT FOR

RAPE R.C. 2907.02

DATE OF OFFENSE

JUNE 1, 2000
THRU JULY 28, 2000

THE TERM OF

JANUARY OF 2001

CASE NO.

CR 401497

COUNTY

5

The State of Ohio,
CUYAHOGA COUNTY

SS.

The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OHIO, Do find and present, that the above named Defendant(s), on or about the date of the offense set forth above, in the County of Cuyahoga, unlawfully

engaged in sexual conduct with John Doe, not his spouse, by purposely compelling him to submit by the use of force or threat of force, John Doe being under the age of 13 years, to-wit: DCB: December 23, 1993,

contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Neil Baatere

Foreman of the Grand Jury

William A. Mason

Prosecuting Attorney

THE STATE OF OHIO

VS.

GRADY KRZYWKOWSKI

A TRUE BILL INDICTMENT FOR

RAPE R.C. 2907.02

| DATE OF OFFENSE | THE TERM OF | CASE NO. | COUNT |
|------------------------------------|-----------------|------------|-------|
| JUNE 1, 2000 THRU JULY 28, 2000 | JANUARY OF 2001 | CR. 401497 | 6 |

The State of Ohio,
CUYAHOGA COUNTY

SS.

The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OHIO, Do find and present, that the above named Defendant(s), on or about the date of the offense set forth above, in the County of Cuyahoga, unlawfully

engaged in sexual conduct with John Doe, not his spouse, by purposely compelling him to submit by the use of force or threat of force, John Doe being under the age of 13 years, to-wit: DOB: December 23, 1993,

contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.


Foreman of the Grand Jury


Prosecuting Attorney

THE STATE OF OHIO

VS.

GRADY KRZYWOWSKI

A TRUE BILL INDICTMENT FOR

RAPE R.C. 2907.02

| DATE OF OFFENSE | THE TERM OF | CASE NO. | COUNT |
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| JUNE 1, 2000 THRU JULY 28, 2000 | JANUARY OF 2001 | CR 401497 | 7 |

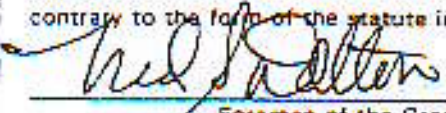
The State of Ohio,
CUYAHOGA COUNTY

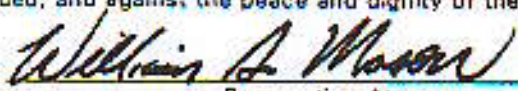
} SS.

The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OHIO, Do find and present, that the above named Defendant(s), on or about the date of the offense set forth above, in the County of Cuyahoga, unlawfully

engaged in sexual conduct with Tom Doe, not his spouse, by purposely compelling him to submit by the use of force or threat of force, Tom Doe being under the age of 13 years, to-wit: DOB: September 24, 1996,

contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.


Foreman of the Grand Jury


Prosecuting Attorney

THE STATE OF OHIO

VS.

GRADY KRZYWKOWSKI

A TRUE BILL INDICTMENT FOR

GROSS SEXUAL IMPOSITION R.C. 2907.05

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|---|--------------------------------|-----------------------|------------|
| DATE OF OFFENSE JUNE 1, 2000 THRU JULY 28, 2000 | THE TERM OF JANUARY OF 2001 | CASE NO. CR 401497 | COUNT 8 |
|---|--------------------------------|-----------------------|------------|

The State of Ohio,
CUYAHOGA COUNTY

} SS.

The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OHIO, Do find and present, that the above named Defendant(s), on or about the date of the offense set forth above, in the County of Cuyahoga, unlawfully

had sexual contact with Tom Doe not his spouse, whose age at the time of the said sexual contact was under 13 years of age, to-wit: September 24, 1996,

contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Neil R. Dittore
Foreman of the Grand Jury

William A. Mason
Prosecuting Attorney