

DATE: MAY 25, 1993  
TIME: APPROX. 7:10 A.M.  
PLACE: GRAND JURY ROOM, THIRD FLOOR OF THE COURT HOUSE  
PRESENT: PATRICK KELLY, TED HORNYAK, RON CRAIG, DAVID NORRIS,  
JOSEPH SZYMANSKI, GARY ST. CLAIR, JOHN MACKEY, AND  
MIKE DURKIN

Mr. Norris was talking to Gary St. Clair about an interview he did with two investigators sometime in April. Apparently, two investigators who are working for Tyrone Noling's attorneys asked Gary some questions about the Hartig murders. Gary went on to tell these two investigators that he does not know what happened at the Hartig's residence because he was not there. The investigators told Gary that they could help him in getting a new attorney and in an appeal when the time comes if he says he was not at the Hartig's residence.

Mr. Mackey had two transcripts of interviews sitting on the table in front of Gary. One transcript was of an interview Gary did with our office and the other one was a transcript of the interview Gary did with the two investigators in April. Mr. Norris asked Gary what transcript was correct and he pointed to the transcript of the interview he did with our office. Mr. Norris asked him which one he pointed to and Gary said the one interview he did with the prosecutors office. Mr. Norris asked him if that one was the transcript that was correct as to what happened at the Hartig's residence and Gary said it was.

Mr. Norris asked Gary why he changed his story and Gary replied he did not know. Mr. Norris then informed Gary that he did not receive a sentence for his part in the crime at the Hartig's residence. Mr. Mackey then told Gary that Mr. Norris was right in that Gary did not receive a sentence from the state of Ohio. Mr. Mackey agreed with Mr. Norris in that Gary could receive the maximum sentence.

*Patrick Kelly*

Portage County Prosecutor's Office  
Investigative Report

Date of Incident: May 25, 1993  
Investigator: Ted Hornyak  
Related File or Case No.: State v. Gary St. Clair and Noling  
Reference to: Hartig murder

Narrative:

On May 25, 1993, Prosecutor Norris, Assistant Prosecutor Joe Szymanski, Investigators Hornyak, Craig and Kelly from the Portage County Prosecutor's Office met with Gary St. Clair and his attorney and investigator John Mackey and Mike Durkin in the Portage County Grand Jury room at approximately 7:30 a.m.

St. Clair stated that in April two investigators working for Noling's attorneys interviewed him at the prison. This interview was not known to St. Clair's attorney, John Mackey, until late May when he was informed by this office.

St. Clair stated that he told the investigators that he didn't know anything about the Hartig murders because he wasn't there. The investigators told him that they would get him a new attorney to "get him out of it". Prosecutor Norris asked St. Clair why he told the investigators that he wasn't there and St. Clair replied that he didn't know why.

Two transcripts of interviews were in lying on the table in front of St. Clair. One was the interview that St. Clair did with the Prosecutor's Office admitting his participation; the other was the unauthorized interview with investigators representing Noling's attorneys. Prosecutor Norris asked St. Clair which interview was the truth and Gary pointed to the transcript of the interview with the Prosecutor's Office.

Prosecutor Norris reminded St. Clair that he had not been sentenced yet and that his truthfulness would be considered regarding his sentence. Attorney Mackey concurred with Prosecutor Norris.