

**GRAND JURY – DANIEL BREWINGTON – FEBRUARY 28, 2011**

MR. NEGANGARD: Alright, we would call our first witness, Michael Kreinhop. Would you swear in the witness?

FOREMAN: Yes. Do you solemnly swear or affirm that the testimony you are about to give in the matter now under consideration by the grand jury will be the truth, the whole truth and nothing but the truth? And do you further solemnly swear or affirm that you will not divulge any portion of your testimony before this grand jury except when legally called upon to do so?

MR. KREINHOP: I do.

MR. NEGANGARD: Um, please state your name for the record.

MR. KREINHOP: Michael Kreinhop. Kreinhop is spelled K-R-E-I-N-H-O-P.

MR. NEGANGARD: And if you could briefly give your background and training in law enforcement.

MR. KREINHOP: I've been a police officer and I'm in my thirty-eighth (38<sup>th</sup>) year as a police officer and currently hold the position of Sheriff of Dearborn County. Prior to that I am retired from the Indiana State Police with thirty-four (34) years of service and I also worked in the Special Crimes Unit for one (1) year and also I was Chief Deputy for Dearborn County Sheriff's Department for one (1) year prior

1 to my election of Sheriff.

2 MR. NEGANGARD: And while you were employed as an investigator in

3 the Prosecutor's office and assigned to the Special

4 Crimes unit, did you conduct an investigation of

5 Dan Brewington?

6 MR. KREINHOP: I did.

7 MR. NEGANGARD: And that kind of bled over to when you became

8 Chief Deputy of the Sheriff's department?

9 MR. KREINHOP: That's correct.

10 MR. NEGANGARD: Would you briefly tell the grand jury how you came

11 to investigate Dan Brewington?

12 MR. KREINHOP: On August 24<sup>th</sup> of 2009, the Prosecutor requested

13 that I conduct an investigation of Dan Brewington

14 for concerns that he may have made threatening or

15 intimidating written communications for the current

16 Circuit Court Judge, James Humphrey. And also at

17 that time, the Prosecutor provided me with a

18 document titled "Dan's Adventure in Taking on the

19 Family Courts". This was a document that had been

20 posted on the internet and provided to me by the

21 Prosecutor at the time of the request of the

22 investigation. After receiving this assignment and

23 the document, I then contacted Judge Humphrey

24 and the following is a brief summary of my

25 conversation with him: I learned from the Judge

1 that in late 2008, he had been appointed as a special  
2 judge concerning a divorce between Petitioner,  
3 Melissa Brewington, who was then represented by  
4 Lawrenceburg Attorney, Angela Loechel, and  
5 Respondent, Dan Brewington, her husband at that  
6 time and he was representing himself. The divorce  
7 was initially filed with the Ripley Circuit Court on  
8 January 8, 2007 and then in 2008, Ripley Circuit  
9 Court Judge Carl Taul recused himself based on a  
10 motion filed by Dan Brewington that he had ex-  
11 parte communications with a Dr. Edward Conner  
12 who is a psychologist located in Erlanger, Kentucky  
13 who had been employed by the Court, the Ripley  
14 Circuit Court, to conduct a child custody evaluation  
15 of both the Petitioner and Respondent, Dan  
16 Brewington. Dr. Conner had previously submitted  
17 the evaluation report to the Ripley Circuit Court in  
18 August of 2007. Subsequently on August 17<sup>th</sup> of  
19 2009, Judge Humphrey issued a final order  
20 concerning the marriage of Petitioner Melissa  
21 Brewington and Respondent Daniel Brewington.  
22 The final order dissolved the marriage and gave full  
23 custody of the two (2) minor children to the  
24 Petitioner. Additionally, along with other findings,  
25 the order stated that Dan Brewington would not be

1 entitled to visitation with his children until he  
2 underwent a mental health evaluation with a mental  
3 health care provider approved by the Court. In  
4 response to this order, Brewington filed a Motion  
5 for Relief from the Judgment and order from the  
6 Court on the same day. Following, or in addition to  
7 this information, Judge Humphrey also expressed  
8 concern with two (2) of the writings that  
9 Brewington had prepared. The first was in page 7  
10 of the document that I previously mentioned, that  
11 being Dan's Adventure in Taking on the Family  
12 Courts. In this document, uh, Dan Brewington  
13 indicates or states to the readers that he wants  
14 readers to copy the letter that he had prepared and  
15 posted on the internet and send this letter along with  
16 their own personal comments and opinions to the  
17 ethics and professionalism committee located in  
18 Dearborn County. And he indicated that advisor to  
19 be Heidi Humphrey and an address of 1406 Indian  
20 Woods Trail, Lawrenceburg, Indiana. Heidi  
21 Humphrey is the wife of Circuit Court Judge  
22 Humphrey and the address indicated is their  
23 personal residence. The second writing that Judge  
24 Humphrey was concerned with was on the motion  
25 for relief filed by Dan Brewington and it indicated

1 that um, any person, law enforcement agency, etc.  
2 who takes action against the Respondent for  
3 protecting the Respondent's children and the public  
4 from the child abducting tactics of Judge Humphrey  
5 will be held personally responsible for their actions.  
6 Judge Humphrey viewed both of these statements  
7 as an attempt to intimidate him and also as a  
8 possible threat to his and his family's personal  
9 safety.  
10 MR. NEGANGARD: Can I stop you there for a second?  
11 MR. KREINHOP: Sure.  
12 MR. NEGANGARD: Alright I'm going to show you what's been marked  
13 for identification as Grand Jury Exhibit 101 and ask  
14 if you can identify that.  
15 MR. KREINHOP: This is the document that had been posted on the  
16 internet titled "Dan's Adventure in Taking on the  
17 Family Courts", the same that I've just testified  
18 about.  
19 MR. NEGANGARD: And in this document, he makes several statements  
20 about Dr. Conner and Judge Humphrey. Is that  
21 correct?  
22 MR. KREINHOP: Yes.  
23 MR. NEGANGARD: And he accuses Judge Humphrey of child abuse.  
24 MR. KREINHOP: Yes.  
25 MR. NEGANGARD: And um, and then in this long berate, basically says

1 after he berates Judge Humphrey for a considerable  
2 length of time, it says, "My job's to hold people  
3 accountable for doing mean things to my children  
4 and my family to make sure that these people do not  
5 have an opportunity to hurt others. Please pass my  
6 message on to everyone that you can and copy this  
7 letter and send a letter along with your own personal  
8 comments and opinions to the ethics and  
9 professionalism committee advisor located in  
10 Dearborn County, Indiana" and then gives Judge  
11 Humphrey's wife and her home address. Is that  
12 correct?

13 MR. KREINHOP: That's correct.

14 MR. NEGANGARD: And that's not the proper...and we'll have other  
15 people testify to this, but that's not the proper  
16 procedure to make a complaint, an ethics complaint  
17 about the judges.

18 MR. KREINHOP: No it's not.

19 MR. NEGANGARD: And he in fact posts Heidi's, the Humphrey's home  
20 residence is not listed in the phone book, is it?

21 MR. KREINHOP: No it is not.

22 MR. NEGANGARD: He posted that on the internet.

23 MR. KREINHOP: Correct.

24 MR. NEGANGARD: At this time I'll show 101 is admitted and pass that  
25 around. Um, after interviewing Judge Humphrey,

1 oh, and then, he made a considerable point about  
2 having his children taken away and isn't it in fact  
3 true that all that Dan Brewington needed to do to get  
4 visitation with his children was submit to a  
5 psychological evaluation?  
6 MR. KREINHOP: That's correct.  
7 MR. NEGANGARD: Okay. And he refused to do so.  
8 MR. KREINHOP: That's correct.  
9 MR. NEGANGARD: And has continued to refuse to do so even today.  
10 MR. KREINHOP: Yes.  
11 MR. NEGANGARD: Okay. Um, If you could continue on what you need  
12 next with regards to your investigation.  
13 MR. KREINHOP: I then contacted Lawrenceburg attorney, Angela  
14 Loechel. She, as I mentioned previously, was the  
15 attorney for the Petitioner in the divorce proceeding,  
16 Melissa Brewington. She is the individual that  
17 actually brought this document to the Prosecutor's  
18 attention and in doing so, she expressed concern  
19 that this was a possible threat to Judge Humphrey.  
20 In my interview with her, she had mentioned  
21 specifically page 7 of this document which again is  
22 what I previously testified to as far as the sending  
23 letters and other correspondence to Judge  
24 Humphrey's wife, which I might add by the way  
25 that she did receive three (3) letters in regards, in

1 the mail from this internet posting. Um, in  
2 continuing on with my interview with Ms. Loechel,  
3 she had also told me that Brewington had actually  
4 contacted her husband via telephone. He is a police  
5 officer in Kentucky. At their residence he contacted  
6 him indicating that he was interested in receiving  
7 firearms training from him. Loechel felt this was  
8 way out of line and suspected that this was an  
9 attempt by Brewington to intimidate her and to  
10 show her that he knew where she lived.

11 MR. NEGANGARD: Angela Loechel was Ms. Brewington's attorney. Is  
12 that correct?

13 MR. KREINHOP: That's correct. Further, she provided me with  
14 several documents which were faxes and letters that  
15 she had received from Brewington concerning the  
16 divorce proceedings between him and her client,  
17 Melissa Brewington. That concludes the  
18 information that I received from Ms. Loechel.

19 MR. NEGANGARD: Who else did you interview?

20 MR. KREINHOP: I next then contacted Melissa Brewington who at  
21 that time was the ex-wife of Dan Brewington. She  
22 related to me that she had been married to Dan  
23 Brewington for approximately four (4) years and  
24 that they had two (2) young children, two (2) young  
25 girls as a result of the marriage. Uh, she indicated



1 to me that Dan Brewington was extremely upset  
2 with the Court and also with Dr. Edward Conner  
3 who had made the evaluation, child custody  
4 evaluation of her and her ex-husband and that he  
5 was very angry with and in particular Dr. Conner  
6 because of that evaluation and that he did not agree  
7 with it. She also went on to tell me that her ex-  
8 husband had continued to attempt to make contact  
9 with her when he had been told not to do so by the  
10 Court. She's living in Green Township, Ohio, at  
11 this time by the way and so she subsequently  
12 reported his telephone calls to a Green Township,  
13 Ohio police subsequently resulting in his arrest for  
14 telephone harassment. She went on to tell me that  
15 her husband had been primarily verbally abusive  
16 during their marriage and was very manipulative of  
17 her. She also went on to tell me that he had made  
18 several threats of physical violence to her and that  
19 there had been some pushing and shoving of her by  
20 him but no actual striking or injuries sustained by  
21 her from him. But she said that she did feel like that  
22 he was very much capable of committing acts of  
23 violence and causing harm to her. She went on to  
24 tell me that her ex-husband often stayed with his  
25 mother who is Sue Brewington and that she lived in

1 Norwood, Ohio. She also provided me with his  
2 phone number, cell phone and home number at that  
3 location. And based on that information, I  
4 subsequently contacted Brewington by telephone or  
5 actually I should say the initial contact was a  
6 message that I left on his cell phone requesting that  
7 he contact me. Brewington subsequently did return  
8 my phone call and I advised him at that point that I  
9 was assigned to investigate a complaint against him  
10 and I wanted to meet with him to give him an  
11 opportunity to respond to the complaint. He then  
12 told me he would have to give it some thought and  
13 he would get back with me. I subsequently then  
14 was contacted by his attorney who is an individual  
15 by the name of Bob Kelly who informed me that he  
16 would not allow his client to speak with me and so I  
17 had never had an opportunity to actually question  
18 Mr. Brewington concerning the complaint, however  
19 I did contact him at his mother's home around the  
20 first (1<sup>st</sup>) of November simply to confirm that the  
21 individual who identified himself as Bob Kelly as  
22 his attorney, that that was in keeping with his  
23 wishes that he did not wish to answer any questions.  
24 And upon my personal contact with him, he did  
25 confirm that fact. However he went on to spend the

1 next three (3) hours explaining his side of this  
2 situation and so I didn't have the opportunity to ask  
3 questions of him. I was able to make statements but  
4 in keeping with fifth (5<sup>th</sup>) amendment rights, I did  
5 not ask direct questions of him but he volunteered a  
6 considerable amount of information and for the  
7 most part it was simply a rehash of other documents  
8 that I had received from him concerning his contact  
9 with the Circuit Court and also Dr. Conner. So I  
10 didn't really learn anything new that I hadn't already  
11 received in the way of writings or internet postings.

12 MR. NEGANGARD: He spoke with you though for three (3) hours?

13 MR. KREINHOP: Yes, actually a little over three (3) hours. After I  
14 had uh, had my meeting with Mr. Brewington then I  
15 met with Dr. Edward Conner and uh, interviewed  
16 him and the following is a brief summary of my  
17 interview with Dr. Conner. Dr. Conner related to  
18 me that issues with Dan Brewington began in  
19 August of 2007 after Dr. Conner had issued a report  
20 concerning the evaluation of Brewington and his  
21 wife and their children for child custody purposes.  
22 As previously indicated, the evaluation had been  
23 ordered by the Ripley Circuit Court where the  
24 marriage Petition, or the dissolution of marriage  
25 was first filed. They lived at Milan, Indiana in

1 Ripley County at that time if I may add that. Uh,  
2 after Dr. Conner had issued a report concerning this  
3 evaluation, he then received a seventeen (17) page  
4 document or letter from Dan Brewington taking  
5 issue with the evaluation and Brewington went on  
6 to demand what he termed to be the case file which  
7 included the evaluation of the children as well as  
8 Melissa Brewington. Dr. Conner received a ruling  
9 from the Ripley Circuit Court at that time that the  
10 only document he had to release was the evaluation  
11 of Dan Brewington himself, which he did do.  
12 However, Dan Brewington persisted through phone  
13 calls, e-mails, faxes and other correspondence,  
14 letters and other correspondence to Dr. Conner  
15 demanding the case file which Dr. Conner  
16 continued to refuse to release. Uh, also Brewington  
17 then made allegations that Dr. Conner was not  
18 licensed in Indiana to conduct these evaluations  
19 which it's true that at that time Dr. Conner did not  
20 have a license to practice psychiatry or psychology  
21 rather in Indiana, however he was licensed in  
22 Kentucky and that's where the evaluations were  
23 done -- in Kentucky. Dr. Conner has since then  
24 received a license to practice in Indiana but again he  
25 didn't have it at the time. It was a mute issue but

1 Dan Brewington continues yet today to make an  
2 issue of the fact that he was not licensed in Indiana.  
3 And again, it's a mute issue. He was licensed in  
4 Kentucky and that's where the evaluation was done.  
5 Um, Dr. Conner went on to say that it was his  
6 opinion that Dan Brewington was the type of  
7 individual that took issue with anyone who  
8 disagreed with him or had an opinion that was  
9 different from his. Although Brewington has not  
10 directly threatened Dr. Conner with physical harm,  
11 Dr. Conner believes that Brewington was certainly  
12 capable of committing physical violence. Dr.  
13 Conner went on to say that Brewington was  
14 possibly paranoid and paranoid patients have a  
15 history of striking out especially against those who  
16 disagree with him. Dr. Conner also stated that he  
17 had recommended to the Court that Melissa  
18 Brewington have full custody of the children and  
19 that Dan Brewington have usual and regular  
20 visitation of the children. Despite this  
21 recommendation by Dr. Conner, the Court found  
22 that there were other factors that resulted in the  
23 Court ordering Dr., or rather Mr. Brewington to  
24 submit to an evaluation, a mental evaluation and as  
25 previously indicated, Mr. Brewington has refused to

1 this day to submit to this mental evaluation. Um,  
2 and so after the conclusion of this interview with  
3 Dr. Conner, I essentially have not done anything  
4 further other than to monitor postings that Mr.  
5 Brewington has continued to post on the internet.  
6 These documents that you see before me are a  
7 sampling of some of those documents. There are  
8 many more which I have not printed out but these  
9 are just simply some examples but based on the fact  
10 of his refusal to answer questions, I've reached a  
11 point with the investigation that I haven't proceeded  
12 other than to monitor his statements on the internet  
13 via his writings.

14 MR. NEGANGARD: Thank you. We'll get into some of those documents  
15 later. Does anyone have any questions?

16 JUROR: Sheriff, what was the reference again to his  
17 involvement with the firearms training?

18 MR. KREINHOP: He does have a license to carry a firearm in Indiana  
19 and that was mentioned to me by not only Ms.  
20 Loechel but Judge Humphrey as well and I hadn't  
21 mentioned it previously but in regards to contacting  
22 Ms. Loechel's husband who is a police officer, he  
23 had done so by telephone inquiring as to whether or  
24 not he could provide firearms training to him and  
25 which was very much unusual. If someone wants to

1 do that sort of thing, they could certainly go out and  
2 target practice on their own. He had a license to do  
3 that sort of thing and there is, there was some  
4 testimony in court through the divorce proceedings  
5 that he had given instruction to his children who at  
6 that time I believe were five (5) and three (3) years  
7 old concerning firearms as well. At that age, again,  
8 I would find that to be very unusual.

9 JUROR: Thank you.

10 MR. KREINHOP: And again just to re-state what I mentioned before,  
11 Ms. Loechel expressed concern over the fact that he  
12 was able to make contact even though by telephone  
13 with her husband which demonstrates to her that he  
14 was able to get their phone number and also would  
15 be a means by which he could learn where she lived  
16 and she was also expressing concern for her own  
17 safety given the fact that he was known to have  
18 weapons or have a gun and she was representing his  
19 wife at that time in the divorce proceedings.

20 JUROR: Sheriff if he took a psych. eval. and he flunked it or  
21 it came back with a negative report, would he lose  
22 his license to carry firearms?

23 MR. KREINHOP: He would have to be convicted of a felony and  
24 someone would have to petition the court and show  
25 evidence that it possibly could be taken away if he's

1 demonstrated to be unstable but otherwise as far as  
2 an automatic loss, uh, it wouldn't be done  
3 immediately but if he was convicted of a felony, he  
4 would lose his license to have a handgun at that  
5 point, but otherwise it would have to be  
6 demonstrated in court that he's unstable to continue  
7 to possess or have a firearm.  
8 JUROR: He doesn't have a license to carry and conceal, does  
9 he?  
10 MR. KREINHOP: Uh, I've got a copy of his license. I think it is to  
11 carry and conceal. I believe it is but I would have to  
12 look it up to make sure. There's two (2) types – one  
13 for personal protection which is what I think he has  
14 and the other is for target practice or hunting –  
15 hunting and target practice. It would take me a  
16 while to find that but I know, I've got a copy of it. I  
17 just don't recall right off hand which of the type it  
18 is.  
19 MR. NEGANGARD: We'll get to that later.  
20 MR. KREINHOP: Okay.  
21 MR. NEGANGARD: We're back on record to so that we're addressing  
22 the handgun issue.  
23 MR. KREINHOP: He had filed for an application for a handgun in  
24 Ripley County in January 22<sup>nd</sup> of 2007 and at that  
25 time he did not indicate the type of permit that he



1 was seeking and I haven't checked further but uh, it  
2 is interesting to note that the divorce was filed on  
3 January the 8<sup>th</sup> and approximately two (2) weeks  
4 later, he obtained a handgun permit so that's worth  
5 mentioning. I would guess at this point that he does  
6 have some type of permit. Generally if there's not a  
7 felony conviction, then they are issued or they are  
8 approved and he filed for this one with the Ripley  
9 County Sheriff and then they are subsequently  
10 reviewed and approved by the Indiana State Police  
11 Superintendent and I would venture to say or guess  
12 to say at this point that he has a valid permit but I'm  
13 not sure exactly which type.

14 MR. NEGANGARD: I would point out that permits in Indiana, if you  
15 don't have a felony, they are relatively easy to  
16 obtain.

17 MR. KREINHOP: Yes.

18 MR. NEGANGARD: Not difficult to...very liberal gun permit and I don't  
19 have a problem with that but that's why the felony  
20 convictions generally only means by which one  
21 loses a license to carry a firearm.

22 JUROR: With an Indiana license (inaudible) or is not in  
23 Ohio?

24 MR. NEGANGARD: I'm not certain how that plays out. There are certain  
25 rules with regards to good faith and credit that

1 certain states are entitled to get.

2 JUROR: (inaudible) license in Indiana, one's not.

3 MR. KREINHOP: That's correct. Our license or permits are not

4 honored in Ohio but they are in Kentucky and

5 Indiana does honor, I believe all states. But not all

6 states honor Indiana and Ohio is one that does not.

7 JUROR: That's what I thought.

8 MR. KREINHOP: Yell.

9 MR. NEGANGARD: Um, okay at this point, we'll take a break while I get

10 the next witness. Okay at this time, I would call

11 Melissa Brewington. Mr. Foreman, would you

12 swear in the witness?

13 FOREMAN: Do you solemnly swear or affirm that the testimony

14 you are about to give in the matter now under

15 consideration by the grand jury will be the truth, the

16 whole truth and nothing but the truth? And do you

17 further solemnly swear or affirm that you will not

18 divulge any portion of your testimony before this

19 grand jury except when legally called upon to do

20 so?

21 MELISSA: I do.

22 MR. NEGANGARD: Um, Ms. Brewington, would you please state your

23 name for the record?

24 MELISSA: Melissa Brewington.

25 MR. NEGANGARD: And uh, you were married to Dan Brewington. Is