

## DES MOINES POLICE DEPARTMENT

Disclosure

FOLLOW UP REPORT

CASE#

(O.K.) NO

Classification Attempted Child Molestation 3rd	Location of Occurrence 615 S. 200th (Olympic Elementary School)
Victim [REDACTED]	Phone Numbers Hm#242-4243 Wk#

On 101197 at about 0200 hrs. I assisted M.P.O. Bell with his stop of a suspicious vehicle. M.P.O. Bell had a dark colored Ford Explorer stopped in the 300 block of S. 199th. M.P.O. Bell told me that he saw the vehicle parked in the parking lot of Olympic Elementary School. As M.P.O. Bell approached the vehicle in his patrol car he said he saw an adult male climb from the back of the Explorer into the driver's seat. The vehicle began to drive away with it's lights off. M.P.O. Bell said he stopped the vehicle on S. 199th. A 15 year old female ( [REDACTED] ) was beneath a blanket in the back where the rear seats had been folded down. M.P.O. Bell determined that the driver was a male subject in his 40's. The male subject was a teacher and the female was a student at the high school where he teaches.

M.P.O. Bell handed me the driver's Washington license. The subject was identified as Hayashi, David [REDACTED]. I walked up to the driver's side of the vehicle. [REDACTED] was in the back seat. Mr. Hayashi was fully clothed. He did not appear to have been drinking. I introduced myself to Mr. Hayashi. I asked him how he was related to the passenger [REDACTED]. Mr. Hayashi said that he was a friend of hers, and that he [REDACTED]. I asked him why they were parked at the school. He said that [REDACTED] had called him at about 2330 hrs.

Officer Reporting Sgt. P. Call B401	Serial No. B401	Date & Time Signed 10/11/97 (0540)	Supervisor Reporting RHC	Serial No. B401
Evidence Disposition P R D H		Case Status Code 8		Spillman Entry By

# DES MOINES POLICE DEPARTMENT

## FOLLOW UP CONTINUATION

CASE# [REDACTED]

stating she had an argument with her father and that she needed to talk to him. Mr. Hayashi said that [REDACTED] asked him to come and get her. He said he drove to her house and picked her up. He said they drove to the school to park and talk. I asked him why they were in the back of the vehicle, and not in the front seats. Mr. Hayashi said that they decided to talk in the back. I asked Mr. Hayashi if [REDACTED]'s parents knew she was with him. He said he didn't think they did. I asked [REDACTED] if her parents knew that she was out with Mr. Hayashi. She said they did not. I asked [REDACTED] to step out of the car. M.P.O. Bell had [REDACTED] sit back near our patrol vehicles.

I asked Mr. Hayashi if he had any physical contact with [REDACTED] while they were in the back of the vehicle. Mr. Hayashi waited about 10 seconds to answer. He asked me if I was insinuating that he had touched [REDACTED] sexually. I said that I was asking him a direct question. I again asked him if he had physical contact with [REDACTED]. Mr. Hayashi waited about 5 to 10 seconds and answered by saying that nothing sexual took place.

I further questioned Mr. Hayashi as to his relationship with [REDACTED]. Mr. Hayashi said that he was a teacher at Highline High School and that he [REDACTED]. I told [REDACTED] that the circumstances surrounding our contact with him did not look good. I told him that we would be placing [REDACTED] into protective custody and returning her to her parents. I

Officer Reporting Sgt R. Cella	Serial No. 88	Officer Reporting	Serial No.
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# DES MOINES POLICE DEPARTMENT

## FOLLOW UP CONTINUATION

CASE#

asked Mr. Hayashi if he would consent to a search of his vehicle. He was told he had a right to refuse. Mr. Hayashi consented. I searched the back. There was a blanket and a pillow. M.P.O Bell searched the forward passenger areas. We did not find anything incriminating.

I told Mr. Hayashi that he was free to go. He asked if the school would be contacted about the incident. I told him that I would be writing a case and forwarding it to our investigations unit. Mr. Hayashi asked that he be contacted if we would be notifying the school.

I placed [REDACTED] into the back seat of my vehicle. I told her that she was not in trouble. I asked [REDACTED] about how she knew Mr. Hayashi. She told me that Mr. Hayashi was a teacher at her school [REDACTED]. [REDACTED] was dressed in a seat jacket and sweat pants. [REDACTED]  
[REDACTED]

I asked Walker if Mr. Hayashi physically touched her. She said "no" and that "I have my man." (Referring to her boyfriend [REDACTED]). In my interview of [REDACTED] she told me that she had an argument with her father. She said that she called Mr. Hayashi because he is someone that she has talked to in the past when she needed to talk about something. [REDACTED] said that she asked Mr. Hayashi to come and get her. She said that Mr. Hayashi picked her up and they drove to the school. [REDACTED] said that it was her idea to get into the back of the vehicle, and that [REDACTED]. Hayashi was reluctant at first. I told [REDACTED] I wanted to release

Officer Reporting

Sgt

R. Call

Serial No.

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Officer Reporting

Serial No.

# DES MOINES POLICE DEPARTMENT

## FOLLOW UP CONTINUATION

CASE#

her to her parents and talk to them. [REDACTED] said that she would prefer I did not talk to her parents, but seemed to understand that I needed to.

I transported [REDACTED] to her house. I called and spoke to her mother and both of her parents ([REDACTED]) were waiting for us when we arrived. I told the [REDACTED] of what took place. They were not surprised that Mr. Hayashi was involved. The [REDACTED] told me that Mr. Hayashi has been very friendly towards their daughter for the past year, [REDACTED]. The [REDACTED] said that Mr. Hayashi seems to think he is a peer to their daughter. The [REDACTED] said that Mr. Hayashi had driven their daughter home a few times. He also [REDACTED]

[REDACTED] The [REDACTED] said that they became concerned enough that they had a talk with their daughter about not seeing Mr. Hayashi outside of official school related activities.

Mrs. [REDACTED] said that she has a letter that she found in her daughter's room. She said that the letter was written by Mr. Hayashi to her daughter. She said that Mr. Hayashi wrote in the letter how special [REDACTED] was to him and indicated that it was unfortunate that she was only 15 years old. The [REDACTED] said that they preferred not to give me the letter at this time.

I told the [REDACTED] that I would be documenting this incident in a report and forwarding it to our investigations unit. I told them that I

Officer Reporting

R. Coll

Serial No.

08

Officer Reporting

Serial No.

# DES MOINES POLICE DEPARTMENT

## FOLLOW UP CONTINUATION

CASE#

did not know if there would be enough evidence to for any charges to be filed.

[REDACTED] He said that he could usually be reached at their home phone number. [REDACTED]  
[REDACTED].

Officer Reporting SGO R Cola Bjo Serial No.

Officer Reporting Serial No.

Page 4 of 4

## DES MOINES POLICE DEPARTMENT

Disclosure

FOLLOW UP REPORT

CASE#

O.K. (NO)

Classification <b>Child Molestation</b>	Location of Occurrence <b>615 S. 200th St.</b>
Victim [REDACTED]	Phone Numbers [REDACTED]

10-13-97

Received and reviewed case. I discussed the situation with Commander John O'Leary. Commander O'Leary then contacted City Attorney Gary McLean who in turn contacted Highline School District Attorney Dave Hokit. Hokit then notified Highline School Superintendent Joe McGeehan. Commander O'Leary advised that the School District will immediately suspend S-Hayashi but will hold off until we give the go ahead. I contacted [REDACTED]'s Father [REDACTED]. We discussed the situation and I explained the procedures and course of action to be taken. I then contacted the King County Prosecutors Office and discussed the incident with senior DPA Cathy Shaffer. DPA Shaffer agreed that a joint interview needed to be done ASAP. We made arrangement for the interview to be conducted on 10-14-97 at 1100 hrs with DPA Kathy Van Olst.

10-14-97

I met with Mr. and Mrs. [REDACTED] at their residence. I informed them that a joint interview was set for 1100 hrs today. They agreed to pick victim [REDACTED] up from school and transport her to the Prosecutors office. I was given the letters victim [REDACTED] had received from S-Hayashi and we briefly discussed the contents.

I met with DPA Van Olst at the RJC. We went over the information known to this point. We then met with [REDACTED] and began the joint interview at 1115 hours. Present during the interview were DPA Van Olst, [REDACTED] and myself. [REDACTED] appeared uncomfortable and limited her answer's to mostly yes or

Officer Reporting T. Ward	Serial No. 8904	Date & Time Signed 06-24-97	Supervisor Reporting Spillman	Serial No.
Evidence Disposition P R D H		Case Status Code 1	Entry By	

## FC FOLLOW UP CONTINUATION

CASE# 

no. DPA Van Olst began the interview with a brief discussion and who we were and why we were meeting today. [REDACTED] stated that she was a Sophomore at Highline High School in Burien. [REDACTED]

DPA Van Olst asked [REDACTED] when she first met S\_Hayashi. [REDACTED] stated that she met him at the beginning of her Freshman year, [REDACTED]. When asked how the relationship developed, [REDACTED] became defensive and stated that we are just friends. When asked about the contents of the letters she had received from S-Hayashi and when the letters began, [REDACTED] stated she didn't know and stated that she didn't know or remember the contents [REDACTED].

[REDACTED] letters from S-Hayashi. [REDACTED] stated that she didn't know. [REDACTED] was asked if she ever sees S-Hayashi outside of school to which she stated that he [REDACTED] some Seattle Sounders games when she was with her boyfriend [REDACTED].

) We asked if she thought that being found in the back seat of S-Hayashi's vehicle at 0140 in the morning was okay, [REDACTED] became upset and stated that she didn't know and that she just wanted to go home. We asked how she ended up being with S-Hayashi that night. [REDACTED] stated that she had called him at home and asked him to meet her up the street from her residence. They drove around for a little while then decided to park and talk. No specific reason was given as to why they chose Olympic Elementary School.

[REDACTED] stated that were both sitting in the front seat and after a little while she became cold and decided to move to the back seat and cover up with a blanket. S-Hayashi then joined her and they just laid and talked in the back. They then saw some lights on the car and thought it was security. S-Hayashi climbed over the seat and began to drive off. A short distance later the Police pulled them over. DPA Van Olst asked why they took off if there were just talking. [REDACTED] stated that she didn't know, just figured that they would have asked them to leave.

Officer Reporting T. Ward	Serial No. 8904	Officer Reporting	Serial No.
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# FOLLOW UP CONTINUATION

CASE#

DPA Van Olst asked if S-Hayashi was married. [REDACTED] at first stated that she didn't know then said that she thought he was divorced, that he had some pictures that she assumed were his Daughters. [REDACTED] became more uncomfortable by appearance and more evasive in her responses. I told [REDACTED] that we need to discuss some facts that will be unpleasant. I stated that she had to realize that S-Hayashi would not be at school anymore and that he will be suspended pending the investigation. [REDACTED] immediately stood up and bolted for the door. She ran down the hallway past where her Mother and Father were waiting and out into the lobby where her Father finally caught her.

We had [REDACTED] sit on the couch in the reception area to calm her down enough to get her into an inter conference room. We remained in the conference together the remainder of the time. At one point, due to an extreme emotional state and another attempt by [REDACTED] to leave, I placed her into protective custody believing she was a danger to herself. We contacted a crises counselor from KCSARC who talked to [REDACTED] and gave her several contacts and resources to follow up on.

It was very obvious to all of us that [REDACTED] has an unhealthy and inappropriate relationship with S-Hayashi. I assisted Mr. and Mrs. [REDACTED] in obtaining a anti-harassment order against S-Hayashi. Mr. [REDACTED] dropped the approved paperwork off at Kent PD for service. The session ended at 1440 hours and I returned to DMPD where I met with Commander O'Leary. We then made a conference call to School District Superintendent McGeehan and asked that the official letter of suspension be served on S-Hayashi. Superintendent McGeehan agreed and informed us that S-Hayashi would be [REDACTED] [REDACTED] then be given notice by District Security Director Ron Unke and escorted off the premises. I contacted Security Director Unke and we made arrangements to meet on 10-15-97 at 0930 hours.

10-15-97

I met with Security Director Unke. Mr. Unke described S-Hayashi's demeanor as very stressed but controlled. S-Hayashi did not react with any emotion or ask any questions after reading the letter. He was

Officer Reporting T. Ward	Serial No. 8904	Officer Reporting	Serial No.
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# FOLLOW UP CONTINUATION

CASE#

allowed to remove any personal items and his keys were recovered by Mr. Unke. I brought Mr. Unke up to date on the investigation and expressed concerns for [REDACTED]'s emotional state and that I believed the School should be aware of the potential problems.

I talked briefly with DPA Van Olst as to what had transpired since yesterday. We discussed the idea of obtaining a search warrant for S-Hayashi's residence in an attempt to recover the letters from [REDACTED] that he mentions in one of his letters to her. We will confer with supervisor Kathy Goater and make a decision in a day or so.

I called S-Hayashi's residence a female answered. I asked to speak with Mr. Hayashi to which she asked who was calling. I told her and she covered the phone and was talking to someone then came back on the phone and stated that he wasn't there. I left my name and number and requested he call me back.

10-20-97

I met with Security Director Ron Unke. Mr. Unke gave me several names and addresses of current and former students that seemed to have a close relationship with S-Hayashi. Mr. Unke will keep me abreast with any developments with in the School.

10-21-97

I prepared a search warrant for S-Hayashi's residence. The affidavit was fax'd to DPA Lisa Johnson for review and approval.

10-21-97

I was contacted by [REDACTED] who passed on some information regarding two male students, (Brothers) who apparently have a close relationship with S-Hayashi. The information given indicated that S-Hayashi has had the boy's stay overnight at his residence and has taken them camping.

Officer Reporting T. Ward	Serial No. 8904	Officer Reporting	Serial No.
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# FOLLOW UP CONTINUATION

CASE#

10-22-97

I was given the name of an employee at Highline High School who had left a type written note on Principal Tom Sawyer's desk. The note was unsigned but Ron Unke determined that the source was the In School Suspension counselor Kathy Foley. Mr. Unke confronted Mrs. Foley and made arrangements for us to meet after School today at her residence.

I met with Mrs. Foley at her residence. She stated that she has worked for Highline High School since 1989. She has known S-Hayashi since he came there in approximately 1991-1992. Mrs. Foley stated that S-Hayashi had very little contact with the adult staff at the School. He pretty much kept to himself and did not have any close friendships.

Mrs. Foley stated that on several occasions, students that would be in her office would complain that S-Hayashi was unfair and that he had his favorite students and took care of them. Mrs. Foley stated that approximately two-three years ago, a male student informed her that a male student had stayed at Hayashi's residence and was taking a shower while S-Hayashi was in the bathroom with him going over test questions. Mrs. Foley attempted to research the information but was unable to identify the student.

Several students also told her that S-Hayashi spent allot of time this summer with [REDACTED], taking her to dinner and movies. Mrs. Foley stated that she was supervising a dance at the School and was closing things down around 2330-2400 hours, when she observed S-Hayashi arrive with several students. She was informed that they were there to play some midnight basketball. She was informed that he did this type of thing all the time.

Mrs. Foley expressed concern about two former students, [REDACTED] and [REDACTED]. They were unavailable to participate in other activities because they had "meetings" with S-Hayashi. The majority of the meetings were in the evening hours.

Officer Reporting T. Ward	Serial No. 8904	Officer Reporting	Serial No.
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