

STATEMENT For Saturday February 19, 2011

On Saturday 2-19-11 at approximately 3pm I witnessed an act of Assault and Battery on Peter K. Frei of 101 Maybrook Road in Holland. The attack took place out on the ice on Hamilton Reservoir, approximately 20 feet from Mr. Frei's property line.

A group of ice fishermen showed up at 6:15 in the morning and surrounded the house. We know this because 4 or 5 power augers were all simultaneously fired up at 6:15 am, violating the noise restriction (a town by-law) and waking us as they spend the next 45 minutes drilling on all sides of the house. We looked outside to see what all the commotion was. The house had been surrounded by a large group of ice fisherman. and it looked like we were under siege by an army of quads.

The drinking started about 8am. (possibly earlier, but photos document the alcohol consumption to as early as 8am.) The quads were being driven around the ice while the drivers had beers in their hands. (also have photo documentation.)

The quads sped from one side of the house to the other side all day long. Each time the quads would come intentionally close to the house and each time they were INTENTIONALLY revved.... ALL...DAY...LONG. No one riding any of the quads wore a helmet. As previously stated, these motor vehicles were being operated while the operators were consuming alcohol, (photos) and none of the vehicles appeared to be registered. All of this information was conveyed to Officer Bean and Officer Forcier when they responded to the 911 call.

A reasonable person could possibly think none of these behaviors constitute harassment. And I would agree if there had not been a quad that faced the house all day with a GIANT sign that read "EAT ME" on it. It was parked in a such a way that the message was intended for people in the house, making it clear that this group of fisherman picked their fishing spot as part of their plan to harass, assault and batter Mr. Frei. With a giant message of "EAT ME" facing the house all day, the quad revving so close to the house, stares at the house and into the windows all day, along with the noise disturbance that started at 6:15 am, it couldn't possibly be anything else.

The fishermen got no reaction from anyone inside the house at 101 Maybrook Road, not even when they peeeeed on Mr. Frei's property (which was constantly due to all the beer they consumed). With no reaction from their intended target (Peter Frei), the ice fisherman decided to take it to another level by trespassing.

Mr. Frei had gone to bring out garbage and collect his mail. He spoke to one of the fisherman that was trespassing on his property. I saw the trespasser turn around and go back the way he came, off of Mr. Frei's property. Mr. Frei then continued on the shortest path back to the house. He stepped off his property line onto the ice. This path was a direct line to his house, and it is the path that is most frequently used by Mr. Frei and me when the ice is safe, but the fisherman had his way blocked. Mr. Frei stopped... appearing to talk with

the fisherman... but later I learned his stopping had more to do with them blocking a free passage to his house. At the Time Mr. Frei stopped the fisherman also appeared to surround Mr. Frei. Just a few seconds after Mr. Frei stopped he started walking again..... toward his house.... as he always intended. One of the fisherman had taken his jacket off, and as Mr. Frei started walking again, Mr. Frei WAS KICKED FROM BEHIND! I watched him fall to the ice. A second fisherman (who I was able to recognize as Brian Johnson) seemed to move closer to Mr. Frei also getting ready to kick. Mr. Frei was able to get up and make it into his house safely and call 911. Mr. Frei had injuries. He hit his head and had a headache (possible concussion), he landed on his left hip and buttock and was now limping, and his left had was cut and bloody. We needed to go to the ER, but waited for the police to arrive first so we would be able to properly assist them in making arrests for the Assault and Battery.

After Mr. Frei called 911, I went up to the road to wait for the Police. On my way up to do so I was verbally assaulted, harassed and badgered by the fisherman. Then I observed them all gather together is a sort of football huddle, probably to get their stories straight. I was also afraid they would also come after me as I waited for an officer to arrive, but I had come to far from the house to safely retreat back, so I had no choice but to wait for the officer up at the road. At least if any of these guys came up through the woods to attack me I would see them coming and I could seek shelter from them in my car.

Officer Bean arrived. He was either uncomfortable or distracted, but either way he was on the phone and took what seemed like an extraordinary amount of time (for responding to an emergency 911 call) to be ready to make the 600 foot trek down to Mr. Frei's doorstep.

Officer Bean spoke to Mr. Frei first. When he finished with Mr. Frei he went out on the ice to talk to the fisherman. I tried to join him on the ice because I was certain that the story the fisherman would tell to Officer Bean would not match what I witnessed, especially after seeing them all huddle together after assaulting Mr. Frei. I thought with a witness present.... shaking her head every time they lied.... inconsistencies in their story would have been exposed. I thought Officer Bean would want to find the holes in their story. Officer Bean sent me away. Before going into the house I was able to point out to Officer Bean that the group who had proudly displayed their "EAT ME" sign which was facing the house all day, had now DISAPPEARED. Why would they do that? It was a perfectly good sign and effective method of harassment.... It's ok though, we have photos of that too.

Officer Bean did not separate the 6 or 7 fisherman that participated in the attack on Peter Frei, and speak to them individually. I am concerned this may deprive everyone of the opportunity to discover inconsistencies in their stories. Especially in light of the fact that I witnessed them all huddle together shortly after they attacked Peter Frei.

It was after being sent off by Officer Bean to stay with Peter In the house that I discovered Peter bleeding, limping and with a headache. I insisted that he go to the hospital to be evaluated for a concussion/head injury. This is something he would otherwise never do. I headed back onto the ice to tell the officer that Mr. Frei needed to go to the hospital. Now there were two officers...Officer Bean and Officer Forcier. Officer Forcier now took the lead.... both officers walked with me back to the house. This was the first time Officer Forcier

was hearing Mr. Frei's side of the story. Mr. Frei requested to go back onto the ice with the two police officers so he could identify the fisherman who had taken off his jacket (looking to fight) but then kicked Mr. Frei from behind instead when he tried to walk away and return to his house. Officer Forcier refused to let Mr. Frei positively identify his attacker with this method saying that he did not want to escalate the situation.

I decided if they would not bring Mr. Frei to his attackers, that I would bring the attackers to Mr. Frei. I went out on the ice with my camera and I went up to every single fisherman still present and snapped a photo. The first three I photographed easily (Albert West, Tim Fortuna and Brian Johnson) because they had not been expecting anyone to take their picture to assist both Peter Frei and the Police in being able to identify the attacker. It was hard to get a face shot of the remaining fisherman, two of them pulled their hats down, neck warmers up and put sunglasses on to hide from the camera. One of them repeatedly gave me "the finger" as he swore at me and asked me, "If [I] got that?" The last two fisherman that were part of the attack, (including the one with the yellow dog (I mention this fact because it also may help identify him) just kept scurrying away from me. Once I snapped my second picture, I was verbally assaulted and threatened for the remainder of the time that I took the photos on the ice. I was called fat, I was called a cunt, I was called an asshole a bitch and ugly as well as creative combinations of the aforementioned words. I was threatened with having my camera smashed by the second person I took a photo of (I believe this person to be named Tim Fortuna. I can provide a photo of him for better identification.) The third person I took a photo of was Brian Johnson. He told me to "Get the fuck outta here!" and that "You better watch out girl!"

Once back in the house Mr. Frei was immediately able to identify his initial attacker. It was the first photo I took. Several days later (after showing the photo around) we learned the man in that photo, the one who took off his jacket intending a fist fight but then kicked Peter Frei to the ground when Peter had his back to him trying to walk away is named Albert West.

Dana Manning  
2-26-11

In addition to the above statement I have made for the Harassment and Assault and Battery that I witnessed on Peter Frei I would like to also have the following information included because the attack on Peter Frei by Brian Johnson and his gang is not an isolated incident. I know of at least five other examples of Brian Johnson harassing Peter Frei.

With each incident the VIOLENCE IS ESCALATING, to the point where as of 2-26-11 Brian Johnson and his gang after assaulting and kicking Peter, have now started to actively harass me.

- 1) There is another documented incident of Brian Johnson harassing Peter Frei on May 20, 2008. Inside the clerk's office at the Town Hall, in front of Kristen LaPlant Brian Johnson called Peter Frei "white trash" and a "scumbag." Mr. Frei wrote a letter to the select board about the incident. Mr. Frei received a letter back from the select Board dated June 18, 2008 states that they Select Board "does not condone" The actions of Brian Johnson. It is signed by James Wettlaufer.
- 2) September 30, 2009: Brian Johnson BLOCKED Peter Frei's car and kept him from leaving. The police were called and Brian Johnson lied to the State Troopers that responded to the call in an attempt to have Peter Frei arrested. Obviously there is a police report about this incident, and pictures of Brian Johnson blocking Peter's car can also be provided. (Brian Johnson blocked the car in the front, Alexander Haney blocked the car in the back pinning Peter in against his will and preventing him fleeing their attack.)
- 3) December 7, 2009: Mr. Frei was driving along Stafford Road when Brian Johnson intentionally crossed over the center line and drove head on toward Mr. Frei's car swerving back to his side of the road only after nearly putting Mr. Frei in the ditch. I know of another person from Holland that ACTUALLY FILED A COMPLAINT with the Holland Police for the SAME BEHAVIOR FROM BRIAN JOHNSON.
- 4) On January 20, 2011 Peter Frei exposed the fact that Brian Johnson hired this same friend and neighbor/ Alexander Haney to operate heavy equipment for the town without Haney having the proper licenses to do so. As a result of making the public aware of Johnson's reckless nepotism Johnson began calling Mr. Frei on his cell phone. At least three harassing phone calls were made by Johnson to Mr. Frei.
- 5) Mr. Frei was threatened by Alexander Haney. He went to the Holland Police Department to fill out a complaint recounting the events. Mr. Frei was harassed by Brian Johnson as he tried to fill out the paperwork as Brian Johnson tried to read his statement from over Mr. Frei's shoulder.
- 6) In addition to the harassing phone calls that Mr. Frei started receiving, on Tuesday February 1st 2011, when Mr. Frei went to the town hall to pay his taxes he ran into Brian Johnson who was verbally abusive to him. Mr. Frei came out of the town hall to find the driver side door of his car kicked in. Brian Johnson had already exited the town hall and could have easily been responsible for this damage to Mr. Frei's property.

With this much perpetual violence which has now escalated to an actual physical assault on Peter Frei, WITH A WITNESS, who saw Peter Frei attacked from behind, It is very CONCERNING that the police are thoroughly UNCONCERNED.

Dana Manning  
2 Hillside Drive, Sturbridge, MA 01566  
cell (508) 864-3290

