

TRANSCRIPT OF INTERVIEW

Idaho House of Representatives - House Ethics on House Policy Committee Meeting

Witness: Representative Aaron von Ehlinger

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Dixon: Once again thank you for making time again. And Mr. Leroy, it's nice to see you. Representative this is Bill Myers and he's going to be acting as counsel for the Committee. Just so there is no blurring of lines with the AG's office and the Committees' work and things like that. We still have advice we receive from the AG's office as well, but that's why Mr. Myers is here. Just to let you know. He's been communicating with Mr. Leroy. So they're familiar with each other. In this respect as well.

Leroy: Yes sir.

Dixon: In doing that. Just wanted to drill down a little bit more on, on some of the things that we were having questions about still. And a lot of these questions today will be coming from Ms. Hayes. Things that the Committee has asked her to, to look into and some questions we're looking for some answers and clarification in doing this so. Generally, we're not going to be asking the questions as a Committee. Ms. Hayes is going to be asking most of those questions, but if something comes up, we will be asking questions as well. And Mr. Leroy – any time you need to step in and stop us or make a statement or whatever, this, this is a bit more informal. I don't run this very strictly like I do the business committee, but so, feel free to interject. You don't need to ...

Leroy: Sure.

Dixon: ...necessarily be recognized by the Chairman like we would in, in another committee meeting.

Leroy: Thank you Mr. Chairman.

Dixon: Thank you very much. Ms. Hayes whenever you're ready.

Hayes: Thank you Chairman. Representative von Ehlinger, I'm Leslie Hayes. I'm with the Attorney General's Office. I was in the last interview with you. I don't think we were formally introduced at that point in time. Chair's asked me to ask you a few questions here today. I'd like to remind you that we're

still in the confidential portion of these proceedings and you are not under oath here today. Do you understand that?

von Ehlinger: Yes mam.

Hayes: But do you intend to testify truthfully?

von Ehlinger: I certainly do.

Hayes: Did you graduate from high school?

von Ehlinger: Yes.

Hayes: Where?

von Ehlinger: Whitefish, Montana.

Hayes: And what about college?

von Ehlinger: Uh yes, I did graduate.

Hayes: Okay and where did you go to college?

von Ehlinger: The University of Alabama.

Hayes: What's your degree in?

von Ehlinger: A double major in political science and history.

Hayes: Do you have any other additional trainings or certificates?

von Ehlinger: I have some military certificates that uh. Airborne school. Teaching you how to jump out of airplanes. And Air-Assault school, teaching you how to repeal and fast rope out of helicopters.

Hayes: Okay. And was just about to ask you about your military service. So you did serve in the military?

von Ehlinger: Yes mam.

Hayes: In the Army I understand?

von Ehlinger: Yes.

Hayes: How many years were you in the military?

von Ehlinger: Three years.

Hayes: And other than the Airborne school certificate that you just discussed, did you receive any additional training?

von Ehlinger: Infantry training in Fort Benning, Georgia. And, but other than that, no.

Hayes: And when did you come to Idaho?

von Ehlinger: I was born and raised in Idaho until the age of 15.

Hayes: And that's when you moved to Whitefish?

von Ehlinger: Yes.

Hayes: Were you born and raised in, I think it's the Lewiston area?

von Ehlinger: Orifino.

Hayes: Orifino. Beautiful country.

Von Ehlinger: Certainly.

Hayes: So, other than servicing as a State Representative what other profession do you have during rest of the year?

von Ehlinger: I do some real estate investing and development.

Hayes: And of this information that we've just discussed here about your kind of growing up and background, how much of that did you share with [REDACTED]

von Ehlinger: Um, I may have discussed some aspects of my time in the military and, but I don't recall exactly what I discussed about that.

Hayes: Okay. Um, and what's your approximate height?

von Ehlinger: Um, six foot, one and a half, six foot two.

Hayes: And how much do you weigh?

von Ehlinger: About two hundred and ten or fifteen pounds.

Hayes: And how old are you?

von Ehlinger: I am thirty-eight.

Hayes: And do you exercise your Second Amendment rights?

von Ehlinger: At times, yes.

Hayes: Um, when do you do that? If you could quantify that? But if you can't, I know that's a bad question, so feel free not to answer. But if you can, please, please do.

von Ehlinger: Um, at times I, uh do carry a pistol.

Hayes: Okay. And is that a concealed carry or open carry.

von Ehlinger: Concealed.

Hayes: And does ██████████ know that you conceal carry?

von Ehlinger: Not that I'm aware of.

Hayes: Did you ever show her your gun?

von Ehlinger: No.

Hayes: Did you ever talk about the Second Amendment with her?

von Ehlinger: No.

Hayes: What are your impressions of the Legislative Session this far? It's my understanding it's your first term.

von Ehlinger: It is.

Hayes: And so what are your impressions the Legislature and the session?

von Ehlinger: It's an esteemed body where you know, I believe all the members work hard and do the best job they can. And I, I would say that I do as well. As far as this session and the Legislature, it's just been a very busy time. From what I understand, abnormal year with regards to the issues that are normally taken up. And so with extraordinary issues, come extraordinary circumstances, but in my opinion we've all done the best we can to do the best job for the people of Idaho. And um, yeah.

Hayes: And you touched a little bit on it in that last answer, but what responsibilities do you think you carry with your position as an elected official in the state of Idaho?

von Ehlinger: Well I am here to create policies, bills and make votes that are in the best interest of my District, District 6 and for the people of the state of Idaho.

Hayes: Do you believe that elected officials and Legislators are held to a higher standard than the general public?

Leroy: Which standards?

Hayes: Higher standards than the general public.

von Ehlinger: Yes.

Hayes: And do you think certain lines that should not be crossed as a member of the House of Representatives?

von Ehlinger: Yes.

Hayes: Now it's my understanding that you and [REDACTED] went out to dinner. Did you consider that a date?

von Ehlinger: Well, yes I suppose I did. Yes.

Hayes: Have you asked out anyone else on a date during the session?

von Ehlinger: Uh, yes.

Hayes: Who?

von Ehlinger: A resident of, I don't know if she lives Boise, but, a girl named Keona.

Hayes: Is that it?

von Ehlinger: Yes.

Hayes: And is she involved in the session at all. Is she with LSO, AG's office, is she a staffer?

von Ehlinger: Uh no.

Hayes: Is she just a member of the general public?

von Ehlinger: Uh yes and is a, her profession, the last time I knew was as a security guard.

Hayes: And how did you meet her?

von Ehlinger: Um, in this building.

Hayes: Does she work for Capitol Mall Security?

von Ehlinger: Uh, I believe she did.

Hayes: Did she at the time that you asked her on a date?

von Ehlinger: Yes.

Hayes: Beyond Keona, have you pursued any other romantic interest during the session?

von Ehlinger: Romantic? No.

Hayes: What about during the special session?

von Ehlinger: No.

Hayes: Has anyone informed you during the session, special or regular, that the attention you were giving them was unwanted?

von Ehlinger: I received. I was informed by a Representative that there had been an informal warning of some sort against me. I had no idea what situation that may have been about.

Hayes: Which Representative?

von Ehlinger: Representative James Holtzclaw, who I believe was told by Representative Megan Blanksma to just have a little chat with me about it. And, and I was basically told, not giving any, not giving specifics examples, but that I needed to be on my best behavior. And I listened to him and agreed.

Hayes: Did Representative Holtzclaw tell you anything else during that conversation?

von Ehlinger: Not that I recall.

Hayes: And what was your response to that conversation?

von Ehlinger: I fully acknowledged it and...

Leroy: Fully acknowledged what?

von Ehlinger: I fully acknowledged the conversation that Representative Holtsclaw and myself had and I just made a mental note that somethings could be considered possibly flirtatious and I needed to be extra vigilant with anything like that while in the building.

Hayes: Did you talk to anybody else your conversation with Representative Holtzclaw?

von Ehlinger: Representative Blanksma. Yes I did.

Hayes: Tell me about that conversation.

von Ehlinger: I, the conversation with Representative Holtzclaw was so vague that I thought it may be appropriate to go talk to the Caucus Chairwoman and so I did that trying to get you know, some more information so I could you know, better understand what exactly what was going on. Rather than just being told to, to be careful. And she didn't exactly shed much more light on the subject. She was willing to say it was a member of staff, but that was it.

Hayes: So other than that one encounter where you received an informal warning from Representative Holtzclaw, has anyone ever told you that the attention you gave them was unwanted? And that's either verbally or nonverbally.

von Ehlinger: There was one situation where I was in a conversation with a staff member and uh, I had let that staff member know that I don't know that many people in Boise and I'm, we had enough to know that we were both into running and hiking and um. I asked this person whether she would be interested in possibly going hiking sometime or possibly to lunch and this person informed me by email that she was indeed married. Although she did not where a ring and I absolutely respected that decision, and to my knowledge there haven't been any further issues with that person. And besides that during the special session last summer it wasn't necessarily a warning, but Representative Holtzclaw felt the need to come talk to me and he shed light on a complaint that he had received at one point. And, and basically he was just saying that he's like hey, you're young, single, you know you not, you're not hard to look at and neither am I and, and that, and that he had had a complaint against him and just kind of warned me as a, a single man that there's always the potential to have issues like that.

Hayes: Did you heed that warning?

von Ehlinger: I, I did. Yes.

Hayes: Did you, despite that warning think it was appropriate to ask a staff member of the Legislature out on a date?

von Ehlinger: I did find it to be appropriate because I thought that if, if anyone had an issue with it that they would let me know, and um, and that the matter would

be closed. Such as the staff member that emailed me letting me know that she was married.

Hayes: Turning back to the first, the longer conversation with Representative Holtzclaw you mentioned, but it sounds like that was the second conversation. Do I have that order correct? There was the one during the special session.

von Ehlinger: Yes.

Hayes: And then the one that we talked about that before, was during the regular session?

von Ehlinger: Yes.

Hayes: About what date did that, did that occur?

von Ehlinger: I do not recall.

Hayes: And what about the conversation with Representative Blanksma?

von Ehlinger: That was on the same day I just don't remember which day.

Hayes: Has anyone discussed your conduct with you in any other fashion?

von Ehlinger: Not that I recall.

Hayes: Has anyone discussed with you that there are certain lines you cannot cross as a member of the House of Representatives?

von Ehlinger: In Respectful Workplace Training there are certainly different things that are talked about there, that are clearly discuss some line crossing yes.

Hayes: Okay. Do you remember what some of those are?

von Ehlinger: I do not off the top of my head.

Hayes: Do you remember the conversation about hugging in the workplace?

von Ehlinger: Yes.

Hayes: And what was the advice given to elected officials about hugging in the workplace?

von Ehlinger: That it was not a good idea. Even though it may not be, meaning to be sexual or flirtatious in nature by some, it is just a general good idea not to be hugging people in the workplace.

Hayes: Do you recall the conversation about the power differential during the hugging conversation?

von Ehlinger: I do not.

Hayes: If this were to proceed to a public hearing are you concerned that additional women may come forward with formal complaints?

von Ehlinger: No.

Hayes: Now switching topics so here within the response that you provided to this Committee, you reference [REDACTED]. Do you recall those representations?

von Ehlinger: Yes mam.

Hayes: Is that something you misremembered from that conversation? Or is that your recollection?

Leroy: Tell me what specific might be allegedly misremembered.

Hayes: The behavior that was attributed to you, the \$40 dollars and keep the change, for the purchase of a lunch. And buying her a tank of gas was actually [REDACTED] that engaged in that behavior.

von Ehlinger: According to [REDACTED], yes absolutely.

Hayes: And that I think it was [REDACTED] would be jealous of where you're laying right now or something to that effect.

von Ehlinger: That is correct.

Hayes: And that's what you recall her saying?

von Ehlinger: Yes.

Hayes: Were you concerned that she was making those types of comments about a member of [REDACTED]?

von Ehlinger: Yes.

Hayes: What did you do in response to those concerns?

von Ehlinger: The initial remarks that you mention were made at the dinner and basically it was just a, a general conversation and she was talking about how helpful [REDACTED] had been to her. And talked about the lunches and the gas money and at the time it didn't seem to be a problem. I just saw it as a fellow colleague that a, was helpful to someone. And then the second comment that you mention about "[REDACTED] would love to be where you are," I found that to be troubling because we had just had a moment and for someone to be mentioning another man's name or in this case another Representative seemed a very odd to me along with other comments that [REDACTED] made that I mentioned to this Committee the last time we met.

Hayes: And you, so these comments didn't trouble you to the point that you felt the need to address it with House Leadership?

von Ehlinger: No.

Hayes: Did you feel the need to address them with [REDACTED]?

von Ehlinger: I did not. I thought that it wasn't exactly Legislative business and it would have been an embarrassing moment for multiple people for me to have brought that up.

Hayes: But you feel comfortable bringing that up in the context of responding to this Committee?

Leroy: Necessarily is.

Hayes: I would like him to answer the question.

von Ehlinger: Well yes because it's in regards to a complaint which those remarks pertain to because the genesis of this complaint along with these comments makes it beginning, starting with being a false complaint and narrative. Attributed to me when I was not the person that said those things or did those things for her.

Hayes: Now if I told you this Committee has spoken to [REDACTED] and he vehemently denied any relationship, even a conversational with [REDACTED] [REDACTED] would that surprise you?

von Ehlinger: Well, considering how untruthful [REDACTED] has been thus far in this situation, it would not surprise me. Comments and accusations have been made out of thin air and if she would be willing to make such accusations against me which are untrue, then I wouldn't put it past that person to also possibly lie about another Representative.

Hayes: How did you meet [REDACTED]? Now I know you met her through the session. You covered that last time. I want the specifics of how you met [REDACTED].

von Ehlinger: Okay. Yes mam. I was on the Garden level and talking to Representatives in the north wing offices. I forget the exact number, but where [REDACTED] [REDACTED] are and I ended up popping my head into [REDACTED] cubical and said hello to him. We discussed a bill that was of mutual interest and [REDACTED] was sitting there. As I recall he was about to try and sell her insurance and I don't recall if he introduced me or if I introduced myself.

Hayes: About what time was that during the session? Was it near the beginning?

von Ehlinger: That would have been I believe more closer to the beginning.

Hayes: Do you recall the date?

von Ehlinger: I do not.

Hayes: And then, tell me about the next conversation you had with her.

von Ehlinger: The next conversation as I recall it was when I was getting out of an afternoon committee obviously on the Garden level walking west towards the stairwell that would go to my office. I saw [REDACTED] in the hallway. It seemed like we had a pleasant exchange before and so we both said hello to each other. I forget who initiated the first hello, but we ended up having just a pretty small non-consequential conversation.

Hayes: And what about the next conversation?

von Ehlinger: I don't recall every single conversation, but it may have been when I was going in to talk to a Chairman on the north end of the building and um, walking past her cubical area I may have, in fact I have stopped and said hello before.

Hayes: Was that another inconsequential conversation?

von Ehlinger: Yes.

Hayes: So how many inconsequential conversations did you have before asking her on a date? Or have you ever had a substantive conversation with her prior to that meeting?

von Ehlinger: Um, yes. When I say inconsequential, uh what I mean by that is nothing of extreme importance was discussed. You know, you don't know but, uh we would just talk about normal life. So if that substantive, than I certainly

didn't mean to misspeak. But, you know I would just ask her how she was doing. She would ask me how I'm doing. She'd tell me about a job or two of hers. Little bit of school. She told me about [REDACTED]. And, and if I may, back to any gifts or anything, the only I ever given her were two Idaho shaped cookies, both of which I believe were gifts in the Agricultural Committee that we all received and I gave them to her. And told her to have [REDACTED] enjoy those.

Hayes: Was that just in passing? Hey I've got some cookies, do you want them? Or were you like – these cookies look delicious and I think [REDACTED] would enjoy them.

von Ehlinger: No. It was the one conversation that we actually had in my office.

Hayes: Okay and why was she in your office.

von Ehlinger: That was during the hallway conversation. I had some work to do and so she was walking with me. Hey all of my diplomas and wall art. I forget the exact verbiage I used, have finally been hung up by um, State staff, and hey would you like to come see it? And she readily agreed. We had ad maybe a five or ten minute conversation. Probably ten. And that's when I gave her the cookies from the Agricultural Committee.

Hayes: When your referencing the hallway conversations, is that the second or third one described for me?

von Ehlinger: Not, not the introduction in [REDACTED] cubical, but the first actual hallway conversation.

Hayes: Okay. So you have [REDACTED] and you've met her through another Representative. You see her in the hall and you say hi, and then you invite her back to your office to show her your diplomas and wall art and give her cookies?

von Ehlinger: Uh, yes, except the conversation was in the hallway more than just hello. It was hey, how's the session going? I forget exactly what was discussed. But again, I had just received those cookies. I made some sort of comment I could probably use a couple less cookies myself and that should, if she's willing, give those to [REDACTED]. And then I hoped [REDACTED] enjoyed them. And those are the only things I have ever given her.

Hayes: How many conversations did you have with [REDACTED] before asking her on a date if you recall?

von Ehlinger: Perhaps five or six?

Hayes: And when you asked her, was that verbally was that on the phone, was it
aby text?

von Ehlinger: That was verbally.

Hayes: Was there anything else discussed in the conversation when you asked her
on a date?

von Ehlinger: The logistics of it. Kind of the when and where to meet. And we had talked
about how the day was that I decided go outside and talk to her. I got some
fresh air and, and um we discussed each other's day. And that, that's bout
all I recall of about that conversation.

Hayes: And were you able to schedule it right away or was there a delay of a couple
weeks?

von Ehlinger: We scheduled it right away, but for a week later.

Hayes: Now you mentioned gifts and the only gifts I think you said that you gave
her. Have you given anybody else any gifts?

von Ehlinger: I have given Representative Ben Adams I believe five neck ties that I no
longer wear and he's just a friend and colleague of mine, but no. I uh, a
member of staff felt a need to let me know it was her birthday and, and since
she let me know that I went to my office and pulled out some official
Representative you know Statehouse stationary, one of the cards and the
small envelopes and thanked her for her hard work and a happy birthday. I
believe I also stated sorry she had to work on her birthday, but never the
less she was appreciated. It was strictly professional and I signed it
Representative Aaron von Ehlinger. And delivered that to her. And she
said thank you. I don't think it was an issue.

Hayes: Now prior to going on this date did you and [REDACTED] hold hands in any
of your encounters?

von Ehlinger: No.

Hayes: Did you put your hand on her thigh at any time?

von Ehlinger: No.

Hayes: Did you touch her back?

von Ehlinger: No.

Hayes: Had you kissed prior to this date?

von Ehlinger: No.

Hayes: Do you know when [REDACTED] birthday is?

von Ehlinger: I do not.

Hayes: So after dinner you're coming back from Barbacoa and you take Park Center to, did you go down State Street?

von Ehlinger: I believe Idaho Street.

Hayes: Idaho Street from Park Center?

von Ehlinger: I'm not exactly familiar with all the streets in Boise. I couldn't give you a pinpoint of where exactly I was.

Myers: Counsel I have a question. If I could back up for a moment? You said you don't know her birthday. Do you know how old she is?

von Ehlinger: Yes sir.

Myers: How old is she?

von Ehlinger: It is my understanding that she is nineteen.

Hayes: And you stop at your apartment on the way back to her car is that correct?

von Ehlinger: We weren't on the way back to her car. We had both agreed to go hand out. And so that's why we went to my apartment.

Hayes: And you've seen the police reports? Have you seen the police reports?

von Ehlinger: No.

Hayes: In the police reports she claims that you needed to retrieve a handicap placard that was your roommate's from your apartment.

von Ehlinger: No.

Hayes: Does your roommate have a handicap placard?

von Ehlinger: Yes.

Hayes: How would she know that?

von Ehlinger: Because it was later in the evening and on the south side of that apartment building are parking spots, there is also a parking garage, but parking spots where people can park. And I ended up parking the car in a disabled, in a handicapped spot because it was my roommate's car. And I had mentioned that oh, it's O.K. my roommate has a placard.

Hayes: And then you exit the vehicle?

von Ehlinger: Yes.

Hayes: You opened your own door?

von Ehlinger: Yep.

Hayes: How did she exit the vehicle?

von Ehlinger: On her own and absolutely willingly. I

Hayes: Did you open the door for her?

von Ehlinger: Not that I recall. No. I think you know, we had previously agreed to this, so you know as we exited the car I said, hey come on up. You know it's just a, kind of a, a normal interaction. There was no hesitation from [REDACTED].

Hayes: Now you get up in to your apartment. She mentioned something about Oreos. Do recall Oreos?

von Ehlinger: I, I don't. I mean I enjoy Oreos, but there was I don't think any Oreos consumed during this time. In fact I don't even know if there were any in the apartment at that time, but.

Hayes: Did you offer her anything to eat?

von Ehlinger: No, because we had just eaten dinner.

Hayes: Did you offer her anything to drink?

von Ehlinger: I don't exactly recall. I may have offered her a glass of water.

Hayes: Did you have anything to drink?

von Ehlinger: I may have had a drink from a bottle of water, but I don't recall.

Hayes: And how long were you hanging out in the apartment before you started kissing?

von Ehlinger: Maybe ten minutes. I, I wasn't timing it, but that sounds accurate.

Hayes: And what was happening during that ten minutes?

von Ehlinger: We were in the living room. I forget if I took my suit jacket off at the coat hanger down the hallway or in the living room, but generally that's the first thing I do when I get home. And we were just talking about, as I recall how pleasant a dinner it was. I may have mentioned how exhausting a day it was and we both ended up sitting on the couch and talking and yeah.

Hayes: And when the kissing started did kiss her or did she kiss you first?

von Ehlinger: It seemed to me to be a mutual kiss that we had eye contact and as I was leaning in, she leaned into me as well. And we exchanged what is known as a french kiss.

Hayes: Did you kiss her neck at any point in time?

von Ehlinger: Yes.

Hayes: And where were you in the apartment at that point in time? It sounds like you were probably still on the couch?

von Ehlinger: Yes.

Hayes: At some point did you move to the bedroom?

von Ehlinger: Yes.

Hayes: About how many minutes into the kissing before you moved from the couch to the bedroom?

von Ehlinger: Maybe five or ten. It's hard to judge exactly.

Hayes: And at some time did you start removing pieces of your clothing?

von Ehlinger: Yes. So that occurred. We both went into the bedroom and she wasn't exactly comfortable on the couch. It's a leather couch and she seemed to be slipping on it. So it didn't seem exactly comfortable for her. So we ended going into the bedroom and kissing on the edge of the bed. And then we both laid back and were kissing more. But at some point I took off my neck tie and my button-down shirt and then we were kissing more and ultimately her bra was removed. She actually removed her bra. And then at some point my suit pants were removed as well.

Myers: Were removed by whom?

von Ehlinger: Myself sir.

Hayes: At some point did the remainder of her clothes come off or was it just her bra?

von Ehlinger: Her shirt was up and her bra was off and but no.

Hayes: So her shirt was up above her breasts.

von Ehlinger: Correct.

Hayes: But her bra was off.

von Ehlinger: Yes.

Hayes: Where were her pants?

von Ehlinger: She was wearing a skirt and I apologize I, it's just embarrassing and uncomfortable to have to air out details of the intimate moments of your life so.

Hayes: So she's wearing a skirt. Did her underwear ever get removed?

von Ehlinger: No.

Hayes: Did yours?

von Ehlinger: Yes.

Hayes: Who took your underwear off?

von Ehlinger: She had her hand down around my underwear and making motions like she was wanting to take it off. And then it was actually my hand that finished taking them off.

Hayes: And have you listened to the phone recordings that [REDACTED] made of your phone call with her after the encounter?

von Ehlinger: Yes I have.

Hayes: And that's what I'm going to refer to as a confront call. She's confronting you.

von Ehlinger: Okay.

Hayes: And within that phone call you and [REDACTED] both mutually mention at different points that your penis was in her mouth. Do you recall that?

von Ehlinger: Um, yes.

Hayes: Did she ask you to remove it at any point in time?

von Ehlinger: Never.

Hayes: Did she move her head so that it was no longer in her mouth.

von Ehlinger: Yes.

Hayes: And what was your response to that?

von Ehlinger: I was absolutely fine with it. I never do anything, nor would I ever do anything against a woman's will. As I stated the last time we met.

Hayes: So after your penis is out of her mouth what did you do next?

von Ehlinger: She ended up having her hand on my private part and was making motion with it and we started kissing again. And I was also kissing her breasts and.

Hayes: During the confront call she mentions that you, you were the one that manually relieved yourself on her. Do you recall that?

von Ehlinger: Yes I do.

Hayes: Is that your recollection?

von Ehlinger: It is, but I would qualify that that with the actions and motions that she had made had brought me to the brink of finishing, but it was indeed my hand that ultimately finished that.

Hayes: And was that on her clothes or on her person?

von Ehlinger: That was on her person.

Hayes: And how did you clean that up?

von Ehlinger: With a Kleenex.

Hayes: Did you end up taking a shower?

von Ehlinger: Not until the entire evening was finished.

Hayes: Was she still there when you showered?

von Ehlinger: No.

Hayes.: Did you tell her that once you get started you just can't stop?

von Ehlinger: No.

Hayes: Did she ever use a phrase as in "I don't think we should be doing this."

von Ehlinger: No.

Hayes: Did she ever suggest "I think might get in trouble for this."

von Ehlinger: No.

Hayes: Now you acknowledge in your letter that she had stated that she hadn't shaved. Why do you think that she shared that with you?

von Ehlinger: She told me that, and I forget which one was first, but she said I'm not on birth control and I haven't shaved in a while. I believe these are direct quotes. So it may not be the best idea for us to, to um, to have sex. And

Hayes: Did she say have sex or did she say that this might not be a good idea?

von Ehlinger: She said it, she said it may not be a good idea have sex tonight. And, yeah that's all she said.

Hayes: Why do you thinking shaving matters for sexual intercourse?

von Ehlinger: I think in modern American culture, possibly it is a expectation of, or due to Hollywood and other forms of American culture that possibly could make American women think that they need to be shaved a, and well-groomed or something. I don't know I'm not.

Hayes: Would an unshaved woman bother you?

von Ehlinger: Not exactly. But, I mean that's just a

Hayes: What's your normal form of birth control?

von Ehlinger: My normal form of birth control?

Hayes: Do you use birth control when engaging in sexual acts with women?

von Ehlinger: Yes, unless, yes I, I do.

Hayes: Okay and what's your method of birth control?

von Ehlinger: Either a condom or I have had girlfriends that were on their own form of birth control, so.

Hayes: Did you have any condoms in your apartment that evening?

von Ehlinger: Yes. Possibly. I, I can't answer that. I don't know. There may be some there. I was not intending on having full sexual intercourse that night so, it wasn't a, a immediate concern of mine.

Hayes: Now at any point in time uh, where her arms pinned with your leg when your penis was at, near, or in her mouth.

von Ehlinger: No.

Hayes: At any time did she say that her arms were uncomfortable in the position that you were in?

von Ehlinger: No in fact she was, I was laying down on my back and she was up elevated while she was performing that act.

Hayes: You were on your back and she was on top of you?

von Ehlinger: Yes that is correct.

Hayes: Did you ever say when I'm at this point I just become an out of control man?

von Ehlinger: No.

Hayes: Did you ever call her an experienced woman?

von Ehlinger: No.

Hayes: At some point in time did you get on top of her?

von Ehlinger: When we were kissing, yes. And when I was kissing her breast, yes.

Hayes: What about when you were manually relieving yourself upon her?

von Ehlinger: Yes. I was above her. I wasn't on top of her.

Hayes: Explain that to me.

von Ehlinger: I wasn't laying on her or anything like that when that act happened.

Hayes: Were you standing? Or were you straddling her, like. You're not laying on her, but somehow you're above her.

Von Ehlinger: I was I believe on my knees, leaned forward. Maybe one hand out to brace myself. But not laying on her. Now when I, when we were kissing and all that we were, I was on top of her for part of it. Part of it you know on our sides leaning over and just kissing each other.

Myers?: I thought you said you were on your back.

von Ehlinger: For the, when she was performing oral sex, I was on my back. And, but as I'm sure everyone is aware at times when you're in these situations you, people change positions. And I if you like I could try to remember exactly.

Myers?: That's fine.

von Ehlinger: Okay.

Hayes: So after this encounter did you ask ██████████ out a second time?

von Ehlinger: I did not.

Hayes: And referencing the confront calls again, do you recall where you say time some time and consider giving me another chance?

von Ehlinger: Yes.

Hayes: What did you mean by that?

von Ehlinger: What I meant by that was before the phone the call happened she had started talking about in texts which everyone has seen, started talking about falsehoods. And so, and before that during the evening still the disturbing things that I told this Committee the last time we met came back to the forefront of my mind. And I realized that in my opinion, I'm not a psychologist, but in my opinion I'm dealing with someone who's not well. Possibly unstable and I was trying to talk ██████████ again off the ledge of an abyss of bearing false witness against someone else, namely me. And

Hayes: And it is after that call that you confided in Senator Lakey that you may be in trouble?

von Ehlinger: That is correct.

Hayes: How many days after the call?

von Ehlinger: What was the, before you said how many days after was call, what were the?

Hayes: The confront call.

von Ehlinger: Okay. After the confront call. Okay. That was the next morning. So that would have been Friday the 12th. I was outside his office waiting at probably 7:45 a.m. And at about 8:00 a.m. Senator Lakey showed up to his office before his secretary and I told the Senator that sir I need to discuss something with you.

Hayes: Did you tell him what happened?

von Ehlinger: I did.

Hayes: What was his response?

von Ehlinger: He was sympathetic to what was going on. He you know mentioned that during his time as an Army JAG Corps officer, I believe twenty years, that he had run into situations like this in the past, but that he was more on a prosecutorial side of things in the law he was not a defense attorney and he advised me to seek legal counsel and proceed from there.

Hayes: What information did you share with Senator Lakey? Did you share the sexual experience?

von Ehlinger: Yes I did.

Hayes: Did you share that she was now confronting you with potentially it was not consensual?

von Ehlinger: Yes.

Hayes: Did you share with him that it was with an [REDACTED] for the Legislature?

von Ehlinger: I did.

Hayes: And that she's [REDACTED]?

von Ehlinger: I don't think that was discussed.

Hayes: Mr. Chairman I don't have any further questions for him.

Dixon: Mr. Myers?

Myers: Earlier in this you held [inaudible] you said nineteen. Did you know she was nineteen before you asked her out?

von Ehlinger: Yes.

Myers: And did you receive a copy of this Ethics Handbook of the Idaho Legislature when you became a Legislator?

von Ehlinger: Yes sir.

Myers: Did you read it?

von Ehlinger: I did.

Myers: No other questions.

Hayes: I have one more Mr. Chairman.

Dixon: Taken aside the issue of consent do you think it is ever appropriate for an elected Representative to have a sexual encounter with an [REDACTED]?

von Ehlinger: Are you saying now or at that time? I, I will say this, that during any of my interactions and the date with [REDACTED] I had no idea that, I had no idea that, that what was going on was against any sort of policy. I had never, there is no House Rules that governs it and I'll tell you if there was a House Rule or a law against it I guarantee all of you that I would have never engaged this person at all. I don't take any delight, in fact I'm mortified that any situation that has my involvement has led us to the point where we're at. And that

Hayes: So you didn't glean that from the conversation you had with Representative Holtzclaw? That a sexual relationship with an [REDACTED] of the Legislature may be inadvisable?

Leroy: May be what?

Hayes: Unadvisable. Inadvisable.

von Ehlinger: No. All admit I don't date a lot. I'm a rather busy person. When I do I try to make sure it's someone that I feel I have a connection with. I'm not, I don't, I'm not a person that goes out on a date every week or anything like that. And this is another person that I thought I had a legitimate connection with and that is the reason I proceeded with that. I, I just thought that you know I don't meet a lot of people that I do have a, end up having a connection with so, I thought hey, I'll go out on a date and see how things go. And, and. But no, I didn't think that you know, the thought never came

to my mind that, that wow, this is strictly forbidden, but I'm going to do it anyway. Absolutely not. I, I cannot stand breaking the rules, cause I hate being in trouble. I mean I'm mortified if I'm even stopped to, for speeding. You know I'm, I was..

Hayes: Mr. Chairman that's all the questions I have.

Dixon: Great. Committee any questions? Thank you Representative. We sincerely appreciate your time and being considerate a difficulty which you had to speak about for the ladies as well, it's appreciated.

von Ehlinger: Thank you Mr. Chairman, and if I, may I make a comment?

Dixon: I would just like to express to each and every one of you that a situation like this will never happen again. I said what I said before, but I, I realize now and for the last month that wow, that this situation is proceeded as it has and any judgement that I made in going out with this person, I am regretful of the situation and I promise that each and every one of you that this will never ever happen again. It's a, and that's all I have to say. I hope you'll accept that and, and know that I am deeply serious about it and that's all.

Dixon: Thank you Representative. Thank you Mr. Leroy.

Leroy: Mr. Chairman, Ladies and Gentleman of the Committee.