



FROM THE OFFICE OF
SUMMIT COUNTY PROSECUTOR
SHERRI BEVAN WALSH

A Message From Prosecutor Walsh

Handcuffing Law Enforcement

Welcome to 2016! It might be a New Year, but my commitment to continue to keep you and our community safe has not changed.

But a battle is brewing, and it could put police work in jeopardy. Currently, law enforcement agencies in Ohio are allowed to seize items (money & property) as part of a criminal investigation. That has been a key tool in fighting crime. Using the criminal money against them makes more sense than using taxpayer money. But that policy is now coming under scrutiny.

Forfeiture has two distinct forms – criminal and civil. Criminal forfeiture is punishment when a person is convicted of a crime. But civil forfeiture is under the idea that the property itself, and not the holder of it, is a violation of the law. Civil forfeitures do not require a criminal conviction or an official criminal charge to be filed against the owner.

Illegal money or property fall under three different categories:

Contraband – smuggled goods

like drugs, or even knock-off handbags and shoes.

Proceeds from Illegal Activity – once a crime is committed, the government may seize any property or profit directly obtained from that illegal activity.

Tools or Instruments Used in Commission of a Crime – any property used for or associated with a crime can be seized and taken from the criminal.

For example, if police discover a large amount of money in a vehicle driven by a convicted drug dealer, they are allowed to seize that money under the belief it is being used for criminal activity. Or officers can seize a vehicle which is not allowed on the road because it does not meet our country's safety standards, even if the owner did not know. This protects us all. In all civil forfeiture cases, investigators have to file and prevail in court before they can have a judge approve the forfeiture. Remember, law enforcement cannot just randomly take someone's property.

Due process or a right to trial always exists.

Ohio lawmakers are currently debating limiting law enforcement's ability to seize illegal property. Proponents of House Bill 347 incorrectly say prosecutors are going after a citizen's property without due process and people are being penalized without being convicted of a crime. This is absolutely not true. Proponents want a person to be charged with a crime before property can be seized. They ignore that this is not always possible.

House Bill 347 could put your safety at risk by allowing drug dealers to walk away with thousands of ill-gotten dollars, or have an illegal and potentially dangerous vehicle on the road. Please contact your state representative or senator and let them know you oppose House Bill 347.

Stay safe,

Sherri B. Walsh



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In The Community

One of the Summit County Prosecutor's Office main goals is to inform the community, and keep it safe. Last month, several members of the Prosecutor's Office spoke with Summit County residents.

Prosecutor Walsh was pleased to speak with students at Hudson Middle School. The students were studying and discussing Edgar Allen Poe's "The Tell-Tale Heart". Prosecutor Walsh presented a real-life case involving a Summit County man who admitted in 2011

to killing his mother and brother at their Hudson home. The students learned what goes into prosecuting a case and related that to Poe's story of a man who went insane after killing a friend and burying the body under the floor of his room.

Chief Assistant Brad Gessner also led one of the class discussions.



The Summit County Prosecutor's Office was also very happy to be a part of WAKR's Holiday Senior Luncheon at Tangier. The holiday-time tradition is a highlight for our staff. We had a great time meeting new people and seeing old friends.

Those who attended learned about ways to stay safe as outlined in our new 2016 Senior Safety Calendar.



We hope to see you at the next WAKR luncheon on February 17 at St. George Fellowship Hall.

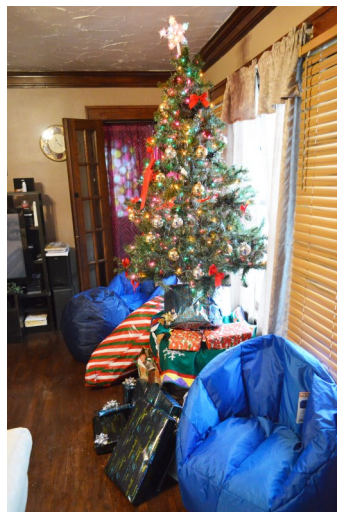
Thank you to the **Franklin Club of Summit County** for inviting Prosecutor Walsh to speak at the club's monthly meeting at the Cuyahoga Falls Sheraton on December 14. It was great meeting so many wonderful people, especially 95-year-old Bert Szabo, a nationally known naturalist and former employee of the Summit County Metro Parks.



Prosecutor Walsh spoke about crime and offered key information to help people stay safe.

The Summit County Prosecutor's Office prosecuted more than 4,000 felony cases in 2015. Many of those cases involved families where children were victims of crime.

This year, we raised money and collected donations for five local families who were victims of crime.



Employees of the Prosecutor's Office turned into Santa's elves and delivered the presents right before Christmas. We hope what was a difficult year became special with these gifts and the generosity of our employees and the community.

Thank you to everyone who helped this year!

Avery's Corner

Keeping The Community Safe

I had a wonderful December and hope you enjoyed the holidays. This is my favorite time of year!



I also got to spend time with some of my favorite humans. That's Wendy Thomas on the left from Bolich Middle School in Cuyahoga Falls. I

had a great time meeting the teachers and students.

I also had the honor of helping congratulate recent graduates of Judge Thomas Teodosio's Turning Point program.



The program offers a court-supervised program for non-violent offenders who have a substance



abuse issue. The hope is to hold offenders accountable while giving them an opportunity to become positive contributing members of the community.



I hope you had a wonderful holiday season and have a very happy new year. I know 2016 will be fantastic!



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[www.facebook.com/](http://www.facebook.com/SummitCountyProsecutorAveryII)

SummitCountyProsecutorAveryII

GUILTY VERDICTS

December 2015

Congratulations to the following assistant prosecutors for obtaining convictions at trial in December:

Nik Buckmeier (2) Joe Miller (2)

Pete Daly (2) Dan Sallerson (2)

Jon Hart (2) Ryan Stickel (2)

Great Job Prosecutors!!!!



January is National Stalking Awareness Month

Each year, 7.5 million Americans are victims of stalking. This dangerous and terrifying crime can involve mental and physical threats and actions. Victims may suffer from not only physical harm, but anxiety, insomnia, social dysfunction, and severe depression.



Stalking Resource Center #NSAM2016

Stalking can be difficult to prove because victims often move frequently in an attempt to escape and some incidents may not be taken seriously. But stalking can cause serious mental harm and can even be deadly.

Visit www.stalkingawarenessmonth.org to learn more. The more you know, the more you can do to stop it.



Help Us Go Green!

Contact Melanie Hart at hart@prosecutor.summitoh.net to receive this newsletter by e-mail



January Top Cops

Stow Police Det. Edie Gaffney, Stow Fire Dept. Arson Investigator Jim Leidel, Stow Police Sgt. Ken Mifflin, Former. Summit Co. Deputy Medical Examiner Dr. Dorothy Dean
Nominated by Assistant Prosecutor Jennie Shuki

Justice has no time limit. Those words pushed Stow Det. Edie Gaffney, Stow Fire Department Arson Investigator Jim Leidel, Stow Police Sgt. Ken Mifflin, and former Summit County Deputy Medical Examiner Dr. Dorothy Dean to find justice for the family of 24 year old Margaret Purk. It is the reason why, together, they are January's Top Cops.



In 1985, Margaret Purk's death was ruled a suicide by hanging. She was 9 months pregnant at the time of her death. But in 2011, after examining new evidence brought to her attention by Sgt. Mifflin, Dr. Dean performed a second autopsy. That second autopsy resulted in the Medical Examiner's

Office changing Margaret Purk's cause of death to a homicide. All four were instrumental in putting the pieces together to determine how Margaret Purk really died.

While Purk was serving a 28-year prison sentence for Attempted Aggravated Murder and Aggravated Arson in connection with two arson fires, Sgt. Mifflin spearheaded this new examination of Margaret Purk's death.

Based on statements Scott Purk made to detectives in 1985 as to how his wife died, Sgt. Mifflin, Det. Gaffney and Investigator Leidel re-enacted the scene of Margaret's death. Working with Dr. Dean, they determined Scott Purk lied about how his wife died. This

new investigation finally uncovered the truth about Margaret Purk's death: she was strangled at the hands of Scott Purk, in 1985.

In November 2015, a Summit County jury convicted Scott Purk of murdering Margaret, and he was sentenced to life in prison. Purk's life sentence will not begin to run until 2039, when his 28-year Attempted Murder and Aggravated Arson sentence is complete. The truth behind Margaret Purk's death would have remained hidden but for the dedication of Det. Gaffney, Investigator Leidel, Sgt. Mifflin, and Dr. Dean.

Congratulations & Good Job!

Employee of the Year

2015 Highlights

Congratulations to Jennie Shuki for being the 2015 Summit County Prosecutor's Office Employee of the Year!



Jennie has been with the Summit County Prosecutor's Office since 2001 and in December 2011 was promoted to her current position of supervising prosecutor.

In 2015, Jennie received convictions in all four of the cases she brought to trial. Her leadership and hard work was instrumental in convicting Kenan Ivery, who shot and killed Akron Police Officer Justin Winebrenner, and Scott Purk, who murdered his wife Margaret over 30 years ago.

Congratulations again, and thank you for your dedication to making Summit County a safer place.

2015 is now history. And as we look forward to 2016 and our mission of keeping Summit County safe, it's good to look back at 2015 and list some of the highlights of the past year.

The Summit County Prosecutor's Office prosecuted 4,037 defendants in 2015, 25 more than in 2014. The Office's overall conviction rate for 2015 was 97-percent! That includes cases which went to trial as well as cases that resulted in a plea agreement.

- Homicides prosecuted: 37
- Heroin & Fentanyl death prosecutions: 10
- Domestic Violence cases: 340

Successful convictions included the killer of Akron Police Officer Justin Winebrenner, and the murderer of Margaret Purk, who was strangled in 1985.

Employee Spotlight

Meet Our New Assistant Prosecutor: Joseph Mittica

Hire Date: November 23, 2015

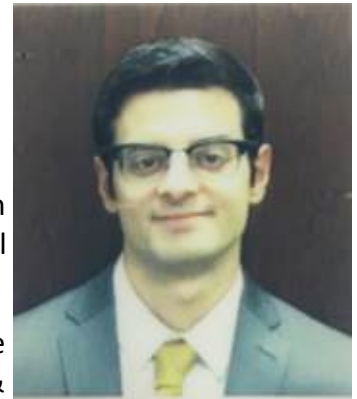
Title: Assistant Prosecutor, Juvenile Division

Hometown: Youngstown

Education: I attended high school at North Canton Hoover. I graduated from Miami University (OH) and then recently graduated from Cleveland-Marshall College of Law.

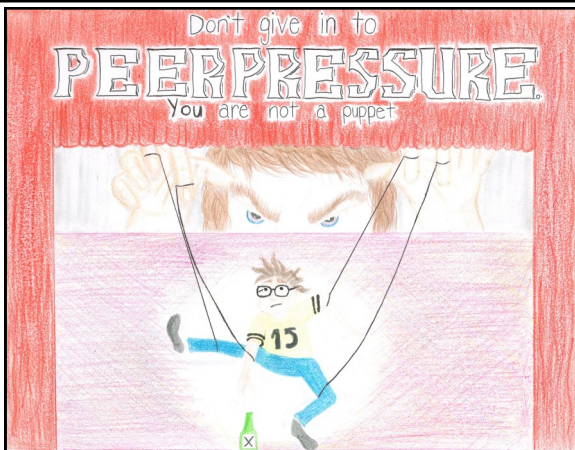
Background: In the past I have worked as an extern for Judge John Adams in the USDC for the Northern District of Ohio. I then worked as a Law Clerk at Kaman & Cusimano LLC, which focused on property law. This past summer, I worked at both the Summit and Medina County Prosecutors' Offices.

Fun Fact: Being a prosecutor has been a career goal from about the time I was in high school and realized that I was not going to grow to be 6'7" and be able to throw a football 80 yards.



2016 Kids Safety Calendar

Project Blue Light



Our 2016 Safety Kids Calendars are here! Lots of great artwork from local middle school students, as well as important information to keep you safe.

Congratulations to Rory Murphy from Tallmadge Middle School, who's design is on the calendar's cover.

If you would like a calendar for yourself or your group, please contact Jennifer Watson at 330.643.7915 or watson@prosecutor.summitoh.net

You have an opportunity to show your support for those who protect and serve our community. Rob Winebrenner started Project Blue Light JW-1301 in honor of his son, Akron Police Officer Justin Winebrenner, who was shot and killed in November of 2014.



You can request a Blue Light through the Akron, Barberton, Norton, and New Franklin Police Departments, as well as the Summit County Sheriff's Department, the Barberton YMCA, Akron Uniforms, Ayers Insurance on 619, and WQMX Radio on West Market.

You can also help keep the supplies of blue light bulbs going with a donation to the Justin Winebrenner Fund, P.O. Box 19198, Akron, OH 44319. Please help support our Brothers In Blue.

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