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News from the Criminal Division

December 2012

Message from Prosecutor Sherri Bevan Walsh

Domestic violence cases are among the most difficult cases my office handles. What makes them particularly complex is the nature of the relationship between the victim and defendant.

Many times the victim refuses to cooperate, either by recanting or claiming the police arrested the wrong person. Why? They are often terrified of their abuser and what he will do after the case is resolved. They may be embarrassed about what happened. They could be in denial that their partner resorted to violence.

When faced with a domestic violence case in which the victim doesn't want to be involved with the case, we must consider the safety of the victim and society at large. Abusers must be held accountable.

That is why we take an evidence-based approach, much like in a murder or assault case in which the victim is unable to testify. We highlight the other available evidence, such as 911 calls and medical records.

The philosophy of our Domestic Violence Unit is "holding offenders accountable and keeping victims safe." A big part of that is meeting with victims and educating them as to their options, should they decide to leave. According to FBI

statistics, the most dangerous time for a victim of domestic abuse is when they try to leave their abusers.

It is extremely difficult for a victim to break the cycle of violence. Abusers use a combination of physical and emotional violence to control their victims. So not only do victims of domestic violence have physical injuries, but they can be convinced that they somehow are responsible for the beatings and terrified of what will happen if they try to leave.

Furthermore, their abusers may be in control of the household finances or use other tactics, such as sexual abuse, animal cruelty or alienation to keep their victims under their

control.

In addition to fighting for justice for victims of domestic violence, my office works closely with many nonprofit organizations to provide victims with the resources they need. By working together, we aim to break the cycle of violence one family at a time.

Stay safe,



Happy Holidays!

Here are a few survival tips to make your holiday a safe one:

- Know your limits. If you've been hitting the egg nog, hand over your keys.
- Take steps to hide the fact that you're traveling. An empty house is an open door for burglars.
- Did you get some cool gifts? Hide the packaging in your trash. No need to advertise to criminals.
- Keep an eye on your bank and credit card accounts. See a purchase you don't remember making? Check it out.
- Take a moment to appreciate your loved ones.



From all of us at the Summit County Prosecutor's Office, we hope you have a happy and safe holiday season. May 2013 bring you much joy.

Tough Prosecution

Few criminals are worse than those who rape and sexually abuse children. Here are some of the offenders we sent to prison in 2012 for raping children under 13:

Roger Ball, 66

- Rape
- Sexual Battery
- Gross Sexual Imposition (five counts)
- Life in prison, eligible for parole in 2047

Richard Frederick, Jr., 25

- Rape
- Gross Sexual Imposition
- Life in prison, eligible for parole in 2037

John McMullen, 27

- Rape (three counts)
- Life in prison, eligible for parole in 2037

Daniel Lee Mercer, 49

- Rape
- Gross Sexual Imposition
- Life in prison, eligible for parole in 2022

Brolin Payne, 41

- Rape
- Gross Sexual Imposition
- Life in prison, eligible for parole in 2037

Mark Randles, 59

- Rape
- Gross Sexual Imposition
- Life in prison, eligible for parole in 2037

"I Fight for You"

An assistant prosecutor in my office wrote the following poem. It so beautifully describes how many of us in law enforcement feel, that I had to share it.

*We've never met
Yet I hold you in my heart of hearts
See pictures of your bruises, and I want to cry for you*

*Don't like being the center of attention, and yet, here I am...
Speaking in front of all these people for you*

*I feel this connection to you
Wish I could say it'll never hurt this badly again
Wish I could take away all of your pain
Wish I could protect you from the big, bad boogiemans
Who steals your innocence and robs you of peace*

*We've never met
Yet somehow you've become a part of me
Don't fight for myself
Yet somehow I have the courage to fight for you*

*We've never met
But I don't know how to thank you
For the lessons you've taught me...
For the humbling experience of being an instrument in your life...
For being a part of what will make you, you...
For the parts of me I have found when I fight for you...
Parts of me I thought were lost forever*

*Wish I could give you the world...
Unfortunately, all I can offer
Is my heart.*



December Top Cops

Top Cop: Officer Alan Pipes and Detective Kevin Lohse of the Cuyahoga Falls Police Department and

Polygraph Examiner Michael LoPresti of the Ohio Bureau of Criminal Investigation

Nominated By: Assistant Prosecutors Justin Richard and Dustin Roth



In June of this year, Cuyahoga Falls police officer Alan Pipes responded to a call of sexual abuse on a five-year-old girl. The girl's mother knew the alleged abuser, 25-year-old Richard Frederick, Jr.

Officer Pipes quickly located Frederick, who denied the allegations. Officer Pipes convinced Frederick to take a polygraph to clear his name.

Before starting the polygraph, Michael LoPresti, a polygraph examiner from the Ohio Bureau of Criminal Investigation, reminded Frederick that the test would indicate whether he was lying. Before LoPresti even started the polygraph, Frederick confessed to

raping the girl multiple times over a four-month period.

Detective Kevin Lohse of the Cuyahoga Falls Police Department led the investigation. After coordinating a forensic examination for the victim and interviewing witnesses, Detective Lohse then arrested Frederick. While being interviewed by Detective Lohse, Frederick again confessed.

This time, however, Frederick provided more details and talked about more incidences of abusing the girl.

After multiple confessions obtained by two law enforcement agencies, Frederick was left with no choice

but to admit to his crimes. He pleaded guilty to Rape and Gross Sexual Imposition the morning his trial was scheduled to begin.

Frederick was immediately sentenced to life in prison. He will be eligible for parole after serving at least 25 years in prison.

This case illustrates a perfect example of a municipal police department working in harmony with a state agency and a county office with excellent results. The hard work and thorough investigation conducted by Officer Pipes, Detective Lohse and Michael LoPresti resulted in multiple confessions and a plea agreement, thus sparing the victim and her mother the agony of a trial.

Way to go, Officer Pipes, Detective Lohse and Polygraph Examiner Michael LoPresti!

Agency Spotlight: Open M

Open M, which stands for Opportunity for People Everywhere in Need Ministry, has been serving Akron families in need since 1968. From its modest beginning of a mission program in four churches, Open M now serves all of Summit County with the assistance of more than 100 churches and businesses.

Open M provides physical and spiritual assistance through food programs, medical clinics, mentoring, after-school and summer camp programs and other programs that aim to help people lift themselves out of poverty.

My office is a proud supporter of Open M. We regularly donate our time and dress-down money to serve hot lunches. And every December we purchase Christmas



presents for those who cannot afford to put anything under their tree.

Thank you to Open M for the important services you provide Summit County. And thank you, especially, to everyone who supports Open M's mission through donations of time, money and supplies.

For more information on Open M and how to offer your support, visit www.OpenM.org.

2012 Employee of the Year



Each year I recognize one employee for outstanding contributions to the Summit County Prosecutor's Office. This is always a difficult decision for me since I have so many excellent employees who are deserving of this recognition. Usually, this recognition is based on a particularly difficult case that was handled or an instance of going beyond the call of duty.

This year, however, I chose to bestow this honor not because of a single event, but based on a culmination of service and dedication to the Summit County Prosecutor's Office.

It is my pleasure to name Lisa Holdt the 2012 Employee of the Year. Lisa has served as Chief Administrator since I took office in January 2001. In that capacity, she supervises all administrative personnel, assists with community relations and handles a wide variety of other tasks. I can always trust that whatever Lisa is assigned will be done with professionalism and expertise.

Lisa was one of the first people I hired after being elected Summit County Prosecutor. She was with me the first time I set foot in my new office and spent the entire day helping me clean and organize. From that moment on January 1, 2001 until the present time, 12 years later, I have always been grateful that she agreed to serve as my Chief Administrator. She has proven herself to be an indispensable member of my staff through her hard work and willingness to jump in wherever she is needed.

I am proud to call Lisa not just a valuable employee, but also a friend and confidant. And for those who know her, you have seen her ability to lighten the mood when things become particularly stressful. She has supported me professionally and personally for more than two decades, and for that I say, thank you and congratulations on being named our 2012 Employee of the Year!

Guilty at Trial in November

Congratulations to the following assistant prosecutors for obtaining guilty verdicts at trial in November:

Teri Burnside

Elliot Kolkovich

Angela Poth-Wypasek

Pete Daly

Tom Kroll

Omar Siddiq

Joe Fantozzi

Kevin Mayer

Angela Walls-Alexander

Help us go green!

If you currently receive this newsletter on paper and would like to receive an electronic version instead, email Melanie Hart at hart@prosecutor.summitoh.net.

Contact the Summit County Prosecutor's Office

53 University Avenue

Akron, Ohio 44308

330-643-2800

www.co.summit.oh.us/prosecutor