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News from the Criminal Division

June 2012

Message from Prosecutor Sherri Bevan Walsh

May was a busy month for the Summit County Prosecutor's Office. The assistant prosecutors in my criminal division tried 13 cases with 14 defendants. And every one of those trials finished with a guilty verdict!

That doesn't count the cases that were resolved last month before going to trial.

With the average trial lasting approximately three days, that works out to almost 40 days worth of trials -- not to mention the time the juries deliberated, which can sometimes last another few days, or the time prosecutors spent preparing for all of those trials.

While trying cases is just a fraction of what the prosecutors do, there is a lot of work that goes into preparing for a trial. Prosecutors must meet with all victims and witnesses, evaluate what evidence they want to present at trial, makes copies of all documents and evidence for the defense, review the defense's documents, review the facts with law enforcement and research applicable case law -- all while balancing

a work load that includes new cases, pending trials, case resolution negotiations, sentencings and various court hearings.

At this time last year the criminal division had completed 50 trials and disposed of 1,499 defendants. As of May 31, we have completed 62 trials and disposed of 1,639 defendants.

If we continue at this pace, we will complete close to 156 trials and dispose of approximately 3,936 defendants, far surpassing our 2011 totals of 115 trials and 3,433 defendants.



The assistant prosecutors in my office do not do this alone. They are aided by our victim advocates, investigators and support staff. Together they do a tremendous job of handling their clearly growing work load while remembering that we are here to seek justice for victims. We could not do what we do without working together, and I am proud to say that I have an incredible team.

Stay safe,

Sherri B. Walsh

Agency Spotlight: Summit County Reentry Network

My office focuses on making sure criminals are punished for their crimes -- often with prison time.

But what happens to those defendants when they are released from prison? Approximately 40 percent will commit another crime.

Many factors account for whether someone will re-offend. The top indicators are the person's attitude, the type of people and places that person surrounds himself with and his economic status.

The Summit County Reentry Network (SCRN) believes that a strong and encouraging support system and a positive attitude are crucial for offenders who want to stay out of the criminal justice

system and prison. SCRN provides support for the 60 percent of ex-offenders who are committed to making positive changes in their lives.

SCRN offers resources such as job readiness assistance, expungement and clemency clinics, employment seminars and a support group for ex-offenders.

Terry Tribe Johnson, who leads SCRN, cites a wealth of research that guides her work. For example, Johnson is a strong advocate of removing employers' stance against hiring ex-offenders, particularly in light of the estimated \$57-63 billion that would be injected into our economy if felons were able to get jobs.

SCRN believes the reentry process should start at the point of sentencing and is working to educate those within the criminal justice system about the various resources the group offers. It might seem like an odd pairing for the very people who put people behind bars to also work to find them employment, housing and other assistance. But by working together, we might be able to reduce the number of people who re-offend.

So thank you to the Summit County Reentry Network for working to reduce the rate of recidivism in Summit County and advocating on behalf of those who desperately need a second chance!

What is a Bill of Information?

Last month you learned a bit about the grand jury process. Continuing in that vein, this month I'd like to tell you a little about a seldom-used but very helpful option to the normal grand jury process.

Generally, misdemeanor charges do not require a separate probable cause hearing, but a probable cause hearing is a right guaranteed by the U.S. and Ohio Constitutions when facing felony charges. However, defendants may waive that right just like they can waive other constitutional rights, such as the right to a speedy trial or the right to refuse warrantless searches of their home.

In requesting a bill of information to be filed, a defendant waives her right to a probable cause hearing (which is essentially what occurs at

grand jury). Prosecutors then write a bill of information that is filed before the case is presented to a grand jury. Typically this happens when there is an agreed resolution between the prosecution and defense, and it occurs before formal charges are brought against the defendant. However, the judge must still agree to all of the terms of the resolution.

Although the above situation is by far the most common, a defendant can also request a bill of information without admitting guilt and without the parties agreeing to a resolution. In this situation, the case would still go forward like a normally indicted case, concluding in a plea or trial. Instead of an indictment coming out of grand jury, the prosecutor would determine and issue the

formal charges pursuant to the bill of information.

Most offenses are eligible to be prosecuted without an indictment if the defendant waives her right to a separate probable cause hearing. The only crimes not eligible for a bill of information are those punishable by death or life in prison.

Bills of information are an efficient and cost-effective alternate way to dispose of a case in which the defendant has decided early during the course of the investigation to enter a guilty plea and hopes that the sentencing will reflect this cooperation!

June Top Cop

Top Cop: Hudson Police Officer **Tyson Dinda**

Nominated By: Assistant Prosecutor Angela Poth-Wypasek



In early January, a female employee of Little Tykes in Hudson discovered her wallet was missing. She had taken money out of her wallet to buy a snack while on break from her overnight shift. However, her wallet was gone by the time she got home from work.

When the woman called her bank to report her debit card was missing, she learned that it had already been used at Sheetz, Save-A-Lot and Circle K. The woman immediately cancelled her card and called the Hudson Police Department to file a report.

Following the trail of where the debit card had been used, patrol officer Tyson Dinda got receipts

from Sheetz, as well as surveillance video and still photos of the suspect using the stolen card at Sheetz. Officer Dinda showed the photos to the victim, who identified the suspect as Lisa Turner, a co-worker at Little Tykes.

Although Turner admitted to Officer Dinda that she had made purchases at all three locations, Turner claimed she had used her own debit card. Her debit card number was not at all similar to that of the victim.

On May 15, a jury found Lisa Turner guilty of Theft and Misuse of Credit Cards. That is Turner's 13th felony Theft conviction since 1983. She is scheduled to be

sentenced for this crime on July 12.

Officer Dinda went beyond the typical scope of job duties for a patrol officer to track down, interview and arrest the person who stole from a coworker. Plus, he gathered enough evidence to secure a conviction on all of the charges for which the suspect was indicted. In doing so, Officer Dinda found a career criminal who still hasn't learned to keep her hands off others' personal property. And he did all this in a matter of just a few hours!

That's why Officer Tyson Dinda from the Hudson Police Department is June's Top Cop.

Way to go, Officer Tyson Dinda!

Internship Opportunities

Communications Intern

Do you love to write? Are you interested in learning first hand how the criminal justice system works? Are you studying public relations or another communications field?

If you answered yes to the above questions, you may be interested in an unpaid internship in the Summit County Prosecutor's Office communications department.

Interns can experience all aspects of managing

communications in a busy government agency, such as drafting news releases, creating office literature, working with the media and improving community outreach.

Anyone interested in interning in the communications department should send a cover letter, resume and three writing samples to April Wiesner, director of communications, at wiesner@prosecutor.summitoh.net.

Legal Intern

If you're in law school and looking to gain some invaluable first-hand experience, an internship with the Summit County Prosecutor's Office may be just what you need.

Legal interns have the opportunity to help some of the finest assistant prosecutors in the State of Ohio. In addition to working on briefs, conducting research and assisting in trial preparation, legal interns have the opportunity to sit

in on court hearings and trials.

This is a great opportunity for law students planning to enter the field of criminal justice!

Law students interested in an unpaid internship in the Prosecutor's Office should send a resume and cover letter to Margaret Scott, deputy chief of the criminal division, at scott@prosecutor.summitoh.net.

Meet Assistant Prosecutor Seema Misra



Hire Date: February 2010

Title: Assistant Prosecutor

Hometown: Mississauga, Ontario, Canada

Education: I earned an Honors B.A. in Economics from the University of Toronto. I came to Akron to earn my J.D. from the University of Akron.

Background: After graduating from the University of Toronto, I worked for the Ontario Ministry of the Environment, Canada's equivalent of the state Environmental Protection Agency.

Fun Fact About Me: I backpacked through Europe for three weeks by myself after law school.

Job Duties: As an assistant prosecutor with the Juvenile Division, I try dependency, neglect and abuse cases in Juvenile Court.

Most Memorable Case: The sometimes outrageous fact patterns and the apathetic, excuse-ridden and/or rage-filled reactions from parents have easily made many of my cases memorable. However, the most memorable trial I had involved a child who suffered Abusive Head Trauma (formally known as Shaken Baby Syndrome). The parents initially said the baby fell off the couch, but then changed their story to say their two-year-old did it and then changed their story again to say the baby got hurt when grandma dropped the car seat. The defense even brought in their own medical expert!

Why I Wanted to Become a Prosecutor: I am a public servant at heart and I love doing trial work. I couldn't imagine a better career for me.

Guilty at Trial

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

Jon Baumel

Brian LoPrinzi (2)

Justin Richard

Nik Buckmeier (2)

Kevin Mayer (2)

Dustin Roth (2)

Joe Dangelo

Angela Poth-Wypasek (4)

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.

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