



# News from the Criminal Division

May 2013

## Message from Prosecutor Sherri Bevan Walsh

**Imagine** walking in a park or grocery store with your child. Suddenly, you notice your child is gone. You frantically begin calling for him. After briskly searching the entire park or store, fear begins to take over. You feel lost and confused, overwhelmed and helpless. Scenarios of what may have happened fill your head and poison your body to a physical level of sickness.

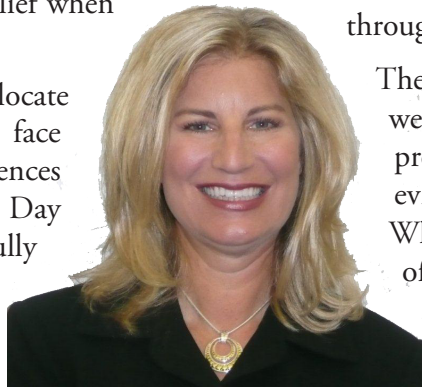
All of this disappears into a wave of relief when you find your child.

What happens if you are unable to locate your child? Every day many families face this scenario. These horrifying occurrences are what National Missing Children's Day works to raise awareness for, hopefully leading to prevention and the recovery of missing children.

On May 25, 1979, six-year-old Etan Patz disappeared from a New York City street corner on his way to school.

Etan's father, a professional photographer, searched frantically for his son, distributing a black-and-white photograph in his efforts to find Etan.

Despite previous child abduction cases barely gaining traction with the media, Etan's photo quickly circulated across the nation. His case sparked a national movement that focused on the horrors of child abduction and the need for child recovery. Pedro Hernandez was charged with Etan's murder last May. He is still awaiting trial. Etan's body was never found.



In 1983, President Ronald Reagan proclaimed May 25 as National Missing Children's Day.

The National Center for Missing and Exploited Children promotes child safety during May through its Take 25 campaign. Take 25 urges parents to take 25 minutes to talk to their children about safety.

Focusing on child safety doesn't end on June 1. We need to talk about safety with our children throughout the year.

The recent discovery of three women who were missing for a decade in Cleveland provides a teachable moment about the evil from which we try to protect our kids. What would your child do if a stranger offered a ride? What if the person offering a ride were a neighbor or the parent of a classmate? How would you advise your child to respond?

These conversations don't have to only revolve around stranger danger. It is our job as parents and caregivers to teach our children about all of the many dangers out there and how to respond to them.

Are you a school, church or other organization that would like more information on child safety? My office speaks to groups about a variety of safety topics, such as bullying, Internet safety, sexting and general safety advice. To book a speaker, call Lisa Holdt at (330) 643-2800.

Stay safe,

*Sherri B. Walsh*



# Quick Thinking Leads to Back Child Support Money

Custodial parents often become upset when they believe the non-custodial parent is hiding money in an effort to not pay child support. And rightly so.

It is my office's position that parents need to take responsibility for their children. And it is our job to enforce court-ordered child support.

Earlier this month, there was a case in my Criminal Division involving a cash forfeiture. That means the defendant was carrying a large sum of cash when he was arrested, which the police believed to have been used during the commission of a crime.

The judge suppressed some of the evidence in the case, including the cash. This meant that the defendant could go to the police department and get all of his cash back.

The prosecutor assigned to the case knew the defendant had a child, so he asked our chief assistant prosecutor in my Child Support Enforcement Agency if the defendant owed back child support.

The defendant owed more than \$1,100 in child support to the mother of his child.

CSEA staff quickly filed a motion in Domestic Relations Court to have the forfeiture money applied to the defendant's owed child support, which was granted.

Thanks to the quick thinking of employees in both my Criminal Division and CSEA, this defendant's child support order was made current and the mother of his child received the money she was owed.

Great work by everyone involved!

## Tough Prosecution

These defendants will be out of our community for a lengthy period of time thanks to the hard work of my assistant prosecutors:

### **Dearco D. Whisenant, age 19**

- Rape
- Gross Sexual Imposition
- **Sentenced to 15 years in prison**

### **Jesse Jack Guyton, age 34**

- Manufacturing Methamphetamine
- Pandering Sexually Oriented Material Involving a Minor
- **Sentenced to 10 years in prison**
- **Tier II sex offender registration**

### **Phyllis J. Treich, age 51**

- Aggravated Vehicular Homicide
- Operating Under the Influence
- Negligent Assault (three counts)
- **Sentenced to seven years in prison**
- **Lifetime license suspension**

### **Ricky D. Boykins, age 33**

- Aggravated Robbery
- **Sentenced to 10 years in prison**
- **Lifetime license suspension**

## Guilty at Trial in April

Congratulations to the following assistant prosecutors for obtaining guilty verdicts at trial last month:

***Aaron Howell (2)***

***Elliot Kolkovich (2)***

***Tom Kroll***

***Kevin Mayer***

***Omar Siddiq***

***Brian Stano***

***Great job, prosecutors!***



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# May Top Cop

**Top Cop: Deputy Nancy Mundy**  
**Nominated By: Investigator Ben Bergeron**



It's no secret that inmate phone calls are recorded. Our office and other law enforcement agencies sometimes listen to inmate calls during the course of an investigation. These calls can be -- and often are -- used at trial.

When law enforcement officials need access to jail calls, Deputy Nancy Mundy of the Summit County Sheriff's Office has always been quick to assist us.

Deputy Mundy processed more than 1,000 jail call requests last year from our office alone. These

requests typically are time-sensitive. Oftentimes, our requests require Deputy Mundy's immediate attention.

Deputy Mundy has consistently been expedient in processing requests, even while attending to her primary duty of processing Carrying a Concealed Weapon (CCW) applications.

Additionally, Deputy Mundy has testified on behalf of the prosecution countless times to authenticate evidence.

Deputy Mundy's dedication and

efficiency have been instrumental in aiding the prosecution with successful convictions through the years.

Because of the increase in CCW applications, Deputy Mundy had to relinquish her jail call duties to another deputy at the end of April.

The entire Summit County Prosecutor's Office owes Deputy Nancy Mundy a great debt of gratitude for her strong work ethic and expresses our sincere appreciation for all that she has done and continues to do on a daily basis.

**Way to go, Deputy Mundy!**

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## Agency Spotlight: Summa Health System Protective Services

The mission of the Summa Health System Protective Services Department is to provide a safe hospital environment through involvement, cooperation and dedication. The Protective Services Department, led by Chief David Davis, abides by the tenets of compassionate service, teamwork, integrity and a positive attitude.

Serving hospitals, community-based health centers, group practices and other facilities throughout Summit, Medina and Portage Counties, Protective Services employs 115 officers, 45 of whom are commissioned police officers.

At the beginning of March, the Summa Protective Services Training Academy graduated its first Ohio Peace Officer Basic Academy class. After more than 600 hours of

training, 19 cadets can now call themselves a OPOTA Basic Peace Officer Academy Graduate. All 19 are now commissioned peace officers for Summa Health System.

These cadets are dedicated to their profession. They spent long hours training and studying, many also juggling their duties as full-time Protective Services employees.

Protective Services Training Academy Commander Jerome Klue and Associate Commander Richard Abbott went out of their way to utilize some of the best instructors in Ohio. Those instructors also provide training for the Summit County Sheriff's Department Police Academy and the University of Akron Police Academy.

The police academy graduation



*Summa Health System Protective Services Training Academy's first Ohio Peace Officer Basic Academy graduates.*

took place March 1. Chief Assistant Prosecutor Brad Gessner was the keynote guest speaker.

The students entered the ceremony as cadets and left the ceremony with their heads held high as graduates and future law enforcement officers of Summa Health System.

Congratulations and good luck, graduates!

# Meet a Prosecutor: Omar Siddiq



**Hire Date:** November 2007

**Title:** Assistant Prosecutor

**Hometown:** Strongsville, Ohio

**Fun Fact:** I was at the last Browns game on December 17, 1995 in the Cleveland Municipal Stadium before the team was moved to Baltimore. I have a piece of the seat I sat on.

**Education:** I have a bachelor's degree in Diplomacy and Foreign Affairs from Miami University and a Law Degree from American University.

**Background:** I taught public speaking and coached a collegiate debate team for two years at Miami University.

**Job Duties:** I prosecute felony criminal cases in Judge Tammy O'Brien's courtroom.

**Most Memorable Case:** A disabled woman was conned into taking out a loan on her house, which was paid off. She gave the entire \$84,000 to a man to start a business. He never started the business. The woman wrote him a check, which he deposited. He then wrote checks to his stepfather, forged his stepfather's signature and countersigned the checks himself. The con artist was trying to move the money around so it could not be located.

The stepfather told the investigating officer that he did not sign or receive the checks. The defendant then threatened his stepfather and forced him to sign a statement contradicting what he told officers. The stepfather then called the police and told them what happened as soon as the defendant left.

This wasn't the first time the defendant had used a fictitious business to get money. The jury came back with a guilty verdict to every count of Theft, Forgery and Witness Intimidation. The defendant was sentenced to three years in prison.

I will always remember how grateful that victim was to see the defendant convicted and sent to prison. I keep the letter she wrote me in my office to remind me of why I do this job.

**Why I Wanted to Become a Prosecutor:** The best part of my job is getting justice for victims of crime. I know this sounds naïve, but I became a prosecutor to make the world a better place. I believe that a person lives a full life if they can help at least one other person. With this job, I get to help people every day.

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Did you miss my Mother-Daughter Self-Defense class at the beginning of this month? Don't worry, I'll be holding more throughout the summer and fall. We'll announce upcoming classes on our Facebook page, in future editions of this newsletter and via email.

Want to make sure you don't miss the announcements? Like us on Facebook and sign up for my emails. I'll keep you posted on crime alerts and special events.  
Sign up by emailing Melanie Hart at [hart@prosecutor.summitoh.net](mailto:hart@prosecutor.summitoh.net).

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