



February 2014

News from the Criminal Division

Message from Prosecutor Sherrri Bevan Walsh

Two years ago I briefly addressed the issue of plea agreements in this newsletter. I want to re-address the issue because pleas remain a misunderstood aspect of the criminal justice system.

Plea agreements are not undertaken lightly. They are not the easy way out of a bad case as often portrayed in the mainstream media and on T.V.

I sometimes hear criticism of prosecutors who gave a criminal a “deal” instead of allowing a judge or jury to determine the defendant’s guilt.

A plea agreement is an agreement between the prosecution and the defendant (under advisement of his attorney) about how the case will be resolved. This often, but not always, involves the defendant pleading guilty to an agreed sentence or to lesser or fewer charges.

In most cases, we will not agree to a plea without the victim’s consent. The judge has final approval of the agreement.

One reason prosecutors are willing to negotiate plea agreements is to guarantee that a defendant will be punished for the crime for which he was indicted.

Have you heard the cliché that the only sure things in life are death and taxes? That also applies to the courtroom. Every attorney, on both the defense and prosecution sides, has seen a case that appeared to be an easy win fall apart.

Even when we believe a case has irrefutable evidence, there is still the possibility of a verdict of not guilty. Allowing a defendant to plead guilty ensures that justice is served.

Another argument in favor of plea agreements is the aspect of efficiency. The U.S. Constitution guarantees defendants the right to a speedy trial. The number of days that can pass between an indictment and trial is specified based on whether the defendant is in jail or out on bond. If a defendant is not tried within that period, the charges are dismissed and the defendant walks.

My office resolved approximately 3,600 cases in 2013. With the average criminal felony trial lasting two to three days, it would have taken us about 9,000 days (that’s 24.66 years!) to try each case. And that doesn’t take into account capital and other lengthy trials and non-trial appearances like arraignments and pre-trial status meetings.

The Summit County Court of Common Pleas has 10 judges. If every judge did nothing but sit through trials every day of the week, we would still need two and a half years to get through every case. That would make for a serious backlog of cases. And this only applies to criminal cases. The courts have an even larger caseload of civil law suits.

Perhaps the biggest argument for plea agreements, however, is that it spares victims the trauma of a trial. Facing a courtroom full of strangers and your attacker to tell the story of what was likely the most horrific experience of your life can cause what is called secondary victimization. When the defendant pleads guilty, the victim hears the defendant accept responsibility and can then start the healing process.

Stay safe,



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February: Teen Dating Violence Awareness Month

Teen dating violence may seem like something out of a bad Lifetime movie, but almost 1.5 million high school students are physically abused by their partner each year. Are you one of the 82 percent of parents who believe they would be able to tell if their child was being physically abused by a partner? A 2004 study found that, although most parents believe they could recognize the signs, less than half were able to identify all of the warning signs.

Being a victim of dating violence as a teenager increases the risk of problems later in life, including drug and alcohol dependence, eating disorders, depression and suicidal thoughts and behaviors.

According to a 2012 report by the Centers for Disease Control, more than 20 percent of female and 15 percent of male adult victims of sexual assault and/or intimate partner violence first experienced violence at the hands of a romantic partner between the age of 11 and 17.

The National Dating Abuse Helpline and an organization called Break the Cycle created LoveIsRespect.org to specifically address dating violence among young people.

The organization works to educate our nation's youth about the importance of respectful, healthy relationships.

There is local help, too.

The State of Ohio addressed the issue of teen dating violence by requiring every public school in the state include dating violence prevention education in the health curriculum.

The Tina Project, named for 18-year-old Tina Croucher who was murdered by her

boyfriend in 1992, helps the schools comply with that state mandate. The Tina Project aims to reduce and prevent teen dating violence by educating Ohio's youth on what is and is not acceptable dating behavior. Partner agencies, which include the Battered Women's Shelter of Summit and Medina Counties and the Rape Crisis Center, provide teens with resources to identify and escape dating violence.

For more information on dating violence prevention and how to get help, visit LoveIsRespect.org, call 866-331-9474 or text "loveis" to 22522.



Tough Prosecution

These defendants are out of our community for a long time thanks to the hard work of my assistant prosecutors:

Clayton George, age 31

- Rape (two counts)
- **Sentenced to life in prison -- no parole eligibility**

Randy Thomas, age 21

- Murder
- Firearm Specification
- **Sentenced to life in prison**
- **Eligible for parole in 2033**

Tyvon Ward, age 22

- Murder
- Felonious Assault
- Endangering Children
- **Sentenced to life in prison**
- **Eligible for parole in 2044**

Guilty at Trial in January

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

Aaron Howell

Dustin Roth

Elliot Kolkovich

Dan Sallerson

Brian LoPrinzi

Ryan Stickel

Greg Peacock

Great job, prosecutors!

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.



February Top Cop

Top Cop: Lieutenant Jennifer Limbert, Summit County Sheriff's Office
Nominated By: Assistant Prosecutors Brian LoPrinzi and Aaron Howell

Lieutenant Jennifer Limbert is a detective in the Summit County Sheriff's Office. She is the epitome of a dedicated member of law enforcement.

She is always the go-to person on any case she works. The assistant prosecutors in my office know that, when Lieutenant Limbert is involved, every lead will be thoroughly investigated and no piece of evidence will be deemed too minor to analyze.

That was certainly the case when my office prosecuted Clayton George, 31, of Akron. George was accused of raping two young girls over the course of one year.

The girls did not immediately report the abuse because George had threatened them if they told. It wasn't until they were removed from the home because of physical abuse to their brother that they disclosed what had been happening to them.

Rape cases can be very difficult to prosecute, especially when there is no physical evidence, such as in this case. Having victims who are under the age of 10 adds another layer of complexity.

Lieutenant Limbert approached this case with her usual level of professionalism and care for the victims. She was instrumental in successfully holding Clayton

George accountable for the trauma he inflicted on those two little girls.

Lieutenant Limbert attended every meeting on this case, she listened to hours of jail calls and she did everything asked of her by the prosecutors -- often before she was asked.

A jury found George guilty of two counts of Rape on January 22. He was sentenced to two consecutive terms of life in prison. He will never be eligible for parole.



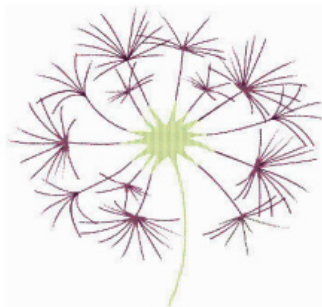
Way to go, Lieutenant Jennifer Limbert!

Agency Spotlight: Rape Crisis Center of Medina and Summit Counties

The Rape Crisis Center of Medina and Summit Counties follows this philosophy: healing. hope. empowerment.

RCC views victims of sexual assault, both female and male, as potential survivors. This is because RCC doesn't stop at providing support for individuals who have been sexually assaulted. RCC also strives to empower survivors.

The staff at RCC understand that everyone deals with their assault differently. The services they provide -- a 24-hour hotline, support groups and individual meetings with advocates -- help victims become survivors.



rape crisis center
of medina and summit counties

A large part of RCC's work to end sexual violence involves educating the community and raising awareness. There are many myths surrounding sexual assault. And many victims still feel a stigma associated with their assault. By speaking to community groups, emergency responders, service providers and local businesses, RCC aims to replace myths and stigma with facts and understanding.

This April we'll once again march in solidarity (and heels) with victims of rape, sexual assault and gender violence at Walk a Mile in Her Shoes. For more information on this event or the Rape

Crisis Center, visit www.RCCMSC.org.

Meet a Prosecutor: Joe Miller



Hire Date: November 2013

Title: Assistant Prosecuting Attorney -- Juvenile Dependency/Neglect Division

Hometown: Shaker Heights, Ohio

Fun Fact About Me: I have a passion for acting. My favorite part I've played was Malvolio in Shakespeare's "Twelfth Night." I hope to eventually find the time to act in community theater.

Education: I earned a Bachelor of Arts in public relations and theater from Valparaiso University. I earned my Juris Doctorate from Case Western Reserve University School of Law.

Background: I grew up in Naperville, Ill. Along with playing baseball and football, I was very active in theater from a very young age. At Valparaiso University, I pursued a theater degree and acted in several plays. During law school, I competed on the Mock Trial Team and completed several criminal internships.

Job Duties: I represent Summit County Children Services in cases of abuse, neglected and/or dependent children in the Summit County Juvenile Court.

My Most Memorable Case: So far, my most memorable case is a meth lab case. The father was severely burned while cooking meth, and the mother had to take him to the hospital. They left their children unattended at home. The mother dropped off the father, telling the hospital he had been injured in a bonfire. Then she left the state. The children were later found at the home, along with several items used for cooking meth.

In Juvenile Court, the parents stipulated to Dependency for their oldest child, who was not home during the fire. The parents stipulated to Abuse, Dependency and Neglect for the three children who were left home alone when the mom took the dad to the hospital and then left the state.

Both parents also faced criminal charges from this incident. The mom pleaded guilty to Illegal Assembly of Chemicals and Endangering Children. The father pleaded guilty to Illegal Manufacture of Drugs and will spend the next four years in prison.

Why I Wanted to become a Prosecutor: During my second year of law school, I interned with the US Coast Guard Ninth District Legal Office in Cleveland. There I had my first exposure to criminal law, prosecuting service members for various crimes, particularly sexual assaults. I found myself very drawn toward criminal prosecution and later interned at the Juvenile Sex Crimes Unit of the Palm Beach County (Florida) State Attorney's Office. After that, I worked as a certified legal intern at the City of Lorain (Ohio) Prosecutor's Office.

Mother-Daughter Self-Defense

Summit County Prosecutor Sherri Bevan Walsh and University of Akron Police Lt. Chad Cunningham are hosting a **FREE** Mother-Daughter Self-Defense class in the Nordon High School gym on Wednesday, March 5 from 6:30 - 8:00 p.m.

The class is open to women of all ages and is absolutely free with no registration required. Come alone or with friends.

For more information, contact April Wiesner at (330) 643-8386 or wiesner@prosecutor.summitoh.net.

Congrats!

Congratulations to CSEA's chief assistant prosecutor, Joe Fantozzi! He was elected president of Class XIX of the Child & Family Leadership Exchange. We're excited to find out about this year's project!

Office of Summit County Prosecutor Sherri Bevan Walsh

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