



SHERRI BEVAN WALSH

Summit County Prosecutor

Newsletter

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Message from the Prosecutor



Prosecutor
Sherri Bevan Walsh

My staff and I worked very hard this past year to ensure that justice was served, that children received their rightfully deserved child support, that we were all alerted to the latest crimes or con artist scams, and that the citizens of Summit County were educated on better ways to ensure their safety.

In 2010, we saw justice finally served in a 33-year-old cold case where a young couple was murdered in a Norton park, and we saw another man sentenced to death for a cold-blooded killing of a police officer.

The horrible crimes we handle everyday are triumphed by the brave victims who stand up in court to testify against their perpetrator.

We also need to acknowledge the acts of good Samaritans. An anonymous contributor replaced the roof of an 84-year-old woman who was scammed by a fake contractor. In another instance, a witness noticed an intoxicated man buying beer and then driving away. He followed him while on the phone to police. It turned out that the drunk driver was Gregory Gordon who had a lifetime driver's license suspension from 1995, when he killed Akron Police Officer George Knaff in a drunk driving crash. This time, without a doubt, he saved another life. We don't hear enough about these good Samaritans, but they do exist!

On a different front, as sexting and bullying have become a world-wide problem in our schools, my office has focused on educating students on the dangers and consequences of these acts. We must protect our children!

Prosecutor Walsh Ends her Term as President of the Ohio Prosecuting Attorneys Association



Prosecutor Walsh received the Leadership Award from John Murphy, Executive Director of the Ohio Prosecuting Attorneys Association (OPAA), for her service as Association President in 2010. The OPAA is an organization made up of the 88 elected county prosecutors in

Ohio. Their mission is to increase the efficiency of its members in the pursuit of their profession; to broaden their interest in government; to provide cooperation and concerted action on policies which affect the office of Prosecuting Attorney, and to aid in the furtherance of justice.

Child Support Enforcement Hits \$22 Million Dollar Mark in 2010

The Summit County Prosecutor's CSEA Criminal Non-Support Unit reached the \$22 million mark in 2010, which is money collected from individuals charged with a felony for not paying their child support. This represents child support collected by the unit since 2001, when the unit was created by Prosecutor Walsh.

CSEA continues to be creative in its outreach efforts and recently expanded them to include genetic testing at Akron General Medical Center and Summa Akron City Hospital. CSEA also expanded outreach services to Haven of Rest, Access, Inc., and the Louis Stokes Veteran's Center in Brecksville.

Child support in Ohio had an unprecedented year with the highest caseload increase in over a decade. The child support caseload in Summit County increased by over 3,000 cases to soar above 60,000 cases. Despite unemployment and tough economic conditions, CSEA continues to collect nearly \$90 million annually and is the most cost effective metropolitan CSEA in the state.

When faced with criminal prosecution, deadbeat parents have been known to suddenly have the money to pay their child support. In one case, a defendant made a lump sum payment of \$26,000 only after being charged with a felony.

TOUGHER DUI LAWS MAKE OUR ROADS SAFER



Nearly 35,000 Ohioans have been convicted for “drunk driving” five or more times. Prior to 2008, many of them took advantage of their privilege and responsibility to operate a vehicle by continuing to drive under the influence and refused to submit to testing when stopped by law enforcement. For this reason, I worked with Ohio Senator Timothy Grendell to strengthen Ohio’s DUI laws and require mandatory breath or blood testing of those repeat offenders.

With the new law on the books, we are making an impact in keeping our roads safer places to travel. Headlines around our state show results. Recently, an offender in Warren received ten years in prison for his 15th DUI. For 28 of his 50 years, he has been a mobile time bomb. Similarly, as of November 2010, 30 Summit County offenders with five or more prior drunk driving convictions have been charged again. Twenty-one of the 30 resulted in convictions as of November this year. Collectively, in our county, 21 of these repeat offenders have 129 prior drunk driving offenses. Nineteen of them were sentenced to over 38 years in prison. Two stand out with ten and 11 prior offenses. In addition to the jail time, they received a total of 107 years of driver’s license suspensions.

In reality, the license suspensions are not that comforting. Many repeat offenders routinely drive without a license. They ignore the law and avoid the costs of insurance and Bureau of Motor Vehicle reinstatement fees. This is why treatment and jail time are the only viable options. Each time an ignition key is turned on in a car, there is a potential for a life to be in jeopardy. Driving a vehicle is a privilege and as startling as the above statistics are, we are glad to say this change in the law is making a difference.

Think before you turn the key, and let us continue to make the roads a safer place.

CHILD SEXUAL ASSAULT CASES

In 2010, our office handled 20 child sexual assault cases. Nine of these defendants were convicted. Eleven of these cases are pending and one was dismissed. Of the nine convictions, four received life sentences. The remaining sentences ranged from four to 24 years in prison.

STOP DOMESTIC VIOLENCE

The Domestic Violence Unit of the Summit County Prosecutor’s Office continues to target violent offenders



who abuse and intimidate intimate partners, children and other family members. The current conviction rate (including pleas and trial verdicts) for 2010 is 93.3% out of an overall 417 cases. Significantly, of those defendants who pled guilty, 91% received felony convictions.

STATS ON DOMESTIC VIOLENCE CASES WE HANDLED

- 417 cases
- 93.3% conviction rate for trials and pleas
- 331 pleas to felony (79.4%)
- 34 pleas to misdemeanor (8.2%)

This year, as we gather together to celebrate our holidays, we are one short. Maggie Tomaro, an assistant prosecutor in our office, is a Major in the United States Army Reserves and stationed in Afghanistan until the end of summer. We miss you Maggie and wish you back to us soon! So, we dedicate our newsletter to you, our favorite Major.



TOUGH SENTENCES OF 2010

Johnnie Cook, 32, was sentenced to **Life without Parole** for beating to death mother and son Julianna (85) and Alan Grna (43).

Jerron Johnson, 24, was sentenced to **55 years to Life** in prison on charges for three different victims, one who was raped and murdered, one who was raped, and one who he attempted to rape.

Melford Stewart, 24, was sentenced to **50 years to Life** for the sexual assaults of two children, ages seven and five years.

James Winland and **Stephanie Murphy** were sentenced to **50 years to Life** in prison for the ongoing sexual abuse and pornography relating to four children under the age of 13.

Davarius Allen, 20, was sentenced to **46 years** in prison for a series of violent crimes involving University of Akron students.

James Myers, 44, of Mogadore, was sentenced to **40 years to Life** in prison for raping a 45-year-old woman.

Gary Mallicoat, 29, was sentenced to **26 ½ years** in prison for arson where fires destroyed more than 16 properties (including a church shed, vacant and occupied homes, and trailers) and four automobiles.

Julian Debruce, 29, was sentenced to **25 years** in prison for kidnapping and raping a woman he met at a bar.

James Brown, 41, was sentenced to **24 years** in prison for raping and supplying a 15 year-old-girl with drugs.

Matthew Terrion, 39, was sentenced to **21 years to Life** in prison for the execution style shooting death of his estranged wife.

William Creel, 47, was sentenced to **20 years to Life** in prison for purposefully killing his niece's husband.

Xzavier Penwell, 19, was sentenced to **Life** in prison and **DeAnthony Smith**, 19, was sentenced to **21 years to Life** in prison for their roles in the murder of Abdulmahdi Al-garawi who was selling shoes from his van.

Willie Sykes, 20, was sentenced to **19 years** in prison for robbery and murder.

Kenneth Wilkins, 22, was sentenced to **18 years to Life** in prison for Murder.

Travonte Davis, 19, was sentenced to **18 years to Life** for the murder of Air Force Airman Vincent Taylor as he celebrated his 23rd birthday.

Eugene Blackwood, 49, was sentenced to **16 years and eight months** in prison for five Akron store robberies.

Conchise Griffin, 33, was sentenced to **16 ½ years** for felonious assault and attempted murder.

Phillip Morris, 35, was sentenced to **16 years** in prison for running down two girls with his truck.

Cornelius Seals, 40, was sentenced to **15 years** in prison for robbing Auto Zone and Advanced Auto Parts stores in eight different counties.

Joseph London, 23, was sentenced to **14 years** in prison for two armed robberies.

Michael Bukuts, 46, was sentenced to **12 years** in prison on numerous counts of fraud and engaging in a pattern of corrupt activity from various financial and credit card scams.

PAROLE BOARD DENIES RELEASE

In 2010, my office was successful before the Parole Board in gaining longer sentences on these four notable cases:

1. The Ohio Parole Board denied Willie Lagway's request for parole and continued his case to April 1, 2015. In February 1983, Willie Lagway went on a five-day crime spree victimizing six women in Summit County. Lagway kidnapped his victims from various locations in Summit County, including the parking decks at area hospitals. All of the victims were robbed and two were raped. Lagway was given the maximum possible sentence of 109 to 375 years in prison.

2. The Ohio Parole Board denied the release of Charles Jennings, now 70, until December 2014. Jennings killed one Akron police officer and paralyzed two others. In 1965, Jennings was sentenced to life in prison. Officer Eugene Hooper left behind a wife and two sons. Officers Frank Mancini and Harold Wintrow were left paralyzed for life. While Officer Mancini is still with us today, Officer Wintrow died in 1993 from an infection caused by a bed sore.

3. The Ohio Parole Board denied the release of convicted murderer William Perryman, now 64, continuing his prison sentence until January 2015, when he will next be up for parole. He was sentenced to death in 1974 for killing the owner of the Star Market on South Arlington Street in Akron.

4. The Ohio Parole Board denied Stephanie Dye's release from prison. She will be eligible for parole again in 2015. In 1992, Dye was sentenced to eight to 25 years in prison. She has served 18 of those years. Her husband, Dennis Dye, was given Life for two counts of rape. Dye pled guilty to raping her three-year-old daughter. She also knew that her husband was sexually abusing their five-year-old son.

Questions? E-mail Laurie Cramer
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Equal Justice Under the Law

We're on the Web!

www.co.summit.oh.us/Prosecutor

Top Cop!



Top Cop: Chief Mike Kallai

Nominated by: Prosecutor Sherri Bevan Walsh

Each and every time a Summit County prosecutor enters a courtroom on behalf of the State of Ohio in a criminal matter, he or she does that with the foundation of an investigation conducted by the men and women of Summit County's Law Enforcement. Each year we have a difficult task of trying to single out the "Top Cop" for the year. That "One" Cop we recognize may be memorable for some new investigative technique, or an act of bravery beyond what they encounter everyday, or maybe it's their work on a case with such importance that we will never forget. This year it is not any one act or investigation, but it is a lifetime of dedication and service we honor; a lifetime cut short, just months before a well earned retirement.

Barberton Police Chief Mike Kallai served his city as a police officer for 33 years. He became a police officer after working a job in construction and rose from a patrolman to a narcotics detective. He was promoted to Chief of Police, where he served 13 years both with honor and distinction. In addition to his service to Barberton, he also served as Chairman of the Board of the Summit County Drug Task Force. In that position, he served as an informed and fair leader. Just as he did in his home town, he encouraged investments in the newest technology and wanted the men and women in law enforcement to have the top equipment available to conduct what he considered to be such important work. He wanted to make sure all of our officers were trained and equipped with the best, because he expected nothing less from them.

Chief Kallai passed away on June 29th, while on a family vacation in Tennessee. He was 57. Our thoughts and prayers continue to be with his family as we remember him and salute him as our "Top Cop" for 2010.

We Miss You Top Cop!

GUILTY at TRIAL!



Congratulations to Prosecutors Jon Baumuel, Jay Cole, Felicia Easter, Greta Johnson, Angela Poth-Wypasek (2), Justin Richard, Jennie Shuki, Colleen Sims, Chad VanOrman and Angela Walls-Alexander who had **GUILTY** verdicts at trial in November.



2010 EMPLOYEE OF THE YEAR ASSISTANT PROSECUTOR RICK KASAY

In a criminal division of a county prosecutor's office, you will often find prosecutors who are engaged in lively discussions about the merits of their cases. Sometimes they are giving a preview of what they expect to show in the courtroom during their next big case. Other times, they may be giving a count by count replay of the highlights of their latest cross-examination. The atmosphere is fast paced. Voices are loud and animated. However, that is not all that is going on.

Down at the far other end of the office, about as far away as you can go, there is a quiet energy going on. Written pages, rather than colorful sounds, dwell in this part of the office. Just as Dorothy realized that she was no longer in Kansas, you realize that you have left the area of the trial attorneys. You have entered the appellate zone.

The words of dead judges, yet to be overturned prevail. Those rulings will stay in effect until some new jurist says differently. This is one of the most important and easily overlooked parts of the office. While a sterling performance during a courtroom trial can sway a jury of twelve, the appellate prosecutor can persuade interpretations of the law that can last throughout the ages.

It is a world where cases, similar to celebrities known by only their first name, give meaning with just one word. Miranda, Gideon, Batson, Foster, Crawford, Bodyke, Bezak and the like evoke a history, sometimes a legacy, that must be known inside and out. Each word has its own deep meaning. The names represent the post-trial court decisions that not only changed the outcome of a case for that one person involved, but set standards for decades to come. It is not the easy, nor the exciting part of the criminal justice system. However, over time, it is something that can make the most difference.

In the Summit County Prosecutor's Office, the man who leads the Appellate Division is a guiding light not just in his special area of the law, but for those excitable trial lawyers. He is a person who brings them down to earth, calmly grounding them and insuring that all accused are afforded their fair trial and their rightful convictions. Just as Churchill wrote, "Those that fail to learn from *history*, are doomed to repeat it," criminal prosecutors abide by the quiet confidence and direction given to them by Summit County Assistant Prosecutor Richard Kasay. He gives them a focus that the law and the facts must always equal justice.

Assistant Prosecutor Kasay has served Prosecutor Sherri Bevan Walsh for the past ten years. He graduated from Penn State University and The University of Akron School of Law and has practiced in Summit County for the past thirty-three years. Prior to his service to Prosecutor Walsh, Rick Kasay has served as a law clerk and Court Administrator for the 9th District Court of Appeals and as a Magistrate for Cuyahoga Falls, Akron and Barberton Municipal Courts.

Based upon the confidence and guidance he imparts in his fellow assistant prosecutors, and his dedication to law, justice and the Summit County Prosecutor's Office, we are proud to name Richard Kasay as the 2010 Summit County Prosecutor's Employee of the Year.