



# SHERRI BEVAN WALSH

## Summit County Prosecutor

### Newsletter

#### October 2007

53 University Avenue  
6th Floor  
Akron, OH 44308  
Phone: 330-643-2800  
Fax: 330-643-8277

## Message from the Prosecutor



Prosecutor  
Sherri Bevan Walsh

This October marks the twentieth Domestic Violence Awareness Month, highlighting an important priority that my Office focuses on all year long.

Our Domestic Violence Unit, a collaboration with the Victim Assistance Program, the Battered Women's Shelter, and the Summit County Adult Probation Department, is comprised of four Assistant Prosecutors. The unit's grant was recently renewed in the amount of \$749,000 for 2008-09.

Prosecuting Domestic Violence cases is difficult as it is compounded by challenges posed by victims who often don't want to cooperate. Some fear retribution while others minimize the abuse because they are entrenched in the cycle of violence or simply feel they have no alternatives or support system.

Domestic Violence, however, is an issue that impacts more than just the direct victim. It affects the children who witness it, families, friends, co-workers, and the community as a whole.

In 2006, police responded to 71,946 Domestic Violence calls throughout the State of Ohio. Approximately half of those resulted in domestic violence arrests. Last year alone, 345 people died in Ohio in domestic violence-related incidents.

The demand for Domestic Violence services is great. Last year, 108,731 adults received Domestic Violence services, as did 26,914 children. More than 10,000 adults and children were provided shelter to protect them from their abusers. Each year, our local Battered Women's Shelter provides services to more than 400 victims of felony Domestic Violence. Through the Domestic Violence Unit's passionate and dedicated staff, my Office does everything it can to assist victims of domestic violence.

Thanks to my hard-working Domestic Violence Unit prosecutors for giving their all to these very difficult cases: John Mascolo, Susan Manofsky, Angela Walls-Alexander and Angela Poth-Wypasek.

You can help as well. If you know a victim of Domestic Violence, or you suspect someone might be abused, have them call the Crisis Hotline at (330) 374-1111. They can get information, or just talk to someone about their situation.

The next time you buy a cell phone, consider donating your old one to the Battered Women's Shelter. The Shelter distributes to their clients old cell phones that are pre-programmed to dial 9-1-1 in the case of emergency. To make a donation, call (330) 374-0740.

## Tough Prosecution

On October 1, Judge Paul Gallagher sent Ervin E. Burgess to prison for five years—the maximum sentence—for Domestic Violence. Burgess pled guilty on September 13.



The charge stemmed from Burgess' June 24 attack on a woman outside of the Adams Street Bar. Burgess chased the woman around a vehicle until he caught her. He then proceeded to punch her in the head several times. A witness observed the entire incident.

The victim, who minimized the violence, did not cooperate with prosecutors throughout the proceedings, in spite of her injuries. She stated that she lied to police about the assault, claiming that Burgess never touched her. She also communicated a threat to harm the eyewitness while speaking with the Assistant Prosecutor in this case. The victim requested that Burgess be sent back home.

Burgess has been convicted of Domestic Violence almost every year since 1998. His Domestic Violence charges since 2003 have all involved the same Victim as in this incident. Burgess has a lengthy criminal record, with 63 convictions and 38 jail or prison terms.

## Consumer Alert!! Watch out for Rebate Checks!!



It's always nice to receive a check in the mail. However, if it's a check from Cardholder Services in the amount of \$3.25, consider it junk mail of the worst kind. The check is part of an elaborate scam to get your credit card number. Don't fall for it!

With the whopping \$3.25 is an offer for a free credit report and score. What you might not realize, however, is that by signing the check you are authorizing the company to charge your credit card \$89 each year for the Credit Card Protection Agency program.

This scam is not offering you anything you don't already have at your fingertips. Federal law allows individuals to obtain a free copy of their credit report each year. And if you run into a situation where an unauthorized charge appears on your bill, do not pay it. Contact your credit card company and dispute the charges. At most, you will only be liable for the first \$50 of unauthorized charges on your account, according to the Federal Trade Commission.

Questions? E-mail Laurie Cramer:  
cramer@prosecutor.summitoh.net

## We're on the Web!

[www.co.summit.oh.us/Prosecutor/index.htm](http://www.co.summit.oh.us/Prosecutor/index.htm)

## Top Cops

**Officers Patrick Didyk and Michael Majoros**  
**Akron Police Department**



**Nominated by: Assistant Prosecutor John Mascolo**

On July 8, 2007, **Officers Patrick Didyk and Michael Majoros** responded to Fernwood Drive regarding a domestic dispute. When they arrived, a witness informed them that Floyd Thompson was chasing a woman down the street with a bottle.

Officer Majoros spotted Thompson and took off running after him. He momentarily lost sight of Thompson when he turned a corner, but Officer Majoros immediately heard a woman begin screaming, "Help, stop hitting me."

When Off. Majoros caught up with Thompson, the Defendant was kicking the Victim in the back and the head while she was on the ground. Thompson refused to stop kicking the Victim, resisted arrest, and threatened the Victim while inside the cruiser.

**Assistant Prosecutor John Mascolo** handled this case and nominated Officers Didyk and Majoros as *Top Cops*. On September 5, 2007, Thompson pled guilty to Domestic Violence, a felony of the fourth degree, Domestic Violence-threats, a misdemeanor of the second degree, and Resisting Arrest, a misdemeanor of the second degree. He was sentenced to 10 months in prison.

*Way to Go, Top Cops!*

## Outrageous Crime of the Month



On October 9, Judge Judith Hunter sentenced habitual batterer **Frank Vinson** to the maximum sentence of five years for Domestic Violence, Violating a Protection Order, and Intimidation of a Crime Witness.

In this specific incident in April – as there are many in his abusive history – Vinson got into an argument with his live-in girlfriend regarding a sandwich. He knocked her down and kicked her in the face. After his arrest, Vinson called the victim repeatedly from the county jail to pressure her to not appear in court, and proceeded to scream at her and berate her.

While Vinson was out on bond, he assaulted the same victim and was arrested again. He was indicted in August on charges of Domestic Violence, Violating a Protection Order and Aggravated Burglary. On October 12, Vinson pled guilty to Domestic Violence and violating a Protection Order. He received a two-year sentence, which will run concurrently with the five-year sentence.

## Meet Assistant Prosecutor Angela Walls Alexander

**Position:** Assistant Prosecuting Attorney,  
Domestic Violence Unit

**Hire date:** October 2005

**Home Town:** Canton, Ohio

**Law Degree:** University of Akron

**Years experience:** Attorney for six years;  
two years with the Prosecutor's Office

**Little Known Fact:** I was a classical ballet, tap, and jazz dancer for 12 years. I was going to be a professional dancer at Busch Gardens but decided to attend college.

**Most memorable case:** *State v. Alejandro Partee*. In 2005, this defendant attacked his pregnant girlfriend. He punched her in the face and kicked her in the stomach. The victim was rushed to the hospital and the baby was delivered a month early due to the attack. The Defendant confessed to officers and family members.

While in jail, the Defendant called the victim more than 40 times "getting their story together about how her friend attacked her." He was charged with Domestic Violence, Felonious Assault, and Violating Protection Order. The victim did not want to pursue charges and blamed a close female friend for her injuries. She called me screaming, "You got the wrong guy—it was my friend who attacked me."

During the trial, the victim testified on behalf of the defendant. While we were at side bar, the defendant was giving the victim thumbs up and talking to her while she was seated in the witness chair. Jurors brought this to our attention after the verdict. He was found guilty of Felonious Assault, Domestic Violence, and Violating Protection Order. He was sentenced to three years in prison. This case is most memorable because it was my first case with an extremely uncooperative victim.

### GUILTY!

*Congratulations to Prosecutor Sherri Bevan Walsh and Chief Counsel Mary Ann Kovach and Assistant Prosecutors Jay Cole, Angela Poth-Wypasek, Brian Stano and Angela Walls-Alexander, who each had juries return GUILTY VERDICTS at trials in September!*

### STATISTICS

Since 2004, we have had an average of 400 individuals a year indicted for felony Domestic Violence. During that same time period, 12 individuals were convicted for Domestic Homicide. Today, four cases are pending involving domestic homicides.

My Office's philosophy is to prosecute Domestic Violence cases, even without always having the Victim's cooperation, because we believe by doing so we are saving lives. Time after time, abuse in Domestic Violence situations escalates, sometimes fatally.

One case that highlights this fact is Clarence Fry. In June 2006, Fry was sentenced to death for the aggravated murder of his ex-girlfriend. He killed her while he was out on bond on a misdemeanor assault case at Akron Municipal Court against the same victim.

