



# Summit County Prosecutor's Office News from the Criminal Division

December 2011

A newsletter for residents of Summit County from the Summit County Prosecutor's Office

## A MESSAGE FROM PROSECUTING ATTORNEY SHERRI BEVAN WALSH



2011 has been a busy year for all of the divisions within my office. We've handled cases that received national – and even international – attention, we started the first felony domestic violence court in the State of Ohio and we reached a major milestone in child support collections.

It was also a year of doing good outside our regular job descriptions. We were able to locate some of the people on our [unclaimed funds list](#), including a woman who was owed more than \$8,000. Staff from my office served hot lunches at Open M, donated money and gifts for several less fortunate families, spent a day at the Chapel Hill Mall ringing the bell for the Salvation Army and participated in several other community events.

Among the events of 2011 that had the greatest impact on my office, the implementation of H.B. 86 stands out. This law modified the sentencing rules for felonies. Some of the changes were fairly straightforward, such as no prison time for first-time low-level felony offenders. But many of the changes were more complicated,



such as new guidelines for early release. To help ease the transition, a group of assistant prosecutors from my office gave a presentation to the Akron Bar Association on the new law and what it means for defense attorneys. This presentation was at the request of the Akron Bar Association, and it was very well received.



We spent every day of 2011 working to ensure that the citizens of Summit County live in a society that is safe and just. We have worked tirelessly on behalf of victims to make sure their voices are heard. And we will continue to do so through 2012 and beyond.

### Inside This Issue

A Message from Sherri Bevan Walsh	1
Prosecutors Honored, CSEA Highlights, Juvenile Division Updates, Civil Division Stats	2
Parole Denied, Tough Prosecution, Child Sexual Assault Cases	3
Employee of the Year, Safety Kids Calendar Contest, Guilty Verdicts	4

#### HELP US GO GREEN!

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## PROSECUTORS HONORED BY STATE PROSECUTORS' ASSOCIATION

Assistant Prosecutors Teri Burnside and Mike Cody received Meritorious Service Awards at the annual Ohio Prosecuting Attorneys Association (OPAA) conference in Columbus in December. The award recognizes assistant prosecutors whose work is exemplary.



Teri and Mike were quite surprised and thrilled to be honored by their colleagues from across the state. They certainly deserve to be recognized for their hard work, professionalism and dedication.

## CSEA HIGHLIGHTS

Despite facing serious budgetary constraints in 2011, the Summit County Child Support Enforcement Agency has continued to work hard for the children of Summit County. Working even harder to cover larger caseloads, the staff was still able to meet some outstanding goals.

In November, the agency announced it had collected more than \$25 million dollars from criminal non-support prosecutions. The Criminal Non-Support Unit was created in 2001 and prosecutes parents who are more than \$5,000 behind on child support and have not made a payment in at least six months.

This month, CSEA was honored by the Ohio Department of Job and Family Services as the agency in the Metro Caseload Division with the *Most Improved Collections on Current Support*.

## JUVENILE DIVISION

### *Delinquency*

The delinquency section of the Juvenile Division handles all cases in which there is a juvenile defendant. This year's caseload was down slightly from 2010, by about 4.5 percent. However, cases involving violent crime, including those with firearms, have continued at a high rate.

For 2012, changes in the juvenile law will result in juveniles who are bound over to be tried as adults being sent back to juvenile court for sentencing if the original charge is amended at trial or in a plea agreement.

### *Dependency and Neglect*

The dependency and neglect section of the Juvenile Division also saw a slightly lower caseload in 2011 than in 2010. This can be mainly attributed to efforts by Summit County Children Services to avoid court involvement. Those efforts include trying voluntary case planning or safety planning before filing at court.

This new approach can be beneficial to families when everyone works together to find a solution with minimal court involvement. However, the cases that do end up in court are much more complex. By the time our office becomes involved, there have typically been months of attempted case management and observations to form the basis of the court affidavit.

## CIVIL DIVISION

The Civil Division has been busy this year with a number of high-profile cases, such as the closure of Rothrock Road in Fairlawn and the Northeast Ohio Regional Sewer District case in Cleveland. The division has also issued more legal opinions and handled more files than in years past.

As of December 20, the Civil Division issued a total of 246 opinions. Of those, 222 pertained to contract and ballot questions. The assistant prosecutors in this division handled 154 cases, 33 of which were workers' compensation cases.

## **PAROLE DENIED**

My office vigorously opposes early release for the most serious offenders. Not only do we send letters of opposition to the Parole Board, but prosecutors and the director of the Victim Services Division personally testify at the offenders' parole hearings. Below are a few of the more notable offenders who were denied parole.

1. Raymond Dean Austin was denied parole in May. He was sentenced in 1991 to 30 – 75 years in prison for raping a young girl from the age of seven to nine. Austin has shown no remorse for his crime, instead claiming he was getting back at the girl's father "in a nice way."
2. Andre Donald Harrison was denied parole after serving just 17 years of an 18-to-life sentence. In 1994, Harrison, then 17, shot and killed a 10-year-old boy who refused to perform a sex act on him. This was not Harrison's first run-in with the law. He had several previous cases in Juvenile Court that established a pattern of bullying and preying on younger children for sexual purposes.
3. Thomas Gilbert was denied parole in April. After serving part of a 14 – 60-year sentence for Abduction, Felonious Assault and drug violations, Gilbert was paroled in 1980. One year later he viciously raped and stabbed two teenaged girls.

## **Tough Prosecution**

Nadeem Abraham, 69, was sentenced to 15 years to life in prison for raping a young female relative.

Richard A. Culp was sentenced to 50 years to life in prison for kidnapping and raping a woman he met while out with his girlfriend.

Peter R. Dayton was sentenced to 20 years to life in prison for shooting and killing a man during a robbery. His accomplice, Jonathan P. Miller, was sentenced to 15 years to life in prison.

Elohim El-Jones was sentenced to 33 years to life in prison for shooting two people following a fight at the Chapel Hill Mall. One of the victims died from his wounds.

Adam Goodwin, 18, was sentenced to 25 years to life in prison for raping a young female relative.

Jamere W. Johnson, 24, was sentenced to life in prison without the possibility of parole for raping the three-year-old daughter of a friend while he was babysitting the little girl.

Earl Wayne Martin, 43, was sentenced to 50 years to life in prison for the rape and molestation of six young girls over a period of two decades.

Gary L. Noble was sentenced to 23 years in prison for shooting to death another man during an argument over drugs.

Devon D. Owens was sentenced to life in prison without the possibility of parole and labeled a Tier III sex offender for the rape and murder of a 73-year-old Akron woman.

David J. Porter, 49, was sentenced to life in prison without the possibility of parole for raping a friend's young grandson.

Brian S. Smith was sentenced to life in prison without the possibility of parole for his role in a murder-for-hire scheme that took the life of his girlfriend's mother.

## **Child Sexual Assault Cases**

As of November 1, my office has secured guilty verdicts in 19 child sexual assault cases, 18 of which involved a victim under the age of 13. Eight of the defendants were sentenced to life in prison; two of those will never be eligible for parole.

Also as of November 1, we have 11 active cases: eight involved victims under the age of 13, three with victims between the ages of 13 to 17.

## EMPLOYEE OF THE YEAR



Assistant prosecutor Teri Burnside was named 2011 Employee of the Year at the Criminal Division's annual holiday lunch.

Before joining our Criminal Division in 2005, Teri was an intelligence officer with the United States Army and graduated from the U.S. Military Intelligence Interrogation School in Arizona. She has worked in the Portage County Prosecutor's Office, Akron Law Department, Akron City Prosecutor's Office and Ashtabula County Prosecutor's Office.

Teri was promoted to a supervisor in the Violent Crimes Unit of our Criminal Division after supervising the Juvenile Delinquency Division. Teri currently supervises Nik Buckmeier, Mike Cody, Dustin Roth and Ryan Stickel in the courtrooms of Judges Cosgrove and Teodosio.

A driven and focused prosecutor, Teri is passionate about her cases. She is always willing to offer assistance to fellow prosecutors and provide guidance as needed. Yet she is also a notorious prankster. Her knowledge, prosecutorial skills and sense of humor make Teri a valuable asset to our office.

Two weeks ago, the Ohio Prosecuting Attorneys Association honored Teri and her trial partner Mike Cody with a Meritorious Service Award for their efforts in the Kelly Williams Bolar case. Teri has also been recognized by the Victims of Crimes Association with its "Ray of Hope" Peace Award.

Congratulations, Teri!



## Safety Kids Calendar Contest

Congratulations to Tanner Baker, an eighth-grader at Hyre CLC, whose poster on gun safety won the grand prize in the 2012 Safety Kids Calendar Contest! Tanner's poster is featured on the cover of the 2012 calendar. We received 1,431 submissions this year. Picking a winner was a tough decision.

The first place poster in each safety category is featured in the 2012 calendar. You can see all of the winning posters on my [website](#). If you'd like a 2012 Safety Kids Calendar, please contact Melanie Hart at [hart@prosecutor.summitoh.net](mailto:hart@prosecutor.summitoh.net) or (330) 643-2800.



## GUILTY AT TRIAL

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

Jon Baumuel  
Nik Buckmeier  
Teri Burnside (2)  
Mike Cody (2)  
Aaron Howell (2)  
Greg Peacock

Dustin Roth  
Justin Richard  
Jennie Shuki  
Brian Stano  
Ryan Stickel  
Margaret Tomaro