

FROM THE OFFICE OF PROSECUTING ATTORNEY
SHERRI BEVAN WALSH
2007 Annual Report



**Working...for a safer and better
place to live for us all.**

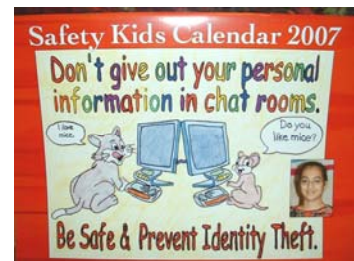
2007 Annual Report

The Summit County Prosecutor's Office continues its hard work to represent the State of Ohio – and its citizens – in criminal, civil and tax cases. In 2007, my office employed 110 attorneys, secretaries, victim advocates, and administrative and financial staff. I also continued to oversee the Child Support Enforcement Agency, which employs 158 individuals, who handle 57,086 child support cases.

Although we are mainly known for our work in the courtroom, we are also active in the community with our crime prevention programs. These programs take our work to the people of Summit County by educating our citizens about how not to become the victim of a crime. Both young and older citizens benefit from interacting with me and my staff as we work together to better our community and to make it a safer place to live for us all.

Working...to support our youth.

Safety Kids Calendars: Every year since 2001, I have sponsored a calendar contest with area middle schools on the "12 Rules for Staying Safe." A very popular program, we typically have more than 2,000 entries from students around the county. The top 12 winning posters depicting safety rules are published into a calendar and, thanks to ClearChannel Outdoor, are featured on billboards around Summit County.



Gang Resistance Education And Training Program

(G.R.E.A.T.): In 2007, the Summit County Prosecutor's Office became the only prosecutor's office in the nation to be awarded a \$150,000 federal grant to teach Akron elementary and middle school students about the dangers of being in a gang. Much like a D.A.R.E. program, two part-time assistant prosecutors and a Sheriff's deputy taught G.R.E.A.T during the 2007-2008 school years, supported parenting through G.R.E.A.T. families, and provided constructive activities over the summer.



Kids in Court and Juvenile Task Force on Violence: We were surprised by the community’s response to our *Kids in Court* forum. Over 300 residents came to talk about juvenile violence and to listen to our panel of experts. A collaboration among police, community and faith-based organizations, we learned that keeping our youth away from crime will take all of us working on many different levels to reach them, before they reach the courts. Akron Children’s Hospital was a key partner in the forum and their support was critical to its success.



Introduction to Criminal Justice: Thanks to a grant from the Akron Community Foundation, Assistant Prosecutors continue to teach about the criminal justice system through the Introduction to Criminal Justice (ICJ) program. The ICJ program offers guest lecturers for the classroom, a competitive mock trial program for middle-schools, mock-trials for elementary schools, informative reading with the “Did Not, Did Too” book, tours of the courthouse and other educational opportunities.



Working...for those in need.

Supporting Those with Disabilities with the Take Me Home Program: Working with the 28 Summit County police jurisdictions, *Take Me Home* was launched in April 2007 with our partner, Sheriff Drew Alexander. A program for individuals who are unable to communicate in an emergency, such as children with disabilities or senior citizens with dementia, *Take Me Home* is a searchable database to reconnect lost individuals with their loved ones. Our office has a part-time outreach coordinator who works in area schools and senior homes to take pictures and help individuals fill out registration forms for the database. The Sheriff’s Office maintains the database. The Autism Society of America, Greater Akron Chapter and the Alzheimer’s Association, Greater East Ohio Chapter, are external collaborators on this project.



Community Relations Committee (CRC): A very active committee made up of assistant prosecutors, administration, support, and CSEA staff, this committee coordinates community service opportunities for employees of the prosecutor’s office. The activities are paid for through “dress down” day funds that are held to raise money for the CRC. Staff serve hot meals to those less fortunate at several area churches; create baskets to donate for auction to area charities;



stand as bell ringers at Christmas for the Salvation Army; adopt individuals and families for the holidays; hold fundraisers for charities (such as a bake sale); sponsor boxes in our offices for employees to donate needed items to shelters and so much more.

Supporting Organizations: Our office sponsors “dress down days” – days when employees can pay a nominal amount to wear casual clothes on Fridays – to support various charities. Thousands of dollars from our dress down days have funded charities such as the Battered Women’s Shelter, Harvest for Hunger, the Area Agency on Aging, the Rape Crisis Center, Habitat for Humanity, and the Greater Akron Chapter of the Autism Society of America to name a few.

Working...to strengthen Ohio’s laws.

Repeat Drunk Drivers, Mandatory Chemical Tests: In 2007, I continued my work to keep drunk drivers off our roads by championing legislation to mandate repeat offenders take a breathalyzer test. I testified to the Ohio General Assembly about the importance of a chemical test in prosecuting drunk drivers. The results provide key evidence – the degree of intoxication – when we go to court, enhancing our ability to gain a conviction.

Working...to make us safer.

Fugitive Safe Surrender Comes to Akron: In 2007, we partnered with the U.S. Marshals and other local agencies to bring Fugitive Safe Surrender (FSS) to Akron. Encouraging fugitives with non-violent warrants to come to a church and peacefully surrender to help get their lives in order, 1,125 individuals surrendered to authorities and worked out their outstanding warrants. Akron’s program was such a success, it became a national model.

Educating Senior Citizens on Staying Safe: Every year, Prosecutor Walsh speaks to hundreds of senior citizens about keeping themselves and their possessions safe from individuals who want to prey on our older population. She also partners with the University of Akron’s Police Department to teach self-defense classes.

National Night Out: The *National Night Out Against Crime* offers an opportunity for us to “march” with law enforcement and our neighbors to “take back the streets” from criminals. We send Assistant Prosecutors to neighborhood events annually to support this important event.

Project Safe Neighborhood: PSN is a national grant we have been a part of since 2003. This grant helps law enforcement officers serve warrants and supports the creation of the Northern Ohio Fugitive Task Force. This task force focuses on arresting the hardest to find and worst of the worst, including sex offenders.

**ATTENTION
REPEAT DRUNK DRIVERS!**

**EFFECTIVE
SEPTEMBER 30, 2008**

If you have:

- Two or more DUI convictions in the last six years;
or
- Five or more DUI convictions in the last 20 years;
or
- A felony DUI conviction...

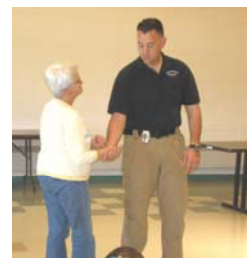
...the law **REQUIRES** you to submit to a breath test.

**NO refusal after
September 30!**

**PROSECUTOR
SHERRI BEVAN WALSH
IS PUTTING YOU ON NOTICE!**

The solution is simple: *Don't drive drunk.*
But if you do, We're coming after you!

This ad paid for by money confiscated from drug dealers.



Working...for Children

The Child Support Enforcement Agency:

Child support collections have increased from \$85.4 million in 2000 to \$94.8 million in 2007, an 11 percent increase. In 2007, we purchased billboards to bring attention to individuals with outstanding warrants for not paying their child support. Of the 64 featured individuals, eighteen (18) were either located and arrested through receipt of anonymous tips, surrendered upon seeing themselves on the billboards or sent in a payment on their case. Seven (7) of these defendants were extradited from the State of Florida, California and Nevada. A total of 24 of the 64 absent parents depicted, or 37.5%, have responded, whether voluntarily or involuntarily.



The billboards were featured on *Good Morning America* for utilizing an innovative technique – billboards – to catch parents who were consistently not paying their child support.

FINANCE and HUMAN RESOURCES



Jennifer Bheam Finance Director

Ms. Bheam manages the budget and finances of the Office of the Prosecutor. She also is the Office liaison to County Council on all matters relating to budget, grant approval, personnel, and any other required legislative matters. In addition, Ms. Bheam oversees the Personnel, Property and Evidence Management, and Information Technology departments as well as financial matters for the Child Support Enforcement Agency. Other duties include the financial administration of grants, serving on the county's Records Commission, fleet management, and the coordination of training and travel.

Year	2007
Budget	\$18,547,741
General Fund	\$ 6,207,600
CSEA Fund	\$10,256,000
DRETAC Fund	\$ 1,483,300
Grant Funds	\$ 533,641
Other Funds	\$ 67,200
Employees	
Full Time	*110
Part Time	*11

*Excluding CSEA

CRIMINAL FELONY DIVISION



Mary Ann Kovach, Chief Counsel

Brad Gessner, Chief, Criminal Division

As prosecutors, one of our main jobs is to represent the State's case against criminal defendants who have been charged with a felony crime, which are the most serious crimes that are committed. It is the duty of the prosecutor to seek justice, not only to gain a conviction, by proving beyond a reasonable doubt that the defendant is truly guilty of their crime.

Mary Ann Kovach has served as Chief of the Criminal Division since 2001; in 2007, Brad Gessner took over the direct supervision of the Criminal Division and Ms. Kovach became Chief Counsel of the prosecutor's office. In 2007, the Criminal Division maintained its 95 percent conviction rate (guilty at trial or pled guilty). The number of homicide prosecutions increased with a total of 35 cases, resulting in 32 convictions. One defendant was found not guilty by reason of insanity and two defendants were dismissed or found not guilty. Nine criminals were given Life sentences on Child Sexual Assault cases.

The Criminal Division has special units of prosecutors who handle Violent Crimes, Domestic Violence, Child Homicide/Rape and Gang/Methamphetamine cases. The Violent Crime Unit (VCU) handles the most serious cases from the grand jury phase through the trial phase, and advises the police during the investigation of homicides, RICO, and offenses involving the use of a firearm. The Domestic Violence Unit is supported by federal grant money from the Department of Justice Office on Violence Against Women. This grant also enables the prosecutor's office to collaborate with the Battered Women's Shelter, the Victim Assistance Program, and other important agency partners in the battle against family violence. The Child Homicide/Rape Unit handles cases involving the death or abuse of a child. Finally, the Gang/Methamphetamine Unit consists of two prosecutors who exclusively handle the prosecution of gang members with any crime linked to a gang and methamphetamine cases.

Year	2007
Assistant Prosecutors	29
Support Staff	17
Disposed Cases	4,890
Guilty at trial or pled guilty	4,657 (95% conviction)
*Homicide Cases	35
*Aggravated Vehicular Homicides	4
*Domestic Violence Cases	461
*Domestic Homicides	7
*Individuals prosecuted 5/20	35
(five or more DUI's in 20 years, mandatory one to five years sentence)	

* Cases disposed in those years.

VICTIM SERVICES



Kristen Arapp
Director of Victim Services

The Victim Services Division assists more than 5,000 victims annually through the criminal justice process. The Division provides support services for victims of crime, including Internet access to case information through the Prosecutor's COPS system, notifying them of their financial rights as victims, keeping them abreast of what is happening in their case and accompanying them to case hearings and trials. In addition, the Division works with victims to oppose parole for homicide and sexual assault offenders. The Unit also collaborates with the Battered Women's Shelter, Rape Crisis, the Victim Assistance Program and the Child Advocacy Center.

Year	2007
Victim Advocates	12 (incl. interns)
Grant Funding	\$131,967.46
Federal Violence Against Women Act	\$32,102.46
Victims of Crime Act (VOCA)	\$74,099
State Victims Assistance Act (SVAA)	\$3,685
Edward J. Byrne Memorial	\$22,081
Justice Assistance Grant (JAG)	

APPELLATE and FORFEITURE

Philip Bogdanoff
Supervising Assistant Prosecutor



The Appellate Division handles cases after the defendants have been convicted of a crime in Summit County Common Pleas Court. The Appellate assistant prosecutors also represent the County before the Ninth District Court of Appeals, the Ohio Supreme Court and the United States Supreme Court.

The Forfeiture Division acts as the “Robin Hood” of the Summit County Prosecutor’s Office. This division seizes from the corrupt drug dealers who get rich and transfers the property to local police departments where it is auctioned or used to combat crime. In the Prosecutor’s Office, this money is utilized for crime prevention and education within the community.

Year	2007
Assistant Prosecutors	2
Support Staff	2
State Briefs Filed	126
State Cases Reversed or Remanded	5
Total Forfeiture Petitions Filed	342
Total Dollars Received by Summit County Prosecutor’s Office	\$85,614.75

CIVIL DIVISION

John Manley
Chief Counsel, Civil Division



The Civil Division provides counsel and representation to approximately 35 county agencies, as well as a variety of townships, school districts and public libraries. The attorneys in the Civil Division are the legal advisors to all County elected officials and boards, including boards of township trustees.

It is comprised of four attorneys and two support staff who work together in teams to achieve consistently superior results. Cases and assignments to the attorneys are based upon areas of legal concentration that result in more efficient job performance while providing continuity to our clients. Through their collective efforts, our office has developed a positive working relationship with County Council, the County Executive and other elected officials and boards. These efforts aid considerably in the successful resolution of litigation and other issues.

Year	2007
Assistant Prosecutors	4
Support Staff	2
Number of case files opened	177
Number of Workers' Comp. files	42
Legal Opinions	111

Case Summaries

On January 2, 2007 Judge Gwin issued his decision dismissing the County Defendants from a Federal case filed by Joel Helms. The issues in that case revolved around the rights of the City of Green to enter onto the Helms property to clean it up under the Green zoning code. The Sheriff's Deputies who were present were there to keep the peace while the clean up was occurring. However, when Mr. Helms interfered in their lawful work, he was restrained and arrested. Mr. Helms argued that the Deputies were trespassing, and that they violated his right to privacy, and unlawfully arrested and imprisoned him. The District Court agreed with the County that the action against the Deputies was an official capacity action which required Helms to demonstrate that a policy, custom or practice of the County caused a violation of his civil rights. Not only was there a complete lack of evidence to demonstrate that his rights had been violated – there was similarly no evidence to demonstrate that there was any relevant Section 1983 policy and practice claim. As such, the case against the County was dismissed.

Another major victory in 2007 occurred in the Federal case filed against the County by Claudia Brothers & David Corsi. Corsi & Brothers owned a daycare in Twinsburg and there were allegations that crimes were occurring at the daycare. Following the search of the daycare and Corsi's home and his indictment by the grand jury, the criminal case was ultimately dismissed and the civil case followed. After extensive discovery in the case, the

Prosecutor's Civil Division filed motions calling for the dismissal of the civil case against the County. The Court agreed finding that there was no evidence of an intentional misrepresentation in seeking the search warrants, that there was probable cause for the search, and ordering that the entire case be dismissed. This decision was then appealed to the Federal Sixth Circuit Court of Appeals and the decision was upheld. That decision is now pending on a request for reconsideration.

In the summer of 2007, the Civil Division celebrated yet another successful outcome. The Federal case filed against the County by the Estate of Charles Plinton was dismissed by District Judge Lioi. In this case, Plinton was arrested as the result of a Drug Task Force investigation at the University of Akron, but was ultimately acquitted of the drug charges. Despite his acquittal, he was suspended from school for a semester. He committed suicide 15 months later and the federal action against the County followed. This case garnered extreme media attention during the time when Plinton died and when the Federal Civil case was filed. Following extensive discovery, Summary Judgment Motions were filed. However, there was simply no evidence that anyone had violated Plinton's rights, nor that the suicide was proximately caused by the activities which had occurred 18 months prior to his death. This decision was then appealed to the Federal Sixth Circuit Court of appeals and the case is awaiting oral argument therein.

TAX DIVISION

Anita Davis
Supervising Assistant Prosecutor



The Tax Division serves as legal representation for the County Fiscal Officer and the Board of Revision. In addition, tax appeal cases and the collection of delinquent taxes fall under its jurisdiction. The Tax Division also handles over 250 foreclosures each year.

Year	2007
Assistant Prosecutors	4
Support Staff	4
Foreclosures	323
Bankruptcy	374
Board of Tax Appeal	62
Personal Property Tax Cases	18
Personal Property Tax Bankruptcy	10
Misc. Cases	134

JUVENILE DIVISION

**Teri Burnside, Delinquency
Supervising Assistant Prosecutor**



**Christine Mastran, Dependency & Neglect
Supervising Assistant Prosecutor**



The Juvenile Division is located at 650 Dan Street, Akron, and has two divisions: the Delinquency Division and the Dependency and Neglect Division. The Juvenile Division prosecutes cases in Juvenile Court where an individual is younger than 18 and prosecutes all felonies committed by juveniles. This division also serves as the Municipal Court for juveniles who commit misdemeanors within all of Summit County. Juvenile includes both attorneys who prosecute juvenile cases and attorneys who represent Summit County Children Services Board throughout all phases of the dependency and neglect cases. The Juvenile Division also serves on numerous community task forces to promote ingenuity in dealing with special issues regarding at risk youth, and provides services to our victims through the Victim Advocates.

Year	2007
Assistant Prosecutors	13
Support Staff	3
Victim Advocates	3
Juvenile Cases	
Delinquency	5,205
Bind over	22
Traffic	2,279
Failure to send children to school	1,013
Unruly	746
Dependency & Neglect Cases	1,189

CHILD SUPPORT ENFORCEMENT AGENCY (CSEA)



Edward Harshbarger Director

CSEA is a division of the Summit County Prosecutor's Office. Collections have increased from \$85.4 million in 2000 - when Prosecutor Walsh took office - to \$94.7 million in 2007, an 11 percent increase. This amount includes more than \$13.8 million in collections from the criminal prosecution of 2,455 individuals who were charged with criminal non-support for exceedingly not paying their child support obligations.

With 57,086 cases, the sixth largest caseload in Ohio, Summit County CSEA continues to search for ways of functioning more effectively while maintaining a customer-friendly environment for our clients. Initiatives utilizing technology, such as direct contact e-mail and voicemail, along with a new telephone prompting system, have proven successful in meeting the growing demand for expedited communication.

Beginning in August 2007, Prosecutor Sherri Bevan Walsh embarked on an aggressive campaign to locate all absent parents who had outstanding criminal felony non-support warrants for failure to pay child support. With 125 warrants outstanding, Prosecutor Walsh, along with the CSEA's specialized Criminal Non-Support Unit, made the decision to feature 39 felons on eight regular and digital roadside billboards throughout Summit County.

Of the 39 featured individuals, thirteen (13) were either located and arrested through receipt of anonymous tips, surrendered upon seeing themselves on the billboards or sent in a payment on their case. Four (4) of these defendants were extradited from the State of Florida.

Relying on the success of the first wave of defendants displayed on the billboards, a new set of absent parents was selected for the billboard campaign. For the second round, 25 absent parents were featured on five regular and digital billboards throughout Summit County. A total of 24 of the 64 absent parents depicted, or 37.5%, have responded, whether voluntarily or involuntarily. Judicial sentences range from several years of probation to incarceration. The total support arrearages at the time of indictment for the absent parents displayed on billboards totaled \$1,200,171.69.

Year	2007
Employees	158
Criminal Non-Support	11
Assistant Prosecutors	9
Case Workers	77
Support Staff	61
Cases	57,086

AWARDS

“Passport Denial Highest Lump Sum Collection,” recognized by Ohio Job & Family Services at its 5th Annual Child Support Training Conference for the Fiscal Year 2006 (July 2007)

Most Improved Child Support Program in the Country, awarded by the National Child Support Enforcement Association (2005)

Best Practice: *Operation Monopoly*, as awarded by the Ohio Family Support Association and Ohio Child Support Director’s Association for the highly successful sting operation that resulted in the arrests of 42 non-custodial parents with outstanding warrants for their arrest for perpetually not paying their child support (2005)

Best Practice: *REACH Program*, as awarded by the Ohio Family Support Association and Ohio Child Support Director’s Association for providing information and services to local incarcerated population to enable them to have the proper tools necessary to support their children financially and emotionally. This program resulted in collecting more than \$80,000 in arrearages in 2005

The Summit County Prosecutor’s Office sponsors dress down days for charities around the county. CSEA employees generously donated the following amounts:

2006 Charitable Contributions from CSEA Employees: \$9,799.54

2007 CHARITIES

Date	Amount	Recipient
1/12/2007	\$209.00	Akron Childrens Hosp
1/26/2007	\$197.00	Akron Childrens Hosp
2/2/2007	\$200.00	American Heart Association
2/2/2007	\$23.00	Hearts / American Heart Association
2/9/2007	\$201.00	Project Ed Bear
3/1/2007	\$356.94	Harvest for Hunger - Book Fair
3/2/2007	\$174.40	Aladdin Foundation
3/9/2007	\$173.00	Harvest for Hunger - Casual Day
3/10/2007	\$125.00	Harvest for Hunger - Bowlathon
3/27/2007	\$271.55	Harvest for Hunger - Bake Sale
3/30/2007	\$1,067.20	Harvest for Hunger - Sticker Sale
3/30/2007	\$81.04	Harvest for Hunger - Casual Day
3/30/2007	\$354.00	Harvest for Hunger - 3/9, 23, 30
4/6/2007	\$995.08	Greater Akron Area Autism Society-Sticker Sale
4/20/2007	\$177.00	Minority Organ Tissue Transplant Education Program
4/27/2007	\$93.00	Rebuilding Together With Christmas in April
5/4/2007	\$162.04	Victim Assistance
5/25/2007	\$117.00	Community Relations
6/1/2007	\$108.00	Community Relations
6/8/2007	\$121.00	Interval Brotherhood

6/29/2007	\$118.00	KNAFF
7/1/2007	\$1,157.00	Child Support Awareness Activities Sticker Sale
7/6/2007	\$80.00	Interval Brotherhood
7/13/2007	\$133.00	Akron Area Agency on Aging
7/27/2007	\$137.00	Community Relations
8/10/2007	\$129.00	Charasma Community Connection (Weed & Seed)
8/17/2007	\$120.00	Community Relations
8/24/2007	\$114.00	Community Relations
8/31/2007	**	Firestone VFW (items only)
9/7/2007	\$129.00	Tri-County Alzheimers Assoc
9/21/2007	\$165.00	Summit County Employees Deck Party
10/5/2007	\$153.00	Route 2
10/12/2007	\$170.00	Greater Eastern Ohio Alzheimers Assoc.
10/18/2007	\$440.75	Book Fair - Haven of Rest
10/19/2007	\$156.00	Community Relations
10/26/2007	\$212.00	Project Ed Bear
10/26/2007	**	Battered Womens Shelter (items only)
11/2/2007	\$1,572.00	CRC Holiday Sticker Sale to benefit OPEN M
11/2/2007	\$183.00	Engineer
11/16/2007	\$117.00	Community Relations
11/30/2007	\$123.00	United Way
12/28/2007	\$93.00	Battered Womens Shelter
12/31/2007	\$78.00	Victim Assistance
Total	\$10,786.00	