



THE PROSECUTOR

a newsletter from

Mat Heck, Jr.

Dayton-Montgomery County Courts Building, P.O. Box 972, 301 W. Third St., Dayton, OH 45422 (937) 225-5757

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Foster Care Funds Recovered

Officers of KARE, Inc, a local foster home operator, have been accused of misusing state funds and have agreed to repay Montgomery County and four other Ohio counties a total of \$160,000 to settle those allegations. KARE, Inc. was originally the target of a state audit conducted in 2000. The settlement was reached after lengthy negotiations between KARE and the Montgomery County Prosecutor's Office. Assistant Prosecuting Attorney

Marc Dezarn believes that the settlement is fair and protects the interests of Montgomery and the other counties.

In addition, the operators of KARE have agreed to stay out of the foster home business permanently.

Prosecuting Attorney Mat Heck, Jr. is very pleased with the outcome of this case and the work of his office. "This was a tough case and I am very happy that we are going to recover a significant amount of public money." Heck said.

Con Man Fails to Con Judge

When convicted con man Robert Taylor appeared before Judge Dennis Langer for sentencing on January 28, 2002 on multiple felony charges, he claimed that several of the felony convictions of his prior criminal record were really not his and asked the court to not hold those against him. Judge Langer immediately halted the sentencing hearing and asked Fraud Investigators from the Prosecutor's Office to research Taylor's record to make sure it was accurate.

Investigator Susan Neely conducted an exhaustive search of Mr. Taylor's rap sheet and was able to obtain fingerprint identification on each of the convictions Taylor disputed. She reported her findings to Judge Langer during a second sentencing hearing on February 8th .

Armed with the results of the investigation, Judge Langer concluded that Mr. Taylor had tried to "con" him as he has many victims. The Judge then imposed a sentence of 10 years in prison, 4 more years than the Judge had originally contemplated. Langer, a former prosecutor, wouldn't be conned or allow this defendant to con again, and Taylor paid the price.

NEWSLETTER OFFERS LEGAL UPDATES TO POLICE OFFICERS

A newsletter published by the Montgomery County Prosecutor's Office is designed to provide legal updates to all local police officers. "The Conviction" is published quarterly and contains information on recent court decisions. The newsletter offers tips on how and under what circumstances a search can be conducted, how to prepare to testify in court, how to administer DUI field sobriety tests, and other important issues for police officers. Recent Ohio court decisions as

well as Federal court decisions are summarized and presented. New Ohio laws are also discussed.

The newsletter is edited by Carley J. Ingram, Chief of the Prosecutor's Appellate Division, and Jeffrey Patzer, a Criminal Division Trial Team Leader. "Our office has a long history of helping with the continuing education of police officers. Our success depends on their skills and knowledge in the investigation of crime ." Ingram said. She added that the response has been very positive.

Prosecutor's Office recognizes Victims' Rights Week

Staff and volunteers from the Victim Witness Division of the Montgomery County Prosecutor's Office recognized National Victims' Rights week, April 21 through April 27, 2002, with the planting of a tree in front of the Montgomery County Common Pleas Court on Tuesday, April 23, 2002. A memorial stone featuring a poem for crime victims was also dedicated. Prosecuting Attorney Mat Heck, Jr. along with representatives from victim groups and volunteer Victim Advocates participated in the ceremony. Various civil leaders were in attendance, including County Commissioners Don Lucas and Charles Curran, County Administrator Deborah Feldman, Juvenile Court Judge Nick Kuntz, County Clerk of Courts Dan Foley, and Dayton's Chief of Police, William McManus.

In preparation for Crime Victims Rights Week, volunteers with the Victim Witness Division raised money for several projects to help crime victims. Toys were collected and purchased for children who are interviewed at the Care House, a multi-agency program dedicated to the investigation and prosecution of crimes against children. Money was raised to purchase sweat suits to be pro-

vided to victims of sexual assault at area hospitals. These victims often don't have clothing to wear when released because their clothing is retained as evidence in the criminal investigation.

Prosecuting Attorney Mat Heck feels the community and his office can never do too much to help crime victims. "Innocent victims of crime in our community need support, understanding and assistance from all of us if they are going to overcome the trauma they have suffered and return to their daily lives," Heck says. He notes that he is very proud of his Victim Witnesses Division staff and the dozens of volunteers who help crime victims every day.

If you would like to volunteer your services with the Victim Witness Division, you can contact the Director of the Victim Witness Division, Ms. Rhonda BARNER, at 937-225-5622. New volunteer training classes are normally held in the fall but it is never too early to sign up. All you need is a desire to help victims of crime and to make a difference.

Dead Beat Parents Paying Up to Avoid Imprisonment

The first full year of targeted prosecution of parents who refuse to pay their court ordered child support has yielded significant results. Over 300 suspects have been identified and approved for prosecution. Many have qualified for participation in the Diversion Program but most have been indicted by a Grand Jury and convicted. Several have been sentenced to prison. Others are making payments as a requirement of probation. Almost \$300,000 in child support payments have been collected from these individuals. These are all parents who had virtually ignored their responsibilities and were paying nothing. Now many are paying regularly and if they stop, they face time in prison.

Prosecuting Attorney Mat Heck, Jr. is very pleased with the success of the program so far. "These parents have to realize that their children need their financial and their emotional support. I hope this sends a clear signal to all parents who owe court ordered child support. We intend to continue to identify and prosecute those who don't pay." Heck said.



a poem for crime victims...

**Grant strength to all victims
Who lie awake with fear
Give them peace of heart and courage
And let them know we're here.**

Jenny Keeley, 1995

PROSECUTOR'S OFFICE AND DP&L AID FARMERS OFFER ENERGY CONSERVING PROGRAM

Prosecuting Attorney Mat Heck, Jr. has obtained a commitment from Dayton Power and Light Co. to provide grant funding for a first time energy efficiency program designed to help farmers and rural utility customers in Montgomery County. The program, titled Energy Efficiency Education & Technical Development Program for Farm and Rural Consumers in Montgomery County, Ohio, (EEE&TDP) is the product of a cooperative effort by Prosecutor Heck, the Montgomery County Farm Bureau, the Ohio Farm Bureau, and DPL Energy Resources. Others who participated in the negotiations included the Ohio Consumer's Council, Ohio Partners for Affordable Energy, State of Ohio Department of Development, and the Legal Aid Society of Dayton.

Prosecutor Heck believes that for too long farmers and rural consumers of electrical energy have been overlooked when efforts have been under-



taken to develop more efficient ways to use and conserve electricity. According to Prosecutor Heck, this program will finally provide some assistance and education to farmers to help them get a handle on their energy costs and show them ways to cut those costs. Heck notes, "Gathering vital energy usage information, providing educational resources, and helping consumers use cooperative self-help efforts to purchase energy-efficient products and services are included in this program."

A key component of this program is the installation of load meters at various local farms to determine when and how farmers use electrical energy. Over 30 local Montgomery County farms, represent-

ing all different types of farming operations, have been selected as locations to gather this crucial usage information. The process, referred to as load profiling, has been successfully used in other industries to help commercial consumers adjust their production operations to make the most efficient use of electricity. Once the results are tabulated, farmers in Montgomery County and throughout the State of Ohio will be able to benefit from what is learned.

Recently, Governor Taft selected the EEE&TDP as one of 10 Energy Smart Community Programs recognizing its contribution to improving energy efficiency in Ohio. Interest in the Montgomery County program is growing statewide. It is hoped state funding will allow expansion beyond Montgomery County.

If you have questions about this program, contact Mr. Jim Knight at the Prosecutor's Office, 937-225-5610.

Key components of Energy Efficiency Education & Technical Development Program For Farm and Rural Consumers in Montgomery County, Ohio.

- Agricultural use of electricity will rise over the next 20 years and will represent as much as 70% of all energy use on farms.
- Agricultural consumers have had few opportunities to evaluate their electric use.
- Agricultural consumers have had few opportunities to share energy efficiency strategies or access products, programs, and services.
- Load Profiling will provide specific data regarding when and where farmers use electricity.
- Provide workshops to share information learned from Load Profiling with farm consumers and share strategies to reduce electric use.
- Help farmers pool purchasing power to take advantage of group purchasing discounts.
- More knowledge leads to more efficiency

Prosecutor Briefs

- **Leon Daidone** was a presenter at a seminar sponsored by the National College of District Attorneys in Denver, Colorado, February 24 through February 28, 2002. Mr. Daidone made two presentations, one titled "DNA: Understanding the Science, its Application to Violent Crime Prosecutions and Meeting the Defense Attack", and a second entitled "Death Penalty Phase Considerations and Strategies." The seminar was attended by prosecutors from across the country.
- **John Cumming** has returned to the Prosecutor's Office after a 25 year absence. John was an Assistant Prosecutor in the early 70's and then left to pursue the private practice of law. After a distinguished career with Coolidge Wall Womsley & Lombard, John has returned to the Prosecutor's Office and is assigned to the Civil Division.
- **Lynda Ashbery** recently attended the "International Conference on Domestic Violence, Sexual Assault, and Stalking in San Diego, California. The conference was attended by police, prosecutors, judges, social workers and victim advocates from the United States as well as many other countries. Anne O'Dell, a former San Diego Police Officer and nationally known expert on domestic violence, presented much of the domestic violence material. Ms. O'Dell was the featured speaker here in Montgomery County at a 1 day domestic violence seminar sponsored by the Montgomery County Prosecutors Office in 2000.
- After almost 20 years with the Prosecutor's Office and a total of 31 years of service with Montgomery County, Diversion Officer **Bruce Henninger** retired at the end of March. Bruce, who spent 10 years with Adult Probation before joining the Prosecutor's Office, plans to take some time off before pursuing several possible opportunities including teaching. Congratulations to Bruce and thanks to him for his work on behalf of Montgomery County citizens.
- Several new attorneys have joined the staff over the past year. They are: **Adam Van Ho**, a graduate of Marshall Law School at Cleveland State University; **Susan Osborn**, a graduate of Chase College of Law; **Ward Barrentine**, a graduate of the University of Dayton School of Law; **Tammy Nortman**, a graduate of the University of Cincinnati Law School; **Helen Wallace**, a graduate of George Washington University Law School; **Josuah Muennich**, a graduate of the University of Dayton School of Law; and **Jeremiah Denslow**, also a graduate of the University of Cincinnati Law School. Welcome to all of you.

MATHIAS H. HECK, JR.
 Montgomery County Prosecuting Attorney
 P.O. Box 972 301 W. Third St.
 Dayton, OH 45422

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