



THE PROSECUTOR

a newsletter from

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\$10,000 SURPRISE FOR VICTIM OF INVESTMENT

Talerie Brown had no idea she would ever see the \$10,000 her grandfather left her for her daughter's education after she invested it with a minister who turned out to be a con-man. Ms. Brown gave the money to Michael Wayne Jimison after he assured her he could get her a 30% annual return. When Jimison came to court to face sentencing on other charges, he brought \$10,000 in cash and presented it to George Patricoff, Chief of the Fraud and Economic Crimes Division of the Prosecutor's Office. Later that day, Talerie Brown tearfully accepted the cash from Patricoff and said she had learned a valuable lesson about checking out businesses before giving them money.

Patricoff noted that Jimison received an 8 month prison sentence and avoided an additional 4 months by paying Ms. Brown the \$10,000. He emphasized that anyone about to invest money should research the company and check with the Prosecutor's

Beware of Home Improvement Scams

Many Offer Great Deals but Work is Shoddy and Incomplete

This is the time of the year when homeowners are anxious to get started on those long awaited projects around the house. Each year, however, unscrupulous individuals claiming to be professional contractors attempt to swindle homeowners out of their hard-earned money. Recent stories in the Dayton Daily News highlighted the activities of organized groups such as the Irish Travelers who prey upon homeowners, particularly elderly individuals.

The Montgomery County Prosecutor's Office, Consumer Fraud Division, wants you to take your time when considering any home improvement. If you follow the steps listed below, we believe you will make a safe and sound financial decision.

Box. Should something go wrong, it could be difficult to get in touch with a contractor when there is no physical address for them.

- ◆ Consumers should use caution when dealing with a contractor who requests payment up front for a job. Should something go wrong, the consumer has little leverage in dealing with a contractor who has either been paid in full, or has received a substantial amount of the payment up front. Most reputable contractors only require a deposit prior to starting a job; however, on large jobs some contractors do require a draw, payable as segments of the job are completed.

- ◆ First, a consumer should always get at least three (3) estimates, and be cautious of a very low estimate. Also, be careful dealing with a contractor that you locate in a publication. Your only link to that contractor may be a telephone number, or a P. O.
- ◆ Be certain to have a complete detailed contract of all the work to be performed, including a start date and a completion date for the job.
- ◆ Don't just take a contractor's word that he is licensed,

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Home Improvement Scams

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bonded and insured. Ask for proof. The reputable contractor will be able to provide supporting documents.

- ◆ Get references from satisfied customers. Always check out those references thoroughly. Don't forget to ask if the work was completed in a timely fashion. Ask for permission to view the work to make certain it meets your expectations.

While nothing can protect you absolutely from being victimized by a fraudulent or incompetent home improvement contractor, we hope by following these guidelines, along with using good judgment, your chances of being victimized will be lessened. Finally, always remember "if it sounds too



Shopping on the Internet Safe with Proper Precautions

The following is excerpted with permission from the Englewood Independent, December 17, 1998.

The precautions you take when making purchases online are not all that different from what you might do when shopping offline. As a general rule, you are better off dealing with well established and trusted businesses. Although there are no guarantees, a Web site with its own domain is more likely to be credible than one using free space provided by Internet Service companies.

Just as you might have second thoughts about sending a check to an unknown company at a post office box, an online merchant that doesn't provide a contact name, physical address, and

phone number should raise your suspicions. And before making a purchase, its a good idea to find out about the merchant's return policy.

The best way to protect yourself is by limiting your business to merchants with secure sites.

Protect your credit information. When it comes to buying on the Internet, many consumers are concerned about sending credit card information over the Internet. The best way to protect yourself is by limiting your business to merchants with secure sites. Secure sites use SSL (Secure Sockets Layer), a type of

encryption technology that protects your credit card information before transmission.

To find out whether your credit card information is secure with a merchant, look at the page's URL. A secure URL page begins with the code "https" rather than "http."

Another important precaution worth taking is to check your credit card statement each month as soon as it comes in. Under the Fair Credit Billing Act, your financial liability is limited to \$50.00 if you report fraudulent use to your credit card company promptly. It is also a good idea to check your credit report once a year to make sure that fraudulent accounts haven't been opened in your name.

Prosecutor's Office is on the World Wide Web

The Montgomery County Prosecutor's Office is now on the World Wide Web. The address is www.mcpo.com. The site has information about the various divisions of the office, job opportunities, biographical information about Prosecuting Attorney Mat Heck, Jr., and links to other sites. There is also an email address for comments and ideas. Check it out and let us



know what you think.



NEW LAW ALLOWS JUVENILES TO BE FINGERPRINTED

Under newly amended Ohio Revised Code Sec. 2151.313, a police officer who has probable cause to believe that a juvenile has committed a felony or a misdemeanor offense of violence, must now fingerprint and photograph the juvenile offender. Previously, police officers had to have the permission of the Juvenile Court to fingerprint and photograph juveniles. Juvenile fingerprints will now be entered into AFIS, the Automated Fingerprint Identification System used

to track adult fingerprints. In a recent case, a juvenile was arrested for Grand Theft of a Motor Vehicle and was convicted. His fingerprints were entered into the AFIS system and matched to prints found at the scenes of four burglaries. That juvenile has been charged and is awaiting trial for those burglaries.

Law enforcement officials think this change in the law will significantly help reduce the number of serious crimes committed by Juveniles.



VICTIM WITNESS AWARDS ANNOUNCED

Victim/Witness Director Receives Statewide Recognition

Rhonda S. Barner was awarded the Dr. Marlene Young Victim Advocacy Leadership Award on April 25, 1999, at Ohio's kickoff for National Crime Victim's Rights Week at the Statehouse Atrium in Columbus. Dr. Young, founding member and Executive Director of NOVA (National Organization for Victim Assistance), flew in from the national office in Washington, DC to present the award. Rhonda has worked in the field of Victim Services with the Montgomery County Prosecutor's Office Victim/Witness Division since 1975 and became the Director in 1992. This award, presented on behalf of the Ohio Victim/Witness Association, recognizes the key role Rhonda has played in the State of Ohio to improve services to crime victims.

Special Achievement Award presented at "Two Days in May" Conference

Ada Scruggs, a Victim Advocate with the Victim Witness Division, received

a Special Achievement Award at the "Two Days in May" annual conference in Columbus, Ohio. Mrs. Scruggs received her award as an Outstanding Victim Services Provider from Attorney General Betty Montgomery at the awards luncheon on May 27, 1999. Mrs. Scruggs has been with the Victim/Witness Division for over 20 years.

Volunteer Service Recognized

The Victim/Witness Division presented the Annual Phyllis Smolka Memorial Award to a very special volunteer who marked her 20th anniversary as a Volunteer Advocate. NEDRA SMOLKA was named as this year's recipient at the April Volunteer In-service and Recognition Ceremony. Previous winners have been: CHRIS BRENNEMAN (1997) and MARILYN OSBORN (1998).

The Annual Volunteer of the Year Award honors the memory of Phyllis Smolka, a tireless volunteer from 1979 until her death in the spring of 1996. Nedra Smolka, this year's award winner and daughter of Phyllis, is the second most experienced volunteer. Nedra has

MAT HECK, JR. ELECTED VICE-PRESIDENT OF THE NATIONAL DISTRICT ATTORNEYS ASSN.

Montgomery County Prosecuting Attorney Mat Heck, Jr. has been elected as a Vice-President of the National District Attorneys Association (NDAA) for a three year term. Heck fills one of nine such positions within the NDAA.

Prosecutor Heck has been active in the NDAA since shortly after being elected County Prosecutor in 1993. He has served on numerous committees of the NDAA. Heck has also been very active in the Ohio Prosecuting Attorneys Association as well as a number of other professional organizations.



COLE RECEIVES APPOINTMENT FROM GOVERNOR TAFT

James Cole, Chief Prosecutor of the Juvenile Division for the Montgomery County Prosecutor's Office, was recently appointed by Governor Taft to the Ohio Sentencing Commission and its Juvenile Committee. The Juvenile Committee is responsible for the development of a comprehensive plan to restructure the Juvenile Justice System in Ohio. The Juvenile Committee is reviewing

issues concerning juvenile offenders, including juveniles transferred to Adult Court, extending juvenile jurisdiction from age 21 to age 25 for certain serious offenders, reducing from age 12 to age 10 the minimum age for commitment to a Department of Youth Services facility and applying the rights of victims in adult courts to juvenile courts.

A proposal under consideration by

the committee is to expand the purpose of the Juvenile Justice System to include protecting the public interest and safety, holding the offender accountable, and restoring the victim, as well as the traditional goal of rehabilitation of the offender.

Mr. Cole has been an Assistant Prosecutor for the past 17 years and has served as Chief of the Juvenile

FAMILY VIOLENCE UNIT CREATED

The past five years have seen significant growth in the number of domestic violence cases in Montgomery County. In response, Prosecuting Attorney Mathias H. Heck, Jr. took a proactive approach to prosecuting felony domestic violence cases by creating the Family Violence Unit. Created with funding made available by the Federal Government to combat violence against women, the Family Violence Unit consists of an Assistant Prosecuting Attorney, two Victim Advocates, and a Secretary.

The victim advocates accompany victims to police interviews, grand jury and other

court proceedings. They also connect victims to other domestic violence services available in Montgomery County, networking with the Artemis Center for Alternatives to Domestic Violence and the YWCA.

The Assistant Prosecuting Attorney is responsible for implementing new approaches and programs to enhance the response of prosecutors and law enforcement officers to felony domestic violence cases in Montgomery County. This includes creating and presenting training to various governmental and private groups, such as police, prosecutors, and medical

DEADBEAT PARENTS TO FACE CHARGES

Beginning in July of this year, parents who don't pay their child support may face felony criminal charges. Prosecuting Attorney Mat Heck, Jr. has assigned two criminal investigators to the Support Enforcement/Paternity Division of the Prosecutor's Office to investigate cases identified by attorneys in that division as qualifying for criminal prosecution. Any parent who has failed to make court ordered child support payments for 24 weeks out of any two year period of time can face criminal penalties

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