



# *The Prosecutor*

newsletter from  
**Mat Heck, Jr.**  
Prosecuting Attorney



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Winter 2018

## **2017—The Year In Review**

During 2017, assistant prosecutors in the Criminal Division reviewed 5,862 felony cases presented to our office by area law enforcement agencies. This is an increase from 2016 of approximately 3.6%. The Juvenile Division reviewed 1,608 criminal filings, a decrease of approximately 6% from 2016.

Montgomery County had approximately a 10% reduction in the number of indicted homicide cases in 2017, compared to 2016. However, the number of homicides occurring in our county remains unacceptable, and we will continue to work with area law enforcement agencies in their efforts to reduce the number of violent deaths.

Indicted cases of robbery/burglary were at the lowest level since 2000. The number of indicted cases peaked in 2005 and since then has been on a steady trend downward. Also, there was a slight decline in the number of cases indicted for felony drug offenses compared to 2016.

For the fourth year in a row, the number of felony domestic violence cases has increased. The number of indicted cases in 2017 represented approximately a 25% increase from 2016. In fact, 2017 saw the most felony DV cases since 2003.

Finally, indictments of one specific type of gun crime - improper handling of a firearm in a motor vehicle - continued to increase. In 2017 we indicted 204 defendants with that crime. For comparison, in 2000, there were 7 cases. While we are unsure of the cause behind this continued increase, it is alarming.

Our office remains committed to serving the citizens of Montgomery County, and pursuing justice for victims of crime through the fair and efficient prosecution of criminal offenders.

## **The Montgomery County Prosecutor's Office**

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## 27th Annual Homicide Victim Memorial Service

On December 11, 2017, Prosecuting Attorney Mat Heck, Jr. and the staff of his Victim/Witness Division held the 27th Annual Homicide Victim Memorial Service and Balloon Launch. The service, which was held at the Westminster Presbyterian Church on West First Street in Dayton, is to memorialize victims killed by violence, to assist homicide survivors through the difficult holiday season, and to recognize the impact violent deaths have on our community.

This year, we acknowledged and remembered the 52 individuals who lost their lives to violence in Montgomery County between October 1, 2016 and September 30, 2017. Since the first memorial service in 1990, some 1,591 individuals have been remembered. Throughout the years, the service has grown each year from a small group to an event with well over 500 in attendance.

During the service, the names of the homicide victims were read, and friends and family members of the deceased were invited to place an ornament on a memorial Christmas tree. Following the service, everyone was invited to exit the church and participate in a vigil walk and balloon launch on Perry Street. Many of the balloons carried cards with memorial or inspirational messages from survivors to those who have died. The soaring balloons, with their messages of love and remembrance, provide an emotional and spiritual lift for the survivors.



Prosecutor Heck commented, "Losing a loved one through an act of violence is a very traumatic experience. No one can ever be prepared for such a loss. This evening, we want them to know that they are not alone. We will walk with them during their grief and the healing process to support them."

Following the program, a poem, *The Prayer*, was sung by Assistant Prosecuting Attorney Ann Graber and Adrienne Kling. Prosecutor Heck echoed their words, "We dream of a world without violence; a world of justice and hope; we ask that life be kind.' I think those words were especially meaningful tonight. We should all pray for such a world."

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## Prosecutor's Office Successfully Defends County in Lawsuit

On January 23, 2018, after a six day trial in Federal District Court, the jury returned a verdict finding that the constitutional rights of the plaintiff, David O. Cooper, were not violated while he was incarcerated in the Montgomery County Jail. The plaintiff had a history of harming himself.

Mary E. Montgomery, Chief of the Civil Division of the Prosecutor's Office and lead counsel commented, "We are very pleased with the jury's verdict. Montgomery County and the Sheriff's Office accommodated the inmate in every way possible in order to protect him from his self-harming behavior, and the jury agreed with us and determined there was no violation of his rights while he was in custody."

## 2017 - The Year In Review

### *Criminal Division Cases*

The Criminal Division of the office is the division most people think of when talking about the prosecutor's office. As always, 2017 was a busy year for the Assistant Prosecutors assigned to Felony Criminal dockets. Below is a listing of some of the most significant, important, or tragic cases prosecuted to conviction by our office over the past year.

January 17, 2017—**Paul Patrick Ivkovich**, 37, convicted of aggravated vehicular homicide, was sentenced to 4 years in prison and received a mandatory lifetime suspension of his driver's license. On April 30, 2015, the defendant, after a night of drinking, was driving on East Third Street in Dayton when he struck a concrete train trestle support. The crash killed his passenger, Sharon Crawford. The defendant's blood-alcohol content at the time was .227%, nearly three times the legal limit. At the time of the crash, the defendant was the strength and conditioning coach for the University of Dayton men's and women's basketball teams. The defendant is incarcerated at Mansfield Correctional, with an expected release date of January 15, 2021. (Case# 2015-CR-2577)

February 1, 2017—**Sharon Hancock**, 21, convicted of involuntary manslaughter and endangering children, was sentenced to 11 years in prison. The defendant caused the death of his girlfriend's six-week-old daughter, Alisa Albarracin, who died on November 8, 2015 at Dayton Children's Hospital. The defendant is incarcerated at Southeastern Correctional, with an expected release date of November 26, 2027. (Case# 2015-CR-3425)

February 1, 2017—**George Dewberry, Sr.**, 48, convicted of aggravated murder, murder, attempted murder, felonious assault, and having weapons while under disability, was sentenced to life in prison without the possibility of parole. The defendant fatally shot 27-year-old Jesse Pierce and shot and seriously wounded Pierce's friend inside a car in the 4000 block of Vina Villa Avenue in Dayton on August 20, 2015. The defendant is incarcerated at Lebanon Correctional. (Case# 2015-CR-2994)

February 15, 2017—**Travis D. Odom, Jr.**, 23, convicted of rape by force, was sentenced to 11 years in prison and was designated a Tier III Sex Offender. On February 7, 2016, the defendant was found inside the bedroom closet of an 11-year-old girl, by the girl's mother. The defendant and the child had met on Facebook and the defendant came to her home and forceably raped her. The defendant is incarcerated at Ross Correctional, with an expected release date of June 26, 2027. (Case# 2016-CR-1183)

February 17, 2017—**Conrad Davis**, 27, convicted of involuntary manslaughter, and two counts of felonious assault on a police officer, was sentenced to 15 years in prison. On October 31, 2016, the defendant fired shots from his car at two Brookville Police Officers. The officers returned fire, and one of the shots fatally struck the defendant's girlfriend. The defendant is incarcerated at Noble Correctional, with an expected release date of November 4, 2031. (Case# 2016-CR-3425)

March 1, 2017—**Robert Maranger**, 49, convicted of rape and gross sexual imposition with sexually violent predator specifications, was sentenced to life in prison without the possibility of parole. On August 7, 2015, the defendant was captured on surveillance video sexually assaulting his girlfriend's 8-year-old daughter inside the Quality Inn on Maxton Road in Butler Township. The defendant is incarcerated at Warren Correctional. (Case# 2015-CR-2424)

March 16, 2017—**Waymon Jones, Jr.**, 26, convicted of murder, felonious assault, discharge of a firearm on or near prohibited premises, and having weapons while under disability, was sentenced to 42 years in prison. On July 8, 2016, the defendant fatally shot Joshua Cohen on Leland Avenue in Dayton. The defendant also fired shots at two other men in the area, but missed. The defendant is incarcerated at Ross Correctional, and will not be eligible for consideration of parole until March, 2059. (Case# 2016-CR-2227)

March 23, 2017—**David Gale Mattox**, 61, convicted of rape of a child under 13, gross sexual imposition of a child under 13, kidnapping, and illegal use of a minor in nudity oriented material, was sentenced to 30 years-to-life in prison. In October 2014, a minor victim reported that the defendant had committed sex offenses against her. The defendant is incarcerated at London Correctional, and will not be eligible for consideration of parole until July, 2045. (Case# 2015-CR-2108)

March 28, 2017—**Jesse Leon York**, 32, convicted of murder, involuntary manslaughter, felonious assault, and endangering children, was sentenced to 15 years-to-life life in prison. On November 13, 2013, a call to 911 reported that the victim, 22-month-old Rylee Sellars, was unresponsive. She died two days later at Dayton Children's Hospital. The defendant was watching the toddler while her mother was at work. The defendant is incarcerated at Noble Correctional, and will not be eligible for consideration of parole until November 2028. (Case# 2014-CR-0234)

April 11, 2017—**Nina Mirjuana Davis**, 35, convicted of involuntary manslaughter, was sentenced to 7 years in prison. On June 29, 2016, the defendant called 911 and reported that the victim, Travis Smith, needed an ambulance because he had been shot. First responders located the deceased victim inside the bathroom of their Patton Avenue home. The defendant is incarcerated at the Ohio Reformatory for Women, with an expected release date of June 27, 2023. (Case# 2016-CR-2066)

April 26, 2017—**Keyandre Danley**, 20, convicted of involuntary manslaughter, and discharge of a firearm at or into a habitation, was sentenced to 25 years in prison. On August 8, 2016, several 911 callers reported that a person had been shot on Republic Drive in Harrison Township. First responders located the deceased body of Darius Lamar Jones. The defendant is incarcerated at Lebanon Correctional, with an expected release date of August 5, 2041. (Case# 2016-CR-2549)

May 1, 2017—**Deshon Antoinette Ellison**, 24, convicted of aggravated vehicular homicide, and aggravated vehicular assault, was sentenced to 6 years in prison. On October 22, 2015 the defendant was driving at a high rate of speed on Germantown Pike when she lost control of her vehicle and crashed. A passenger, Angelaca Pleasant, was killed during the crash, and two other passengers were seriously injured. The defendant, who has never possessed a valid driver's license, tested positive for both alcohol and marijuana at the time of the crash. The defendant is incarcerated at the Ohio Reformatory for Women, with an expected release date of January 8, 2023. (Case# 2016-CR-2537)

May 5, 2017—**Torace D. Weaver**, 38, convicted of murder and endangering children, was sentenced to 18 years-to-life in prison. On November 18, 2015, first responders were dispatched to King of Glory Church on Genesee Avenue in Dayton, where Weaver was the pastor, on a report of a toddler, Stanley Thomas, not breathing. He was taken to the hospital where he was pronounced dead. During an autopsy, numerous additional injuries to the child were observed. Defendant Torace Weaver is incarcerated at Chillicothe Correctional, and will not be eligible for consideration of parole until July, 2034. (Case 2016-CR-2127)

May 5, 2017—**John Bailey**, 23, convicted of involuntary manslaughter, felonious assault, and tampering with evidence, was sentenced to 28 years in prison. The defendant fatally shot his ex-girlfriend, Tayisha Gibson, and then shot and injured a man inside an apartment on Biddison Avenue in Trotwood on April 10, 2016. The defendant is incarcerated at Ross Correctional, with an expected release date of April 3, 2044. (Case# 2016-CR-1148)

May 23, 2017—**D'Shawn Z. Lynch**, 21, convicted of murder, felonious assault, trafficking in counterfeit controlled substances, intimidation of a crime witness, having weapons while under disability, aggravated possession of drugs, and possession of marijuana, was sentenced to 21 years-to-life in prison. On April 15, 2016, the defendant shot the victim, Thomas Lee Johnson, at a Speedway gas station on Olive Road in Trotwood. Another person, who was with the victim at the time of the shooting, drove the victim to the Dayton V.A. Medical Center on W. Third Street. The victim later died as a result of the shooting. The defendant is incarcerated at Lebanon Correctional, and will not be eligible for consideration of parole until February, 2037. (Case# 2016-CR-1195)

June 2, 2017—**Jerry V. Ramey, Jr.**, 43, convicted of murder, felonious assault, and aggravated burglary was sentenced to 15 years-to-life in prison. On Monday, March 21, 2016, Dayton Police received an anonymous call about a possible dead body at a home on Strand Avenue. Police responded and located the deceased body of Earl E. Davis, Jr. Further investigation determined the defendant caused the death of the victim by strangulation. The defendant is incarcerated at Chillicothe Correctional, and will not be eligible for consideration of parole until February, 2031. (Case# 2016-CR-955)

June 5, 2017—**Lisa Baker**, 45, convicted of felonious assault, was sentenced to 4 years in prison. On May 28, 2016, Dayton Police responded to a report of a person having been struck by a vehicle on Neal Avenue. The defendant and the victim had been involved in an argument and the defendant got into the vehicle and purposely struck the victim. The defendant is incarcerated at the Ohio Reformatory for Women, with an expected release date of May 20, 2021. (Case# 2016-CR-1643)

June 6, 2017—**Dale Glenn**, 31, convicted of murder and having weapons while under disability, was sentenced to 21 years-to-life in prison. On March 9, 2016, the defendant fatally shot Michael Mays-Belton outside the K-9 Club on Germantown Pike in Jefferson Township, after an argument inside the club. The defendant is currently incarcerated at Chillicothe Correctional, and will not be eligible for consideration of parole until January, 2039. (Case# 2016-CR-821)

June 21, 2017—**Bryson Williams**, 19, convicted of murder, felonious assault, and discharge of a firearm on or near prohibited premises, was sentenced to 26 years-to-life in prison. On November 11, 2016 the defendant fired a number of shots at the victim, striking and killing Terion Dixon. Dixon was standing outside a friend's car on Germantown Street, in Dayton. The defendant is incarcerated at Ross Correctional, and will not be eligible for consideration of parole until December, 2042. (Case 2016-CR-4051)

June 27, 2017—**Thomas Shockey**, 71, convicted of felonious assault, was sentenced to 5 years in prison. The defendant called 911 to report that he had shot his wife in the stomach in an effort to kill her. The victim survived. The defendant is currently incarcerated at South Eastern Correctional, with an expected release date of September 2, 2021. (Case# 2016-CR-2750)

June 28, 2017—**Daniel Schooler**, 69, convicted of murder, felonious assault, and having weapons while under disability, was sentenced to 31 years-to-life in prison. The defendant was convicted of the February 28, 2016 shooting death of his brother, Reverend William B. Schooler, inside the St. Peter's Missionary Baptist Church. In addition, the defendant was convicted of repeat violent offender specifications because the defendant had twice previously been convicted of felonious assault. The defendant is currently incarcerated at Pickaway Correctional, and will not be eligible for consideration of parole until February, 2047. (Case# 2016-CR-691)

July 31, 2017—**Isaiah T. Smith**, 27, convicted of involuntary manslaughter, aggravated robbery, discharge of a firearm on or near prohibited premises, and having weapons while under disability, was sentenced to 17 years in prison. On January 14, 2016, there were gunshots fired by co-defendants Isaiah Smith and Shawn D. Smith, Jr. in which a 13 month old toddler, Elijah Jaden Johnson was struck and killed. The defendant is incarcerated at Lebanon Correctional, with an expected release date of May 19, 2023. (Case# 2016-CR-487/1)

September 8, 2017—**Harold Shrout**, 43, convicted of aggravated robbery and kidnapping, was sentenced to 10 years in prison. The defendant robbed LoanMax Title Loans on S. Patterson Street in Dayton, at knifepoint, on March 24, 2017. The defendant is incarcerated at Noble Correctional, with an expected release date of March 22, 2027. (Case# 2017-CR-926)

September 13, 2017—**Justin Larrison**, 48, convicted of involuntary manslaughter, was sentenced to six years in prison. On February 21, 2017, the defendant shot and killed Christopher Phillips on Huffman Avenue in Dayton. The defendant is incarcerated at Allen Correctional, with an expected release date of February 20, 2023. (Case# 2017-CR-541)

October 2, 2017—**Jermar White**, 32, convicted of trafficking in persons, compelling prostitution, pandering obscenity involving a minor, and unlawful sexual conduct with a minor, was sentenced to 11 years in prison. A 15-year-old female disclosed to a school counselor that the defendant had forced the victim and another 15-year-old female to perform sex acts, as well as to pose for explicit photos. The defendant was designated a Tier II sex offender, requiring that he register his address with authorities every 180 days for the next 25 years. The defendant is incarcerated at North Central Correctional, with an expected release date of May 7, 2027. (Case# 2016-CR-1517/1)

October 3, 2017—**Curtis McShann**, 30, convicted of murder, felonious assault, aggravated robbery, aggravated burglary, and having weapons while under disability, was sentenced to 60 years-to-life in prison. On October 25, 2016, Dayton Police were dispatched on a report of multiple shots being fired on Riverside Drive. When they arrived, they located the deceased body of Brandon Lanier. In addition, three other shooting victims had been removed from the location and were taken to area hospitals. The defendant is incarcerated at Ross Correctional, and will not be eligible for consideration of parole until August, 2076. (Case# 2016-CR-3361/1)

October 4, 2017—**Joshua Verdell**, 27, convicted of murder, felonious assault, and tampering with evidence, was sentenced to 18 years-to-life in prison. On December 20, 2016, the defendant and the victim, Stephan Shyne, were inside a car on Westdale Court in Dayton when the defendant fired a handgun multiple times at the victim, killing him. The defendant is incarcerated at Noble Correctional, and will not be eligible for consideration of parole until October, 2034. (Case# 2016-CR-3964)

October 17, 2017—**Jaron Hayes**, 20, and **Randall Williams**, 26, convicted of kidnapping, aggravated burglary, aggravated robbery, safecracking, and having weapons while under disability, were sentenced. Williams, also convicted of receiving stolen property and ethnic intimidation, was sentenced to 9 years in prison, while Hayes was sentenced to 13 years in prison. On January 27, 2017, the defendants assaulted a 62-year-old female victim in the garage of her Fredericksburg Drive home in Harrison Township and forced her, at gunpoint, to withdraw cash from an ATM. Williams is incarcerated at London Correctional, with an expected release date of January 18, 2026. Hayes is currently in Federal custody on an unrelated criminal case. (Case# 2017-CR-226)

October 17, 2017—**Deandre Dixon**, 27, convicted of murder, felonious assault, carrying concealed weapons, and discharge of a firearm at or into a habitation, was sentenced to 27 years-to-life in prison. On December 2, 2016, Deputies were dispatched to a home on Haney Road in Harrison Township on a report of a deceased person. Upon arrival, they located the victim, Gregory Moses, who had been fatally shot. The defendant is incarcerated at Lebanon Correctional, and will not be eligible for consideration of parole until December, 2043. (Case# 2017-CR-539)

November 1, 2017—**Davion Lyons**, 26, convicted of involuntary manslaughter, aggravated robbery, and felonious assault, was sentenced to 25 years in prison. On November 29, 2016, the defendant fatally shot John L. Dixon inside the victim's Victor Avenue home in Dayton. The defendant also shot two others who were in the home at the time. Victim Donald J. Nesbit died two days later at the hospital. The third shooting victim survived her injuries. The defendant is incarcerated at Ross Correctional, with an expected release date of December 9, 2041. (Case# 2016-CR-3742)

November 8, 2017—**Reginald Varner**, 48, convicted of murder, was sentenced to 18 years-to-life in prison. On June 7, 2016, the defendant fatally shot his girlfriend, Katherine D. Glass, inside a vehicle in the parking lot of Arby's on Springboro Pike in Moraine. The defendant is incarcerated at North Central Correctional, and will not be eligible for consideration of parole until April, 2034. (Case# 2016-CR-1807)

November 21, 2017—**Jesse Keith**, 44, convicted of involuntary manslaughter, was sentenced to 13 years in prison. On August 7, 2017, the defendant fatally shot the victim, George Lane, outside Gina's Party Store II on Germantown Street in Dayton. The defendant is incarcerated at the Corrections Reception Center, with an expected release date of August 4, 2030. (Case# 2017-CR-2473)

November 21, 2017—**Quentin Brown**, 18, convicted of murder, felonious assault, aggravated robbery, improper handling of a firearm in a motor vehicle, and having weapons while under disability, was sentenced to 24 years-to-life in prison. On November 26, 2016, the defendant fatally shot Benjamin Werner. The victim's body was discovered outside a car on West Norman Avenue in Dayton. At the time of the murder, the defendant was 17 years old, and a motion was filed, and granted, to have his case transferred to the Common Pleas Court to be tried as an adult. The defendant is incarcerated at the Corrections Reception Center, and will not be eligible for consideration of parole until October, 2040. (Case# 2017-CR-1385)

December 11, 2017—**Mark Shoecraft, Jr.**, 39, convicted of murder, felonious assault, discharge of a firearm on or near prohibited premises, aggravated trafficking in drugs, carrying concealed weapons, and having weapons while under disability, was sentenced to 40 years-to-life in prison. On January 31, 2017, the defendant fatally shot Eric Raglin inside a vehicle on Basswood Avenue in Dayton. The defendant is incarcerated at the Corrections Reception Center, and will not be eligible for consideration of parole until January, 2057. (Case# 2017-CR-375)

December 28, 2017—**Arun Aggarwal**, 40, convicted of four counts of gross sexual imposition, was sentenced to 10 months in prison. Between December, 2013 and November, 2014, the defendant, a pediatric gastroenterologist at Dayton Children’s Hospital, inappropriately touched and abused two teens during medical examinations. The defendant was designated a Tier I sex offender, which will require that he register his address with authorities annually for the next 15 years. However, once he is released from prison, he will be deported to India, where he is a citizen. The defendant is incarcerated at the Corrections Reception Center, with an expected release date of June 15, 2018. (Case# 2017-CR-1816)

### Office Staff Updates

The following are staff additions since our last newsletter.

<b>DATE</b>	<b>NAME</b>	<b>POSITION AND ASSIGNMENT</b>
11/15/17	Whitney Crim	Assistant Prosecutor, Child Protection Unit
11/21/17	James Staley	Assistant Prosecutor, DTAC Unit



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