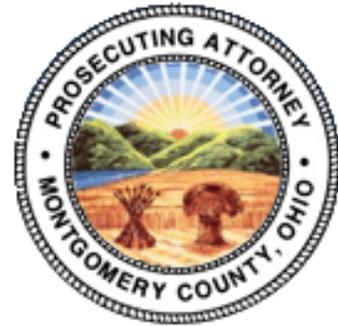


The Prosecutor's Report

Monthly news & updates



June 2021 | Vol. 3, Issue 6

May Sentences

A New Assistant Prosecuting Attorney

Evidence and Records Manager Appointed

Ohio House Passes House Bill 4, Incorporates Some of Prosecutor Heck's Recommendations



Mat Heck, Jr.

The Prosecutor's Report is the monthly newsletter to the community from the Montgomery County Prosecutor's Office.

If you would like additional information on any of the topics discussed, or have questions or comments, please feel free to contact us at 937-225-5757 or via email info@mcpo.com

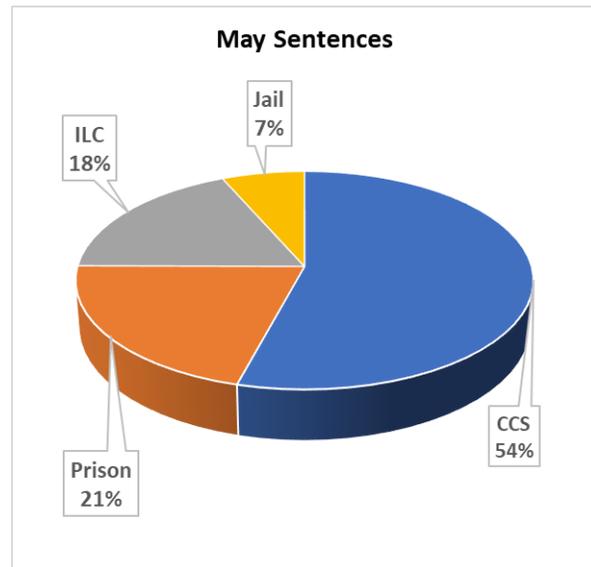
May 2021 Sentences

May Sentences

In May 2021, we disposed of 273 cases. The judges sentenced the

defendants in those cases as follows:

- 54.2% received Community Control Sanctions (probation)
- 20.9% were sentenced to the penitentiary
- 18.3% were granted Intervention in Lieu of Conviction (ILC)
- 6.6% received local jail time or local jail time plus probation



Some Notable Sentences:

- 5/3/2021 - **Steven Coleman** was sentenced to an additional 3 years in prison after a ruling by the Second District Court of Appeals. On November 7, 2018, the defendant, while working as a security guard at the Ashwood Lounge on North Main Street in Dayton, shot Robert Lee Burdette in the head. Burdette died three days later, after being taken off life support. After a trial, the jury found the defendant guilty as charged on counts including murder, felonious assault, tampering with evidence, discharge of a firearm on or near prohibited premises, and having weapons while under disability. On December 29, 2019, the court sentenced the defendant to a total of 20 years to life in prison, after merging the counts for purposes of sentencing. We appealed the sentence, because under Ohio law, the counts of murder and discharge of a firearm on or near prohibited premises should not have merged for purposes of sentencing. The appellate court agreed and ordered the case be sent back to the trial court to impose the correct sentence. On May 3, 2021, the defendant was re-sentenced to a total of 23 years to life in prison. Mr. John Amos and Mr. Jacob Mosher were the assistant prosecutors who handled the case at trial, and Ms. Heather Ketter is the assistant prosecuting attorney who handled the appeal of the case.
- 5/4/2021 - **James Davison** was sentenced to an additional 3 years in prison after a ruling by the Second District Court of Appeals. On April 21, 2018, the defendant was in his vehicle, leaving Rick's Jazz Club on Lakewood Avenue in Dayton, when he drove next to another vehicle in the lot and opened fire into the other vehicle, firing more than a dozen rounds. The driver, Darion L. Harris, and the front seat passenger, Ashley M. James, were both fatally struck. After a trial, the jury found the defendant guilty as charged on counts including aggravated murder, murder, felonious assault, tampering with evidence, discharge of a firearm on or near prohibited premises, and improper handling of a firearm in a motor vehicle. On October 15, 2019, the court sentenced the defendant to a total of 48 years to life in prison, after merging the counts for purposes of sentencing. We appealed the sentence, because under Ohio law, the counts of aggravated murder and discharge of a firearm on or near prohibited premises should not have merged for purposes of sentencing. The appellate court agreed and ordered the case be sent back

to the trial court to impose the correct sentence. On May 4, 2021, the defendant was re-sentenced to a total of 51 years to life in prison. Mr. Dan Brandt, Mr. John Amos and Ms. Nicole Amrhein were the assistant prosecutors who handled the case at trial, and Mr. Andrew French, Chief Assistant Prosecuting Attorney, Appellate Division, handled the appeal of the case.

- 5/10/2021 - **Laron Cunningham** was sentenced to serve a total of 34 years to life in prison after being convicted of Murder, Felonious Assault, Aggravated Robbery, Aggravated Burglary, and Burglary after a jury trial. On December 8, 2018, the defendant was taken to the hospital after claiming he needed medical attention. While there, he made statements about killing a man inside a specific apartment at Wilkinson Apartments on Wilkinson Street in Dayton. Police located the deceased body of Michael Oliver, who had been stabbed to death, in the apartment where the defendant said he would be found. Evidence showed the defendant was responsible for the victim's death, and that he had sold the victim's property to obtain money to buy crack cocaine. On May 5, 2021, after a trial to the Court, the defendant was also found guilty on Repeat Violent Offender Specifications. Ms. Lynda Dodd and Ms. Elizabeth Orlando were the assistant prosecutors on the case.

Mr. Alex J. Hale

On May 10, 2021, Prosecutor Heck announced that Mr. Alex J. Hale joined the staff of the office as an Assistant Prosecuting Attorney, assigned to the Intake/Grand Jury Section of the office.

Mr. Hale received his undergraduate degree from The University of Findlay in 2010, majoring in History. In 2013, he received his law degree from the University of Toledo College of Law.

From 2016 to 2019, Alex served as a Montgomery County Assistant Prosecuting Attorney and was assigned to the Civil Division of the office. From 2019 until he re-joined our office, Alex practiced law in the private sector.



Mr. Joshua A. Davis

On May 17, 2021, Prosecutor Heck announced that Mr. Joshua A. Davis joined the staff of the office as the Records and Evidence Manager.

Mr. Davis received his Bachelor of Arts in Criminal Justice from the University of Dayton in 2007.

From 2009 to 2019, Josh supervised inventory management at The Dublin Pub in Dayton. From 2019 until he joined our office, he was an Excavation Field Supervisor for Roto-Rooter in Miamisburg.



Ohio House of Representatives Passes Child Abuse and Neglect Reporting Reform Bill

On May 26, 2021, the Ohio House passed Substitute Bill 4, which makes a number of important changes to the way county Children Services agencies under the Ohio Department of Job and Family Services investigates and responds to allegations of child abuse and/or neglect.

Many of the changes in the Bill are recommendations that Prosecutor Heck suggested in June of 2020.

After the death of Takoda Collins and other children in Montgomery County, Prosecutor Heck and his staff reviewed the procedures of the Children Services Division as well as the Ohio Revised Code and the Ohio Administrative Code. As a result of that review, Prosecutor Heck announced a number of recommendations to strengthen the procedures used by Children Services to improve outcomes and communications between the agency and law enforcement and other agencies working to protect children.

House Bill 4, as passed, incorporates a number of these recommendations, and is a good first step in making improvements to how child abuse and neglect cases are investigated.

Prosecutor Heck said, "I am pleased to see that the Ohio House has passed House Bill 4. I hope that the Ohio Senate follows the lead of the House and quickly passes similar legislation. Locally, most, if not all, of our recommendations have been adopted. I believe there will probably always be room for improvement, but taking this action now will help protect the children in our community."

To see the full list of Prosecutor Heck's recommendations, click [here](#).

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