

The Prosecutor's Report



February 2018

from Mat Heck, Jr., Prosecuting Attorney

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 to info@mcpo.com.

Sentencings

In January, 2018, we disposed of 263 cases. The Judges sentenced the defendants in those cases as follows:

- 57.4% received Community Control Sanctions (probation)
- 17.5% were sentenced to the penitentiary
- 14.1% were granted Intervention in Lieu of Conviction (ILC)
- 11% received local time or local time plus probation

Some notable sentences:

- 1/17/2018 Jonathan Piersoll was sentenced to 2 years in prison for his conviction on his sixth OVI. On October 24, 2016, Dayton Police discovered the defendant slumped over the steering wheel of his vehicle at a stop sign in the 4000 block of Hoover Avenue. After officers made contact with the defendant, a Blood-Alcohol Concentration (BAC) test was conducted, and the defendant had a BAC of .204%, more than double the legal limit of .080%. The defendant has prior OVI convictions from Fairborn, Dayton, Harrison Township, and Butler County. In addition to the prison sentence, the defendant's driver's license was suspended for a mandatory 10 years.
- 1/23/2018 Michael Wood, Jr. was sentenced to 20 years-to-life in prison for the fatal shooting of Elroy Facey. On May 3, 2017, the defendant and a juvenile co-defendant, 17-year-old Elexus Dawkins, planned to rob the victim. The juvenile co-defendant was performing a sex act on the victim inside a car when the adult defendant shot the victim. The victim attempted to run away, but the adult defendant chased the victim and shot him a second time. The juvenile defendant was transferred to the adult division. She was found guilty and on November 14, 2017, she was sentenced to 15-years-to-life.

- 1/23/2018 Craig Young, a sexually oriented offender, was sentenced to 2 years in prison after being convicted of failure to notify. As a sexually oriented offender, the defendant was required to register his address with the Sheriff's Office. Instead, the defendant gave an address which is actually a vacant lot. The defendant has multiple prior convictions for this same offense.

NOTEWORTHY NEWS

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.

Mary E. Montgomery, Chief of the Civil Division of the Prosecutor's Office, said, "We are very pleased with today's verdict. Montgomery County, and the Sheriff's Office, accommodated the inmate in every way possible in order to protect the plaintiff from his self-harming behavior."

The plaintiff had a history of causing harm to himself.

Montgomery continued, "The jury agreed with us, and determined there was no violation of his rights while he was incarcerated at the jail. Accordingly, the jury did not award the plaintiff any monetary damages."

Man Sentenced to Prison for Harrison Township Robbery/Homicide

On January 9, 2018, Caleb J. Willis was sentenced to 30 years in prison for committing a robbery and for shooting two victims, one fatally, in Harrison Township in November 2015.

On Friday, November 15, 2015, deputies responded to a 911 call for help on Palisades Drive in the Northland Village Apartment complex. Upon arrival, the deputies located a shooting victim, Shaun Benson. The victim had been shot multiple times. He was transported to the hospital where he later died. Meanwhile, deputies located a second shooting victim, who survived his injuries. Further investigation determined the defendant was the shooter of both victims.

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