

# *The Prosecutor*

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



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

Spring 2019

## **Child Abuse Prevention Month**

In 1983, April was recognized as National Child Abuse Prevention Month for the first time. The purpose and goal of having a month dedicated to child abuse prevention is to bring to the public's attention the importance of giving every child a safe, stable, and nurturing place to live and grow.

On April 2, 2019, Prosecutor Heck recognized National Child Abuse Prevention Month with an event at CARE House, the local Child Advocacy Center. Joining Prosecutor Heck were the other partners of CARE House, Montgomery County Sheriff Rob Streck, Dayton Police Chief Richard Biehl, Montgomery County Jobs and Family Services Director Jewell Good, and Dayton Children's Hospital President and CEO Deb Feldman.

Mr. Heck noted that child abuse and neglect is an ongoing problem that presents many challenges. Statistics show that one in four children are abused or neglected at some point in their lives; the effect that has on those children can be long lasting, both physically and mentally.

Recognizing that the assistance and cooperation of the public is crucial in preventing child abuse, Prosecutor Heck and the other partners of CARE House issued a plea to the community to get involved. One of the many ways we are using to remind citizens to do their part is through billboards throughout the county. Prosecutor Heck partnered with Dayton's Key-Ads to design a new billboard to be displayed during the month of April.

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**"If you know, or even suspect, someone is abusing or neglecting a child, please report it to authorities."**

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

Dayton-Montgomery County Courts Building  
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Our mailing address: P.O. Box 972, Dayton, Ohio, 45422.

Our email address for general inquiries: [info@mcpo.com](mailto:info@mcpo.com).

By phone:

Main Office (937) 225-5757

Appellate Division (937) 225-4117

Child Abuse Bureau (937) 641-4545

Civil Division (937) 225-5654

Child Protection Unit (937) 276-6580

Consumer Fraud Unit (937) 225-4747

Diversion Unit (937) 225-4864

Juvenile Division - (937) 225-4253

Grand Jury/Intake - (937) 225-3498

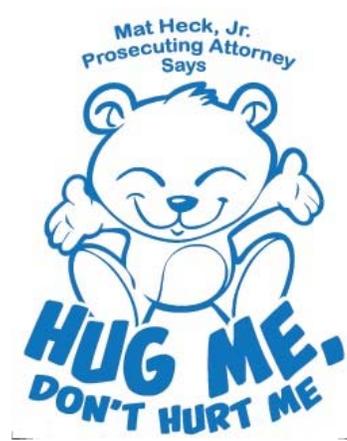
Also, be sure to visit us online at [www.mcpo.com](http://www.mcpo.com) and follow us on Facebook!

**Child Abuse Prevention Month**

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Prosecutor Heck also recognized the Evenflo Company for donating child safety seats and booster seats. In addition, a donation from Target allowed us to purchase 12 booster seats. Using money seized from convicted drug dealers, Prosecutor Heck purchased an additional 67 car seats.

In addition to the car seats and booster seats, our office purchased bibs and infant snack cups again this year, with the “Hug me, don’t hurt me” logo. These items, along with the car seats and booster seats will be distributed to families identified by local agencies that we partner with. They include Montgomery County Children Services, Catholic Social Services, the Elizabeth New Life Center, the Kinship Navigator Program, and Moms & Babies First.



This year’s Champion of Children Award was presented to Ms. Rachel Tussey. Ms. Tussey’s son, a student at West Carrollton High School, was the victim of extreme bullying by a fellow student. Ms. Tussey became very involved in the process of holding the offender accountable for his actions. Rachel kept in contact with the attorneys in our office and worked closely with them.

Ultimately, the defendant was prosecuted and convicted of Assault and Felonious Assault. He was also designated a Serious Youthful Offender by the juvenile court. The designation of Serious Youthful Offender means that if he reoffends or does not comply with the requirements of his juvenile probation officer, he can be sentenced to an adult sentence for his actions.

Prosecutor Heck determined that Ms. Tussey should be this year’s Champion of Children Award recipient because of her dogged determination to being involved in her son’s case. She attended every court hearing and was involved in every step of the process. Her support, assistance, and dedication to her son, seeing that justice was served, was inspiring.

Prosecutor Heck added, “Bullying can be devastating to a young person. As Ms. Tussey believes, with a proactive approach, parents advocating for their children and schools who work with parents, a better outcome can be achieved. I could not agree more. That is why Ms. Rachel Tussey is this year’s Champion of Children Award recipient.”

## **Ann K. Gramza Promoted**

On January 23, 2019, Prosecutor Heck announced that Ms. Ann K. Gramza was promoted to the position of Chief Assistant Prosecuting Attorney of the Juvenile Division of the office.

Ms. Gramza received her undergraduate degree from Miami University in Oxford, Ohio in 1997, majoring in Diplomacy and Foreign Affairs, with a minor in Economics. She received her law degree from The Ohio State University College of Law in 2000.

Ann was an Assistant Prosecuting Attorney in Shelby County, Ohio from August 2002 until April 2005. Ann joined our office in April 2005 as an Assistant Montgomery County Prosecuting Attorney. She was promoted to Supervising Attorney of the Child Protection Unit in January 2011. In March 2013, Ann left our office to serve as the Court Appointed Special Advocate (CASA) Program Manager at the Montgomery County Juvenile Court. She served in that position until September 2016 when she returned to our office as a Criminal Docket Attorney. In September 2017, Ann was promoted to the position of Supervising Attorney of the Grand Jury/Intake Section of the office.



As Chief of the Juvenile Division, Ann will supervise the Assistant Prosecutors and support staff in the Juvenile Delinquency Section and the Child Protection Unit of the office. The Child Protection Unit represents Montgomery County Children Services in abuse, neglect, and dependency cases.

## **Richard F. Glennon Promoted**

Due to the promotion of Ann K. Gramza, Prosecutor Heck announced on February 20, 2019 that Mr. Richard F. Glennon was being promoted to the position of Supervising Attorney of the Grand Jury/Intake Section of the office.

Mr. Glennon received his undergraduate degree from Kenyon College, in Gambier, Ohio in 2008, majoring in English. In 2009, Richard received his Masters in Humanities from the University of Chicago. He received his law degree from The Ohio State University Moritz College of Law in 2013.

Richard joined our office in August 2014, as an Assistant Montgomery County Prosecuting Attorney. He was assigned to the Child Protection Unit, then was transferred to the Grand Jury/Intake Section before being appointed as a Criminal Docket Attorney.



In his new position, Richard will supervise the Assistant Prosecutors presenting criminal cases to the Montgomery County Grand Jury as well as the Assistant Prosecutors handling Preliminary Hearings in Municipal Court. He will also be the primary Assistant Prosecutor responsible for reviewing cases presented by law enforcement for felony criminal charges.

## Legislature Modifies Mandatory Reporters Statute

Last year, the Ohio Legislature modified and updated Ohio Revised Code (ORC) 5101.63, "Reporting Abuse, Neglect, or Exploitation of an Adult." The update to the law adds additional classifications of persons who are required to report to law enforcement when they believe or have information that an adult is being abused, neglected, or exploited. For purposes of this law, an adult is defined as someone 60 years of age or older who is handicapped by the infirmities of aging or who has a physical or mental impairment that prevents them from providing for their own care, and who resides in an independent living arrangement.

Independent living arrangement means a private home of the person's own choosing. It also includes residential facilities licensed under ORC 5119.22 that provide accommodations, supervision, and personal care services for three to sixteen unrelated adults.

Previously, this mandated reporting law applied to many groups including medical professionals. The 2018 update added financial professionals. Therefore the list now includes: attorneys, firefighters, peace officers, medical professionals, ambulance drivers, coroners, social workers, counselors, therapists, emergency medical technicians, clergy, and any other person who is a senior service provider, certified public accountants, notaries, investment advisors, real estate brokers or salespeople, bank employees, and financial planners.

The law protects those who report and/or testify from civil and criminal liability when they in good faith believe there is reasonable cause to believe there has been abuse or neglect. It also prohibits employers of those individuals from taking action against reporters, such as discharge, demotion, transfer, reduce benefits or privileges.

Under this law, abuse is defined as an infliction of injury, unreasonable confinement, intimidation or cruel punishment with resulting physical harm, pain, or mental anguish by another or the adult themselves. Many types of injury are prohibited, including: physical, sexual, emotional, or financial abuse and neglect.

Physical abuse causes bodily harm, injury, or impairment. Examples include kicking, restraining, cutting, burning, or use of weapons. Sexual abuse is nonconsensual sexual activity of any kind with a vulnerable older adult. Examples include when the adult is unable to consent, or forced touching and/or other sexual activity. Emotional abuse is the use of threats, humiliation or intimidation to psychologically harm. Examples include threats to take them to a home, deny privacy, threaten to medicate, and isolation. Financial abuse is when a person uses the vulnerable adult's funds, property, or assets for their own benefit, without permission or without the adult's ability to properly consent. Examples would include power of attorney theft, property quit claim deeds, and benefit theft. Neglect is when a caretaker refuses or fails to provide a vulnerable adult with the goods and services necessary to prevent harm, mental anguish, or mental illness. This can apply to self neglect as well. Examples would include failure to provide nourishment or health care.

If you know of an adult, senior or otherwise, who is being abused in one of these ways, we encourage you to report it. In Montgomery County, Adult Protective Services investigates alleged abuse. They respond to non-emergency complaints within three days. Cases involving neglect and abuse can also be reported to a local law enforcement agency. Our Consumer Fraud Unit investigates complaints involving financial exploitation.

Montgomery County Adult Protective Services: 937-225-4906

Montgomery County Regional Dispatch Center: 937-225-4357

Montgomery County Prosecutor Consumer Fraud Unit: 937-225-4747

In an emergency, always call 911.

## Staff Updates

Since the last edition of *The Prosecutor*, we have hired a number of additional staff to replace retiring staff or those who left to pursue other employment:

On January 16, 2019, **Mr. Michael C. King** joined the staff of the office as a legal secretary. Michael was assigned to the Criminal Case Management Section of the office.

Michael received his Bachelor of Science in Communication Arts from Indiana Wesleyan University in 2017. Michael was a 2012 graduate of Dayton Christian High School in Miamisburg.

Previously, Michael was a Deputy Clerk for Montgomery County Auditor Karl Keith.

On January 22, 2019, **Mr. Franklin W. Gehres** joined the office as an Assistant Prosecuting Attorney. Franklin was assigned to the Criminal Division as a Criminal Docket Attorney.

Franklin received his undergraduate degree in English from Mercyhurst University in Erie, Pennsylvania in 2008. In 2012, he received his law degree from the University of Akron School of Law. From January 2013 until March 2017, he was an assistant prosecuting attorney in our office. He then left to pursue other opportunities, but then returned to our office.

Law runs in the blood of the Gehres family. Franklin's brother, Martin, is an attorney in the City of Dayton's Law Department. His father is Dayton Municipal Court Judge Daniel Gehres, and his mother, Virginia, is a retired Assistant Montgomery County Prosecuting Attorney!

On February 11, 2019, **Ms. Jennifer C. Comes** joined the staff of the prosecutor's office as the Office Messenger.

Jennifer is a 2014 graduate of Butler High School in Vandalia. She previously worked in retail and from 2015-2019 she served as the office messenger for a local law firm.

On February 20, 2019, **Ms. Meggan J. Lanahan** joined the staff of the office as a Legal Secretary, assigned to the Criminal Case Management Section of the office.

Meggan received her Associate of Applied Science in Paralegal Studies from Sinclair Community College in 2019. In 2008, she received a certificate in Global Leadership from the University of Liverpool in Liverpool, England.

Previously, Meggan worked in digital and social media development. She also has prior experience as a legal secretary, and served as an office messenger for a local law firm.

On March 11, 2019, Ms. **Shaina A. Hombach** joined the staff as an Assistant Prosecuting Attorney. Shaina was assigned to the Child Protection Unit of the office.

Shaina received her undergraduate degree in English in 2012 from Bowling Green State University in Bowling Green, Ohio. She received her law degree in 2018 from the Capital University Law School in Columbus, Ohio.

## ArriveSafe Program Surpasses 7,000 Free Cab Rides

Introduced in December 2007, Prosecutor Heck's ArriveSafe Program has provided over 7,000 free cab rides to Montgomery County residents who are impaired and should not be driving. All of the cab rides home are provided without any cost to the taxpayer. The cab rides are paid for with money that has been seized from convicted drug dealers along with the generosity of Heidelberg Distributing and Budweiser, and additional support from AAA.

Most recently, ArriveSafe provided cab rides over the St. Patrick's Day weekend. Over 100 cab rides were given to those adults who responsibly avoided a DUI, a traffic crash injury, or even death, by driving impaired.

Prosecutor Heck said, "I want to thank our partners for their ongoing support of this important program, Heidelberg, Budweiser, and AAA. More importantly, I want to thank those individuals who made the smart choice and chose not to get behind the wheel. Every impaired driver we can take off the roads makes everyone else in our community safer."



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