Miami Valley Hit By More Than A Dozen Tornadoes

On the night of Monday, May 27th, the Miami Valley was hit by more than a dozen tornadoes. Brookville, Butler Township, Clayton, Clay Township, Dayton, Riverside, Trotwood, and Vandalia all sustained damage from the tornadoes. As of this writing, nearly 700 homes in Montgomery County have been declared uninhabitable.

Numerous local and national groups, organizations, and businesses have made tremendous donations for those affected by the destruction. Our office collected two truck loads of items, including food, cleaning aids, and baby essentials. The office also held a 50/50 raffle and raised over $800, one-half of which was designated to be donated to The Foodbank. The winner of the 50/50, Assistant Prosecutor Todd Ahearn, donated his half to the relief effort!

Prosecutor Heck noted, “Many of those in our community have literally lost everything they owned. Vast areas of our county instantly were wiped out, including houses as well as businesses. The community has done an incredible job of coming together and helping one another. Seeing total strangers helping those in need, is inspiring. It is my hope that this renewed spirit of community lasts well into the future. We will not recover from this tragedy quickly, but we will rebuild and overcome. I am proud that my staff took it upon themselves to help with the relief efforts.”
Mr. Ward C. Barrentine Appointed Chief

On April 30, 2019, Prosecutor Heck announced the appointment of Mr. Ward C. Barrentine to the position of Chief of the Civil Division of the office. The position became available when the current chief, Mary E. Montgomery, was elected as a Common Pleas Court Judge last November. Her judicial term will begin on July 1, 2019.

Mr. Barrentine received his undergraduate degree in History and Political Science from the University of Michigan in 1997. He then attended the University of Dayton School of Law and received his law degree in 2001.

Mr. Barrentine joined the Prosecutor’s Office in August 2001 and was assigned to the former Child Support Enforcement Division. In September 2002, he was transferred to the Grand Jury/Intake Division, and a year later was transferred again to the Criminal Division as a Criminal Docket Attorney. Ward was a Criminal Trial Supervisor and was the Supervising Attorney of the Consumer Fraud Unit between 2011 and 2016.

Prosecutor Heck said, “Ward has been an outstanding trial attorney and supervisor. I believe he will continue to do an excellent job as the chief of my Civil Division. Ward has the knowledge and supervisory experience necessary to excel in this challenging position.”

Mr. Barrentine added, “I am excited to start this new chapter in my career at the Prosecutor’s Office. There will be a lot of changes going from being a trial attorney to supervising the attorneys in the Civil Division. However, the Civil Division is staffed with smart and talented individuals, and I am looking forward to working with them.”

The Civil Division acts as the County’s law firm. The Prosecuting Attorney, through the Civil Division, is the legal advisor to all county boards, county agencies, county elected officials, and township trustees, officers, boards, and commissions. The division’s responsibilities include initiating and defending civil actions and appeals in state and federal courts, and in a variety of administrative settings. The cases handled by the Civil Division include complex business law issues, civil rights violations, personal injury claims, and property acquisitions. The division also deals with personnel and labor/employment issues and worker’s compensation claims. It renders written legal opinions to clients who request them, and reviews and gives approval as to the form of all county contracts. Additionally, the Civil Division is responsible for reviewing public records requests submitted to various county agencies. The Civil Division is also responsible for the forfeiture and seizure of assets used by criminals in the commission of crimes.

The DTAC (Delinquent Tax Assessment and Collections) Unit of the Civil Division represents the Montgomery County Treasurer in the filing of foreclosure actions against property owners who are delinquent in the payment of property taxes.

Finally, the Civil Division is also responsible for insuring that registered sex offenders do not live within 1,000 feet from a school or daycare facility in violation of Ohio law and filing lawsuits against registered sex offenders who do not voluntarily comply with the law.
29th Annual Violence Prevention Project Awards Ceremony Held

On May 1, 2019, Prosecutor Heck held his 29th annual Violence Prevention Project Awards Ceremony. This year over 1,000 students submitted entries for the contest. Every student who submitted an entry received a prize. The top 150 winners were invited to the awards ceremony and were awarded additional prizes. In addition, the students and teachers present were given a free pizza luncheon, courtesy of Dayton’s Original Pizza Factory.

The Violence Prevention Project’s primary goal is to reduce the incidents of violence in Montgomery County by teaching school-age children that there are alternatives to using violence as a means to resolving personal or interpersonal problems. The Project encourages Montgomery County’s youth to submit a poster or write an essay describing how violence affects our community and suggesting constructive ways to prevent violence.

This year, many essays addressed the topic of bullying. The students clearly understand that bullying can happen anywhere, but that it usually occurs when students have a lack of direct supervision. The entries also showed the various forms that bullying can take, such as verbal, social, physical, and cyberbullying. The students recognize that discouraging the bully through negative attention and defending the intended victim can stop many incidents of bullying. The students also recognize that classmates who are victims of bullying may turn to violence as a way to handle conflict.

Support for the Violence Prevention Project this year came from Montgomery County Sheriff Rob Streck, Dayton Police Chief Richard Biehl, the Brookville, Centerville, and Kettering Police Departments, the Aullwood Audubon Center, the Boonshoft Museum of Discovery, Buffalo Wild Wings, the Dayton Masonic Center, Elsa’s, King’s Island, the Kroger Aquatic Center at The Heights, Mike-Sells Potato Chips, Panera Bread, Pies and Pints, Poelking Lanes, Shumsky, Skyline Chili, SportClips, Submarine House, and What's Poppin’. Of special note, Dayton’s Original Pizza Factory owner Bill Daniels has donated pizzas for the awards ceremony luncheon every year for the past 29 years!

Prosecutor Heck said, “For the well-being of all children and our community, it is important that schools, families, and community organizations raise awareness about bullying and cyberbullying. Our Violence Prevention Project provides an opportunity for discussion regarding the impact of bullying and violence. Our contest is just one method we use to help raise awareness.”

Photos from the event and the winning posters will be featured in the 2020 edition of Prosecutor Heck’s annual Violence Prevention Calendar.
Law Clerks Start Summer Internships

Every year, our office has a number of law school students work as interns over the summer break. Each law clerk is assigned to one of the various divisions within the office. Half way through the summer, the law clerks are rotated to a different division. This gives the students a chance to get a taste of what it’s like to work in a real law office and also gives them the chance to perform work in a couple of different areas of law.

Over the years, a number of summer law clerks have returned to our office to be hired as Assistant Prosecuting Attorneys after graduating from law school and passing the Ohio Bar Examination. These new attorneys always are excited to get their first job as an attorney and Prosecutor Heck is always proud to be able to offer them a chance to give back to the community by being employed in the public sector.

This year’s summer law clerks are:

**Ashley Caldwell**, who has completed her second year of law school at the University of Dayton School of Law.

**Cara Clark**, who has completed her first year of law school at the Boston University School of Law.

**Ian Czanik**, who has completed his second year of law school at the University of Dayton School of Law.

**Kensy Gordon**, who has completed her first year of law school at the University of Dayton School of Law.

**Paige Heneghan**, who has completed her second year of law school at the Ohio Northern University Pettit College of Law.

**Benjamin Reeb**, who has completed his second year of law school at The Ohio State University Moritz College of Law.

**Keegan Sullivan**, who has completed his second year of law school at the University of Dayton School of Law.

Prosecutor Heck said, “I remember how beneficial it was to see how a law office works ‘behind the scenes’ and to attend hearings and trials. We encourage our law clerks to attend trials and help with research and writing briefs under the supervision of our assistant prosecutors. This practical experience really helps them to see the various issues that come up on a daily basis.”

**Ross Partin**, a graduate of George Washington University, studying International Affairs, is also working as a summer clerk in the office. Ross plans to attend The Ohio State University Moritz College of Law in the fall.

Prosecutor Heck added, “I am happy we can provide a summer work experience to our clerks. It’s rewarding to see so many young adults interested in a career as an attorney. I hope they come back to work for us in the future!”
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 March 25, 2019, Ms. Lisa M. Light joined the staff of the office as an Assistant Prosecuting Attorney. Lisa is assigned to the Appellate Division of the office. Lisa received her undergraduate degree in Sports Management from the Ohio Northern University in 2012. In 2017, she received her law degree from the University of Akron School of Law.

On April 18, 2019, Ms. Kaylin R. Ely joined the staff of the office as a Victim Advocate. Kaylin is working towards her Bachelor of Arts in Urban Development, with a minor in International Studies at Wright State University. She expects to graduate in May, 2020.

On April 22, 2019, Ms. Jamie O. Robinson joined the staff of the prosecutor’s office as a Legal Secretary. Jamie is assigned to the DTAC Unit of the Civil Division of the Office. Jamie received her Associates of Applied Science degree in Paralegal Studies from Sinclair Community College in 2015. She is a 2007 graduate of the Miami Valley Career Technology Center, with a focus on Legal Secretary skills.

On May 29, 2019, Ms. Ashley L. Scarpelli joined the staff of the office as a Legal Secretary, assigned to the Child Protection Unit of the Juvenile Division of the office. Ashley received her Bachelor’s degree in Education from Northern Kentucky University in 2012.

Promotion

On May 21, 2019, Prosecutor Heck announced that Ms. Kimberly A. Melnick had been promoted to the position of Criminal Trial Supervisor in the Criminal Division of the office. This position supervises Assistant Prosecuting Attorneys handling criminal dockets in the Common Pleas Court.

Ms. Melnick graduated from Wright State University in 1990, majoring in Marketing. She then attended the University of Dayton School of Law, receiving her law degree in 1993. Kim joined the prosecutor’s office in January, 1994, and was assigned to the Child Support Enforcement Division. She was also assigned to the Juvenile Division, and then the Intake/Grand Jury Section. In July 1997, Kim was assigned to the Criminal Division as a Criminal Docket Attorney.

Kim left the prosecutor’s office in 1998 for two years to work in private practice, before returning to the office in May, 2000. Then, in April 2002, Kim left the office and relocated to Golden, Colorado where she served as a Deputy District Attorney for Jefferson County, Colorado. She returned to our office in October, 2006. She has most recently served as a Criminal Docket Attorney and is the Supervising Attorney of the Adult Protection Unit of the office.
2018 Prosecutions and Sentencings

During calendar year 2018, our office successfully disposed of a total of 3,285 defendants and cases. These include cases with multiple defendants as well as defendants with multiple cases, who were sentenced in 2018. There are a number of possible sentences under Ohio Law, ranging from time served, Community Control Sanctions (CCS)/probation, local jail time, prison, and Intervention in Lieu of Conviction (ILC). ILC is for certain non-violent, first-time offenders when the Court believes drug or alcohol addiction by the defendant was a factor contributing to the criminal offense.

In 2018, more than one-half of all convicted offenders in Montgomery County were given Community Control Sanctions (1,737 or 52.9%). 728 (22.2%) of the defendants were sentenced to the penitentiary. The next highest group received ILC (527 defendants, or 16%) and 293 (8.9%) received a sentence of time served, local jail time, or local jail time in combination with CCS.

Those numbers, compared to 2017, show that a smaller percentage of defendants are being sent to prison or receiving probation, and a much larger percentage are receiving ILC.