

The Prosecutor

newsletter from
Mat Heck, Jr.
Prosecuting Attorney



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Summer 2016

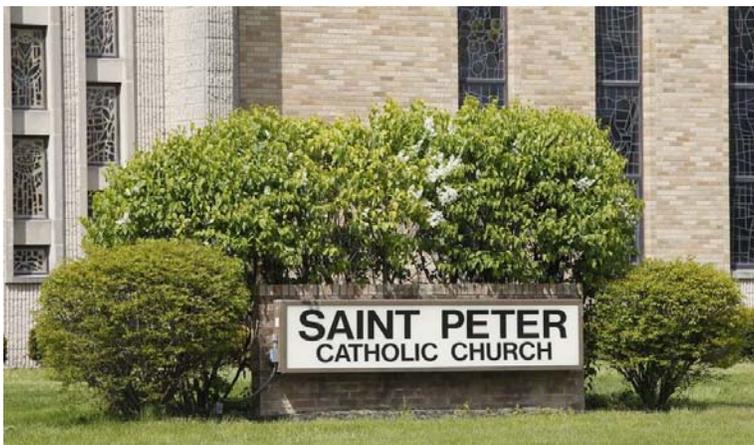
St. Peter Catholic Church Pastor Sentenced Over \$1,900,000 Stolen from Huber Heights Parish

On August 3, 2016, Earl F. Simone, age 75, was sentenced to five years in prison for his conviction of Aggravated Theft from St. Peter Catholic Church in Huber Heights.

Early in 2015, the Archdiocese of Cincinnati contacted local law enforcement concerning the misappropriation of funds from the parish. A lengthy investigation conducted jointly by the Huber Heights Police Department and Montgomery County Prosecutor's criminal investigators from the Fraud and Economic Crimes Unit discovered that the defendant had stolen over \$1.9 million from the church.

Simone was the Pastor at the church from 1992 until his retirement in April 2015. He transferred funds from the various accounts to his own, as well as paid personal expenses from the church's accounts. It was determined the defendant owned over 30 rental properties, many of which were being maintained and updated using church funds.

On March 10, 2016, Simone entered a guilty plea by a Bill of Information to one count of Aggravated Theft over \$1,500,000, a felony of the first degree. It was agreed the defendant would be sentenced to prison for five years and would be ordered to pay \$1.9 million in restitution.



Prosecutor Heck said, "It is shocking that someone who supposedly devoted his life to the Church and to helping others would steal from the very people to whom he vowed to minister. This defendant stole millions from the Church over an extended period of time to satisfy his own greed. No one is above the law, and he must be held accountable for his crime."

Father Steve J. Angi, representing the Archdiocese of Cincinnati, quoted the Pope as saying, "...anyone who makes a mistake must pay the price." Father Angi added, "The plea that was reached six weeks ago in this courtroom is a sentence that is mercy tempered with justice."

Moraine City Pawn Owners Guilty

On August 16, 2016, Jeffrey R. Rich, and his wife, Lisa J. Rich, were both found guilty as charged by a jury of selling stolen merchandise in a theft scheme out of the pawn shop business they owned and operated in Moraine, Ohio.



Jeffrey R. Rich, 53



Lisa J. Rich, 53

Between December 1, 2012 and April 19, 2013, the defendants operated a scheme in which drug users, mainly heroin addicts, would steal merchandise from local retail stores, and then sell the merchandise to the defendants. The defendants would then sell the stolen property out of their business, Moraine City Pawn, or online on eBay.

A lengthy investigation by the Moraine Police Department uncovered the extent of the operation, believed to have involved hundreds of thousands of dollars worth of stolen merchandise.

After a jury trial, Lisa Rich was found guilty of engaging in a pattern of corrupt activity, money laundering and five counts of receiving stolen property. Jeffrey Rich was found guilty of those charges plus an additional two counts of receiving stolen property. The defendants will be sentenced on September 30, 2016.

Prosecutor Heck commented, "In addition to subjecting local businesses to loss of income and profits due to the theft of their merchandise, these defendants also brought drug addicts into the community looking to sell stolen merchandise for money to support their drug habits."

Local Pastor Indicted for Murder

On August 26, 2016, Torace D. Weaver, the founder and Pastor of the King of Glory Worship Center, was indicted for causing the death of his 2 year old foster son, Stanley Thomas.

First responders were dispatched to the church on Genesee Avenue in Dayton on Sunday, November 18, 2015, on a report of a child not breathing. The child was taken to Good Samaritan Hospital where he was pronounced dead.

Medical personnel at the hospital noticed numerous injuries to the child, including bruises, scars and a large burn. During the autopsy, additional injuries were discovered. The cause of death was ruled a homicide.

The foster father was indicted on counts of murder, endangering children, involuntary manslaughter, reckless homicide, felonious assault and obstructing official business.

The case is currently pending in court.

Suspect in Triple Homicide Charged

Muhammad Shabazz Ali, aka Robert Woodrow Ford, Jr. has been charged with 31 counts for the August 10, 2016 shooting deaths of three victims inside a home on Oxford Avenue in Dayton.

The deceased are 24 year old Michael Cox, 53 year old Tammy Cox, and 74 year old Jasper Taylor.

The defendant was convicted in 1988 for the stabbing death of 21 year old Angela Richardson, who was 8 months pregnant at the time. The defendant served nearly 21 years in prison before being released in 2009.

The new case will be scheduled to be presented to the Montgomery County Grand Jury at a future date, when it expected they will consider indicting the defendant with death penalty specifications.

Rion D. Talley Promoted to Supervisor, Criminal Case Management



On June 24, 2016, Rion D. Talley was promoted to Supervisor of our Criminal Case Management Section, due to the retirement of Sharon Jenkins, who had been with the office for 31 years.

The Criminal Case Management Section processes the paperwork and records related to the handling of felony criminal cases, from the time a charge has been accepted for felony prosecution through conviction and sentencing. The staff assigned to the section also provides clerical support to the criminal division attorneys.

Rion joined the office in September 2013 and was assigned to the Criminal Case Management Section as a docket coordinator. Most recently, Rion had been assigned to do forensic monitoring of defendants deemed to be incompetent or legally insane.

Kelly D. Madzey Promoted to Supervising Attorney, Intake/Grand Jury



On August 22, 2016, Kelly Madzey was promoted to the position of Supervising Attorney of the Intake/Grand Jury Section of the Prosecutor's Office.

As supervising attorney, Kelly 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. She will also be the primary Assistant Prosecuting Attorney responsible for reviewing cases presented by law enforcement requesting felony criminal charges.

Kelly joined the office in May 2008 and was initially assigned to the Appellate Division. She has since been assigned to the Juvenile Division, Intake/Grand Jury Section, and Criminal Division. She served as the Supervising Attorney of the Child Abuse Bureau from January 2014 until September 2015, when she was again assigned as a Criminal Docket Attorney.

Meet Our New Criminal Investigators



Kerry Smoot

On July 5, 2016, Kerry Smoot joined the office as a Criminal Investigator. Kerry received his Basic Police Officer Training Certificate from the Sinclair Police Academy in 2002. He received his undergraduate degree from the University of Cincinnati in 2002, majoring in Criminal Justice.

Kerry has nearly 14 years of experience as a police officer, most recently as a patrol officer with the City of Englewood, Ohio. Prior to joining the Englewood Police Department, he was a patrol officer with the Beavercreek Police Department.

A native of Englewood, Kerry is married and lives in Brookville with his wife and child.



Jessi Simpson

Jessi Simpson joined the office on August 1, 2016 as a Criminal Investigator. Jessi received her Basic Police Officer Training Certificate in 2008 from the Sinclair Police Academy. Also in 2008, she received her Associate's Degree in Criminal Justice from Sinclair Community College.

Jessi has over 7 years of experience as a police officer. Most recently, Jessi was a patrol officer and member of the Emergency Response Team for the City of Englewood, Ohio. Prior to joining the Englewood Police Department, she was a patrol officer in Germantown and Brookville.

Originally from Brookville, Jessi is married and lives in Englewood with her husband and their dog, Diesel.

As general assignment Criminal Investigators, Kerry and Jessi will conduct investigations of consumer fraud and criminal non-support of dependent complaints. They will also locate and arrest these defendants who have outstanding arrest warrants. Additionally, when available, they will provide support to assistant prosecutors handling criminal felony and juvenile delinquency cases, as well as assist in transporting defendants who are extradited from out of county jails.

62 Year Old Woman Convicted of 1987 Homicide

On Sunday, January 18, 1987, the deceased body of Sanders Baccus was discovered by one of his daughters inside his residence on Lakeview Avenue in Dayton. The victim had been beaten to death. Investigators exhausted the available leads and the case went cold.

In November 2015, Linda Baccus, another of the victim's daughters, confessed to her Pastor that she had committed the crime. The defendant met with a Detective from the Sheriff's Office and confessed to him.

On August 31, 2016, the defendant admitted her guilt in open court and was found guilty of involuntary manslaughter and was sentenced to five years in the penitentiary.

Staff Spotlight: Assistant Prosecutor Richard Glennon

Every issue of The Prosecutor we will highlight one member from our staff chosen at random.



How long have you worked for the Prosecutor's Office?

Since August of 2014

Before working at the Prosecutor's Office, what was the most unusual or interesting job you've ever had?

Blockbuster Video - Rest in Peace. It didn't seem particularly unusual at the time, but try explaining to kids nowadays that a video rental store was ever a viable business model.

If you could repeal one law, what would it be?

Automatic license suspensions for all drug offenses. It seems like an unfair burden to place on people when the crime itself may have had no relation to driving.

Motto or personal mantra:

In the depth of winter, I finally learned that within me there lay an invincible summer.

I'm happiest when:

Running through the woods in the pouring rain.

June 15 - World Elder Abuse Awareness Day

Every year, June 15th is World Elder Abuse Awareness Day. It's a sad commentary that we have set aside a day to remind people of the special dangers that elders in our community - and around the world - face.

The U.S. Department of Health and Human Services defines elder abuse as:

- **Physical Abuse** (Inflicting physical pain or injury on a senior, e.g. slapping, bruising, or restraining by physical or chemical means.)
- **Sexual Abuse** (Non-consensual sexual contact of any kind.)
- **Neglect** (The failure of those responsible to provide food, shelter, health care, or protection for a vulnerable elder.)
- **Exploitation** (The illegal taking, misuse, or concealment of funds, property, or assets of a senior for someone else's benefit.)
- **Emotional Abuse** (Inflicting mental pain, anguish, or distress on an elder person through verbal or nonverbal acts, e.g. humiliating, intimidating, or threatening.)
- **Abandonment** (Desertion of a vulnerable elder by anyone who has assumed the responsibility for care or custody of that person.)
- **Self-Neglect** (Characterized as the failure of a person to perform essential, self-care tasks and that such failure threatens his/her own health or safety.)

As a concerned citizen, you should be on the lookout for signs of elder abuse of friends, family and neighbors. The most important thing is to be alert. The suffering is often in silence. If you notice changes in a senior's personality or behavior, you should start to question what is going on. Remember - it is not your role to verify that abuse is occurring, but to alert others of your suspicions. You can always contact our Elder Abuse Unit Assistant Prosecutor, Kimberly Melnick at 937-225-5603 with questions. She is also available to give presentations to area community groups and associations.

Office Staff Updates

The following are staff additions since our last newsletter.

DATE	NAME	POSITION AND ASSIGNMENT
6/27/16	Kathryn Rettich	Assistant Prosecutor, Child Protection Unit
7/5/16	Kerry Smoot	Criminal Investigator
7/18/16	Michael Hennessy	Legal Secretary, Case Management
8/1/16	Tara Fought	Legal Secretary, Case Management
8/1/16	Molly Henderson	Victim Advocate, Victim/Witness Division
8/1/16	Jessi Simpson	Criminal Investigator



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Join our mailing list or our email list! Receive newsletters, scam alerts, and other publications including our annual Violence Prevention Project calendar! Send an email with your name, address and email address to info@mcpo.com.

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