

The Prosecutor's Report



January 2019

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 Mr. Greg Flannagan, Public Information Officer, at 937-225-5610 or via email to info@mcpo.com.

Sentencings

In December, 2018, we disposed of 190 cases. The Judges sentenced the defendants in those cases as follows:

- 57.9% received Community Control Sanctions (probation)
- 22.6% were sentenced to the penitentiary
- 11.6% were granted Intervention in Lieu of Conviction (ILC)
- 7.9% received local jail time, or local jail time plus probation

Some notable sentences:

- 12/12/2018 - **Toney Tibbs** was sentenced to 3 months in prison after being convicted of his 4th OVI in the past 10 years, and his 5th in the past 20 years. On February 26, 2018, a Sheriff's Deputy pulled the defendant over for speeding. The deputy noted a strong odor of alcohol, glassy eyes, and slurred speech. The defendant refused any sobriety tests, so the deputy got a search warrant to obtain a sample of the defendant's blood, which tested .221%, nearly three times the legal limit of .08%. In addition to the prison sentence, the defendant's driver's license was suspended for the rest of his life. Mr. Vencot Brown was the Assistant Prosecutor on the case.
- 12/19/2018 - **John Franz** was sentenced to a total of 14 years in prison after being convicted of seven counts of gross sexual imposition of a victim less than 13 years of age, and three counts of rape. In late October 2017, a minor female disclosed that the defendant had sexually assaulted her, and provided the names of other possible victims. The investigation determined that the defendant has assaulted at least five victims over a period of 15 years inside his Huber Heights home. In addition to the prison sentence, the defendant was designated a Tier III sex offender, which will require him to register his address with the Sheriff's Office, in person, every 90 days for the rest of his

life. Ms. Kelly Madzey and Ms. Dylan Smearcheck were the Assistant Prosecutors on the case.

- 12/19/2018 **Jamone Henderson** was sentenced to a total of 30 years in prison after being convicted of rape, kidnapping, aggravated burglary, tampering with evidence and obstructing official business. On September 24, 2017, the victim woke up to the defendant at the foot of her bed with a knife. He raped the victim before fleeing the residence. Kettering Police responded and had a K9 track the defendant. Ms. Jennifer Weber and Ms. Nicole Amrhein were the Assistant Prosecutors on the case.

RECENT STAFF ADDITIONS

Ms. Cheyanne M. Solomon

On December 3, 2018, Ms. Cheyanne M. Solomon joined the staff of the prosecutor's office as a legal secretary, assigned to the Juvenile Division of the office.

Cheyanne received her Bachelor of Arts in Mass Communication from Wright State University in 2017.

Cheyanne currently resides in Dayton.



Ms. INDIA A. TASTE

On December 5, 2018, Ms. India A. Taste joined the staff of the prosecutor's office as a legal secretary, assigned to the Delinquent Tax Assessment and Collections Unit of the office.

India received her Associates of Applied Science in Early Childhood Education in 2012 from Sinclair Community College. In 2016, she received her Bachelor of Science in Business Administration from Central State University in Wilberforce, Ohio.

India is originally from Trotwood.

Ms. Karen B. Groseth

On December 17, 2018, Ms. Karen B. Groseth joined the staff of the prosecutor's office as an Assistant Prosecuting Attorney, appointed to the Criminal Division of the office.

Karen received her undergraduate degree in Social Work from The Ohio State University in 2010. In 2013, she received her law degree from the Capital University Law School.

Karen was an Assistant Prosecuting

Attorney in our office from November 2013 to July 2016. She left our office to go to work as a Municipal Prosecutor at the Columbus City Attorney's Office for two and a half years.

Karen is originally from Dayton and currently resides in Oakwood.



Ms. Elizabeth L. McCormick

On December 31, 2018, Ms. Elizabeth L. McCormick joined the staff of the prosecutor's office as an Assistant Prosecuting Attorney, appointed to the Intake/Grand Jury Section of the office.

Liz received her undergraduate degree in Political Science in 2007 from the University of Dayton. In 2011, she received her law degree from the University of Dayton School of Law.

For the past 7 years, Liz has served as an Assistant Prosecutor in the Clark County Prosecutor's Office in Springfield, Ohio.

Liz is originally from Columbus, and currently reside in Kettering.



28th ANNUAL HOMICIDE VICTIM MEMORIAL SERVICE

On December 10, 2018, Prosecutor Heck and the staff of his Victim/Witness Division held the 28th annual Homicide Victim Memorial Service. The service, which was held at the Westminster Presbyterian Church on North Wilkinson Street in Dayton, is to memorialize victims killed by violence in Montgomery County. Also, the service assists homicide survivors through the difficult holiday season and recognizes the impact that violent deaths have on our community.

This year, we acknowledged and remembered the 56 individuals who lost their lives to violence in Montgomery County between October 1, 2017 and September 30, 2018. Since the first memorial service in 1990, some 1,647 individuals have been remembered. Throughout the years, the service has grown each year from a small group to an event with well over 500 in attendance.



During the service, the names of the homicide victims were read and friends and family members of the deceased were invited to place an ornament on a memorial Christmas tree. Following the service, everyone was invited to exit the church and participate in a balloon launch on North Perry Street. Many of the balloons carried cards with memorial or inspirational messages from survivors to those who have died. The soaring balloons, with their messages of love and remembrance, provide an emotional and spiritual lift for the survivors.

Prosecutor Heck commented, "We know that losing a loved one is difficult and trying. It is tragic and life-changing. However, losing a loved one due to violence seems more traumatic. It is sudden, unexpected, and senseless. Nothing in life prepares you for the reality that someone you love has died a violent death. Know that your loved one is never forgotten, and that I, and my staff, are with you now and as you move through this difficult process. We will provide support, guidance and assistance to you and your family."

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WWW.MCPO.COM



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