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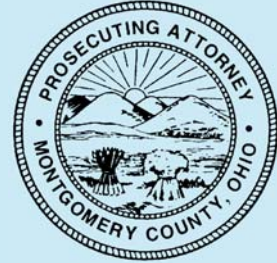
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The Prosecutor's Report

June 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@mcpc.com.

Sentencings

In May, 2019, we disposed of 308 cases. The Judges sentenced the defendants in those cases as follows:

- 54.2% received Community Control Sanctions (probation)
- 20.5% were sentenced to the penitentiary
- 20.1% were granted Intervention in Lieu of Conviction (ILC)
- 5.2% received local jail time, or local jail time plus probation

Some notable sentences:

- 5/15/2019 - **Leighann Maines** was sentenced to a total of 2 years in prison after being convicted of vehicular homicide and failure to stop after an accident. On September 27, 2016, the defendant was driving a vehicle when she struck and killed 59-year-old James Brunner, Jr., who was waiting at a bus stop. The defendant, who was found to have a variety of prescription and illicit drugs in her system, left the scene of the accident and failed to call police. In addition to the prison sentence, the defendant's driver's license was suspended for five years. Ms. Lynda Dodd and Mr. Jacob Mosher were the assistant prosecutors on the case.
- 5/21/2019 - **Lance Irvin** was sentenced to 18 years-to-life in prison after being convicted of the shooting death of 22-year-old Jesse Redavide. On

November 14, 2017, the victim was with some friends at his brother's S. Horton Street home when the defendant arrived and started arguing with the victim. According to witnesses, the defendant left, only to return about 30 minutes later with a handgun. The defendant then fatally shot the victim. Ms. Erin Claypoole and Ms. Alissa Schriener were the assistant prosecutors on the case.

- 5/22/2019 - **Earl Shingleton** was sentenced to 15 years-to-life in prison after being convicted of the shooting death of his 30-year-old son, Kevin Johnson. On February 5, 2019, the defendant, his wife, and their adult son were in their Wyoming Street home. An altercation occurred between the defendant and the victim. While the victim was sitting on the living room floor, the defendant went to his bedroom, retrieved a rifle, loaded it, then went back to the living room and fired a single, fatal shot. Mr. John Amos and Mr. Franklin Gehres were the assistant prosecutors on the case.

RECENT STAFF ADDITION

MS. ASHLEY L. SCARPELLI

On May 29, 2019, Ms. Ashley L. Scarpelli joined the staff of the prosecutor's office as a Legal Secretary.

Ashley received her Bachelor's degree in Education from Northern Kentucky University in 2012.

Previously, Ashley worked in customer service, most recently in the financial services industry.

Ashley is assigned to the Child Protection Unit of the Juvenile Division of the office.



NOTEWORTHY NEWS

Prosecutor Heck Warns of Scams

During the night of Monday, May 27, 2019, the Miami Valley was struck by at least 15 confirmed tornadoes. These tornadoes left widespread, devastating damage. Thankfully, there were no reported deaths in Montgomery County, although there was one death in a northern county.

Prosecutor Heck held a news conference with John North, the President and CEO of the Dayton Better Business Bureau on May 31, 2019, to warn the public about possible scams in the aftermath of the horrific destruction left by the tornadoes.



John North, Dayton BBB President and CEO with Prosecuting Attorney Mat Heck, Jr.

Prosecutor Heck said, "We are proud and inspired by the way our community has come together over the past few days. Neighbors, community groups, religious groups, businesses, and complete strangers are pitching in, helping those in our community who are struggling. However, tragedies like this bring out both the best and the worst in people."

Prosecutor Heck described "storm chasers" - those who track and follow devastating storms and then go into those areas in an attempt to lie, cheat, steal, and swindle those who were affected.

Prosecutor Heck and Mr. North noted that our area is being inundated with people pretending to be legitimate contractors, going door-to-door offering everything from cleaning up debris, patching roofs, trimming trees, or even solicitors claiming to be collecting donations for the storm victims.

Mr. North noted that local, legitimate businesses are too busy to be going door-to-door looking for work. Prosecutor Heck mentioned that others, whether local, out of the area, or even out of state, are showing up and offering to be hired on the spot to do work.

The pair offered some tips on what you should do and what you should look for before agreeing to hire one of these contractors:

- Ask for a written, itemized estimate for the work they are offering to do. Any legitimate contractor should be more than happy to provide you with a written

estimate.

- Ask for a business card or other identification. Most legitimate contractors will have business cards with their name and business address.
- Be wary of unmarked vehicles and work trucks. If possible, photograph the work truck and the vehicle license plate, or ask to photograph their identification. This information can be very helpful in the event the contractor is fraudulent and law enforcement becomes involved.
- Call the Better Business Bureau and ask if they have any information on the business. Even if the business is not local, the Better Business Bureau has the ability to verify it with the local Better Business Bureau where the business is located.
- Be sure to ask if the business is licensed and bonded. Ask if they have any proof. There can be some liability on your part if you hire a worker and they are injured on the job.
- Be especially wary of anyone who demands full payment or a large down payment before doing any work. If possible, pay with a credit card so that you can dispute the charges if the contractor is not legitimate or does not provide the services you paid for.
- Roofing contractors, especially, are needed after a tornado. Be wary of what seems like an especially good price to repair or replace your roof. If the work they perform is sub-par, you could be left with a leaky roof and the contractor might be nowhere to be found. Mr. North noted that some shady contractors will even go so far as to use the name of a trusted, local roofing company when in fact they are not connected to that company.
- Be wary of people going door-to-door asking for donations for storm victims. There may well be legitimate donation collectors, but Prosecutor Heck and Mr. North suggest that you make donations to local, known charities and agencies that can utilize donations to best help those in need.

- Before deciding to make a donation to to a solicitor, ask what the money will be used for. Vague descriptions of how donations will be used should be an immediate red flag.

Mr. North advised that if you are approached by contractors who appear to be fraudulent, call the Better Business Bureau and report them. Prosecutor Heck advised that if you have paid them money and received no services or only partial work, call your local police agency or the Montgomery County Prosecutor's Office Consumer Fraud Division. "If we determine the contractor is breaking the law, we will make every attempt to identify and pro secute them, and hold them accountable," Heck added.

"At times like this, our community needs to work together and help each other."

In closing, Prosecutor Heck added, "It is my sincere hope that the help and cooperation we see now continues into the future. We have many neighbors who have lost everything. The last thing they need right now is to be ripped off by shady contractors and scammers."

Some Important Phone Numbers and websites:

Dayton Better Business Bureau: 937-222-5825 www.bbb.org

MCPO Consumer Fraud Unit: 937-225-4747 www.mcpo.com

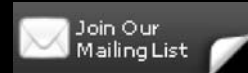


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