

The Prosecutor's Report



March 2018

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 us at 937-225-5757 or via email to info@mcpo.com.

Sentencings

In February, 2018, we disposed of 238 cases. The Judges sentenced the defendants in those cases as follows:

- 50.4% received Community Control Sanctions (probation)
- 27.3% were sentenced to the penitentiary
- 12.2% were granted Intervention in Lieu of Conviction (ILC)
- 10.1% received local time or local time plus probation

Some notable sentences:

- 2/5/2018 Jason Tidwell was sentenced to 18 years in prison for his convictions in three criminal cases. On July 5, 2017, the defendant was in an altercation with another man outside a home on Morse Avenue in Dayton when shots were fired. One of those shots entered the home and fatally struck 14-year-old Mackenna Kronenberger, the defendant's half-sister. At the time of the shooting, the defendant was on probation for having a weapon while under disability, which was revoked and he was sentenced to prison. While in jail on the shooting death, the defendant made a call to someone in an attempt to bring illegal drugs into the jail, for which he was also convicted and sentenced.
- 2/9/2018 Demetrius Williams was sentenced to 29 years-to-life in prison for a double shooting that occurred on September 4, 2017 outside the Plush Gentlemen's Club in Harrison Township. The defendant fatally shot Pierre Jackson, and while running away, fired multiple additional shots that struck a second victim, who survived.

- 2/14/2018 Ryshon Steele was sentenced to 25 years-to-life in prison for committing multiple armed robberies and for fatally shooting John Madden, III, one of the robbery victims. The armed robberies were committed in Dayton during November 11-13, 2016, by the defendant and a co-defendant, Klone Snowden. Snowden was sentenced to 15 years-to-life in prison on February 7, 2018.
- 2/21/2018 Curtis Burdette was sentenced to a total of 25 years in prison for his actions in the shooting death of 29-year-old Brittany Russell. Russell was found deceased in her car in an apartment parking lot in Dayton. Her 6-month old daughter was also in the car, but was unharmed. A jury found co-defendant, Brandon Carr, guilty as charged after a trial on counts including aggravated murder, murder, kidnapping, felonious assault, possession of heroin, and endangering children. He will be sentenced on March 9, 2018.
- 2/27/2018 Randy Stanaford was sentenced to life without the possibility of parole, plus he received a consecutive 15 years-to-life sentence for the kidnapping and rape of an 11 year-old girl from her school bus stop on September 26, 2016 in Dayton. Both of the charges included Sexually Violent Predator Specifications, which provide for the possibility of a life without parole sentence. The defendant had been released from prison for less than one year when he committed the kidnapping and rape.

RECENT STAFF ADDITION

MS. CARLY B. ARNOLD

On February 5, 2018, Ms. Carly B. Arnold joined the staff of the prosecutor's office as a legal secretary, assigned to the Criminal Case Management Section.

Carly received her Bachelor of Science degree from Miami University in Oxford, Ohio in 2011, majoring in Education.

Prior to joining our staff, Carly taught elementary school.



NOTEWORTHY NEWS

Two Assistant Prosecuting Attorneys Assigned to Child Abuse Bureau

On February 5, 2018, Assistant Prosecuting Attorney Dylan G. Smearcheck was assigned as the Supervising Attorney of the Child Abuse Bureau (CAB), of the Prosecutor's Office, located at the local children's advocacy center, CARE House.



Then, on February 12, 2018, Assistant Prosecuting Attorney Jonathan W. Sauline was also assigned to the CAB.



Assistant Prosecutor's in the CAB prosecute felony child abuse cases, including physical and sexual abuse cases, for which the victim is less than 13 years old, or where the victim is 13-18 years old and the offender is a family or household member, or where the victim is up to 21 years old and is mentally or physically handicapped.



Montgomery County Takes Action Against Opioid Manufacturers & Distributors



Mary E. Montgomery, Chief of the Civil Division, and Prosecutor Heck held a press conference to announce the opioid litigation to the news media.

On February 13, 2018, Prosecuting Attorney Mat Heck, Jr., Mary E. Montgomery, Chief of the Civil Division of the Prosecutor's Office, and the Montgomery County Board of Commissioners announced they are taking action to investigate and litigate actionable claims that may be pursued against individuals and entities related to the marketing, prescribing, distribution, or sale of opioids.

The Montgomery County Coroner estimated that during the summer of 2017, 60-70% of all the bodies in the county morgue were of overdose victims. The Montgomery County Juvenile Court estimates that nearly one-quarter of the defendants in the courtroom are addicted to opioids or heroin. In addition, in 2016, Montgomery County doctors wrote nearly 93 opioid prescriptions for every 100 residents. In fact, in every year between 2006-2015, there were more opioid prescriptions written than there are people living in our county.

During a press conference announcing the action, Assistant Prosecutor Montgomery noted, "Our goal is to hold the companies responsible for this problem accountable through civil litigation. The over-prescribing of these powerful and addictive drugs to patients while failing to disclose the risks involved by taking these drugs leads to patients who become addicted."

Montgomery continued, "We seek to recover money that taxpayers have paid out for drug treatment programs, medical care and hospitalizations, emergency medical treatment, emergency medical transportation, the costs associated with incarceration, and sadly, the costs associated with the dramatic rise in caring for children who are forced into the Foster Care system after their parents have overdosed or died."

Assisting our office as Special Prosecutors are attorneys with the law firm of Motley Rice, LLC, located in Washington, DC and other locations. Motley Rice attorneys gained recognition for their pioneering asbestos lawsuits, their work with the State Attorneys General in the landmark litigation against Big Tobacco, and their representation of 9/11 families in the ongoing lawsuit against terrorist financiers. Motley Rice filed the first complaint in the current wave of opioid litigation in 2014.

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