

# The Prosecutor's Report



September 2017

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](mailto:info@mcpo.com).

## Sentencings

In August, 2017, we disposed of 272 cases. The Judges sentenced the defendants in those cases as follows:

- 60% received Community Control Sanctions (probation)
- 23% were sentenced to the penitentiary
- 13% were granted Intervention in Lieu of Conviction (ILC)
- 4% received local time or local time plus probation

A notable sentence:

- 8/8/2017 Kendrick Robinson was sentenced to a total of 26 years in prison for brutally beating a woman on August 21, 2016. The victim fled the Warner Avenue home where the incident occurred, and went to a neighbor's house asking for help. She was transported to the hospital where she disclosed that the defendant had repeatedly beat and sodomized her over the course of several hours. A jury found the defendant guilty of felonious assault with a deadly weapon and felonious assault causing serious physical harm. Additionally, the defendant was found guilty of a Repeat Violent Offender Specification; in 2011 he was convicted of aggravated robbery.

## AUGUST STAFF ADDITIONS

### Mr. Joshua Shaw

On August 1, 2017, Mr. Joshua T. Shaw joined the staff of the prosecutor's office as an Assistant Prosecuting Attorney assigned to the Intake/Grand Jury Division.

Joshua received his law degree from Washington and Lee University School of Law in Lexington, Virginia, in 2010. He graduated in 2007 from Case Western Reserve University in Cleveland, Ohio, receiving degrees in Political Science and Economics.

Before joining our office, Joshua served as an Assistant Prosecutor for the City of Dayton for three and one-half years.

Joshua and his wife have one child and reside in the Dayton area.



## NOTEWORTHY NEWS

### **Erin Leigh Claypoole Promoted to Violent Crimes Bureau**

On August 16, 2017, Assistant Prosecutor Erin Leigh Claypoole was promoted to the Violent Crimes Bureau of the Criminal Division of the office. The Violent Crimes Bureau handles the prosecution of homicide and other high profile cases in Montgomery County.

Erin graduated from the University of Pittsburgh, Pittsburgh, Pennsylvania, in 1994, majoring in Applied Mathematics and Psychology. She received her law degree from The Ohio State University College of Law, Columbus, Ohio, in 1997. Erin joined the Prosecutor's Office in 1998.

Erin is originally from Kittanning, Pennsylvania.

### **Kelly D. Madzey Promoted to Criminal Trial Supervisor**

On August 17, 2017, Assistant Prosecutor Kelly D. Madzey was promoted to the position of Criminal Trial Supervisor in the Criminal Division of the office, and the Supervising Attorney of the Child Abuse Bureau. This position supervises Assistant Prosecuting Attorneys handling criminal dockets in Common Pleas Court in Montgomery County.

Kelly graduated from the University of North Dakota, Grand Forks, North Dakota, in 2002, majoring in Criminal Justice. She received her law degree from the University of North Dakota School of Law in 2005. From October 2005 until she joined the office, Kelly was a staff attorney for the 12th District Court of Appeals in Middletown, Ohio. Kelly joined the Prosecutor's Office in 2008.

### **Natasha L. Newberry Assigned to Child Abuse Bureau**

On August 31, 2017, Assistant Prosecutor Natasha L. Newberry was assigned to the position of Assistant Prosecuting Attorney in the Child Abuse Bureau of the office, located at the local children's advocacy center, CARE House.

Natasha graduated from Bowling Green State University, Bowling Green, Ohio, in 2004, majoring in Criminal Justice. She received her law degree from the Salmon P. Chase College of Law, Cincinnati, Ohio, in 2008. Natasha joined the office in 2012.

As an assistant prosecuting attorney in the Child Abuse Bureau, Natasha will prosecute felony child abuse cases, including physical and sexual abuse cases, for which the victim is less than 13 years old, or when the victim is 13-18 years old and the offender is a family or household member.

## **Former Dayton Children's Doctor Indicted Later Arrested Trying to Leave the U.S.**

***State v. Arun Aggarwal, 2017-CR-1816***

On August 17, 2017, Arun Aggarwal was indicted on four counts of Gross Sexual Imposition. The defendant was formerly a pediatric gastroenterologist at Dayton Children's Hospital. Between December 2013 and November 2014, the defendant inappropriately touched two teenage females during medical examinations. The inappropriate touching was not a medically necessary part of the examination.

In 2016, an investigation was launched by the Ohio State Medical Board. It included hearings in which the victims testified and it resulted in the permanent revocation of the defendant's medical license on May 10, 2017. After the medical board's decision, the two victims and their families provided additional information to the investigators with the Dayton Police Department.

A warrant was issued for the arrest of the defendant when the indictment was filed. The very next day, on August 18, 2017, the defendant was arrested by the Metro Washington Airport Police Department and the Department of Homeland Security at Dulles International Airport as he was trying to board a flight to India.

The defendant waived his extradition hearing on August 23, 2017 and was brought back to Montgomery County to face prosecution. He is currently in custody at the Montgomery County Jail, awaiting trial.

## **Former Phillipsburg Police Officer Indicted on 21 Counts**

***State v. Justin Sanderson, 2017-CR-2588***

On August 28, 2017, Justin W. Sanderson was indicted on 21 counts related to his activity committed as a Phillipsburg Police Officer:

- Three counts of Rape by force or threat of force
- Two counts of Kidnapping for sexual activity
- One count of Aggravated Burglary
- Seven counts of Sexual Battery while in the custody of law enforcement
- Two counts of Gross Sexual Imposition by force or threat of force
- Two counts of Unauthorized Use of the Ohio Law Enforcement Gateway
- Four counts of Interfering with Civil Rights

On June 28, 2017, the defendant, dressed in a police uniform and driving a Phillipsburg police cruiser, met with two women at the Knights Inn on Poe Avenue in Vandalia. The defendant and the women had connected via an ad on backpage.com and had agreed to meet for sex. The defendant arrived at the motel and informed the desk clerk that he was conducting an investigation and needed the room key where the women were located. The defendant then used the key to gain entrance and informed the women that he was conducting an investigation into human trafficking and prostitution and was going to give them a warning. He left the room, then returned minutes later and engaged in sexual activity with them.

On July 3, 2017, the women reported the incident to Vandalia Police, stating that they did not feel free to resist the defendant's actions because he was a law enforcement officer.

On July 6, 2017, a Vandalia Police officer, on routine patrol, spotted a Phillipsburg police cruiser in the parking lot of the Knights Inn. The officer met with the defendant in the parking lot and took him into custody.

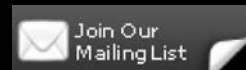
When news of the defendant's arrest became public, two more victims came forward and reported separate incidents to Vandalia Police.

On May 20, 2017, a female was stopped for an OVI investigation by the defendant, who was on-duty. She was taken by the defendant to the Phillipsburg police station where she was forced to have sex with the defendant.

On June 3, 2017, another female was arrested by the defendant on an outstanding warrant. She, too, was taken to the Phillipsburg police station where the defendant forced her to submit to sexual conduct.

The defendant is currently in custody in the Montgomery County Jail, awaiting trial.

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