



THE PROSECUTOR

A NEWSLETTER FROM

MAT HECK, JR.

Dayton-Montgomery County Courts Building, P.O. Box 972, 301 W. Third St., Dayton, OH 45422 (937) 225-5757

Fall, 2006

Prosecutor Mat Heck Installed as President of the National District Attorneys Association

On July 31, 2006, Prosecutor Mat Heck accepted the Presidential gavel to begin his one year term as the President of the NDAA. The NDAA has over 7,000 members representing approximately 30,000 prosecutors nationwide. More than 95% of all crimes committed in America are prosecuted by these state and local prosecutors.

According to Heck, "I'm honored to be elected to serve as NDAA's President. These are daunting times and there are many serious challenges facing prosecutors today, such as recruiting and retaining the best and brightest attorneys. Other issues I hope to address during my term as NDAA President include the creation of successful initiatives to combat witness intimidation, and re-

duce family violence, child abuse, and elder abuse."

When asked about his 35 years as a prosecutor, Heck said, "I look forward to going to work every day. Few professions offer the opportunity to help crime victims and their families seek justice and hold



Mathias H. Heck, Jr.

criminals accountable for their actions. Prosecutors have great responsibilities that make a positive impact upon society. As the people's attorneys,

prosecutors are charged with seeking truth and, to put it simply, doing the "right" thing. That's a gratifying experience. Prosecutors make the community they serve better and safer places in which to live, work, and raise families. I look forward to building upon the legacy of NDAA Presidents who have served before me and welcome the opportunity to work with our nation's prosecutors, state and federal legislatures, the Administration, and the media to create effective and innovative programs to reduce crime in America and enhance the role of the prosecutor in our society."

Victim Advocate Elected Vice-President OVWA

On October 27, 2006 Victim Advocate Amy Burr was elected Vice-President of the Ohio Victim Witness Association. The OVWA is a network of victim service providers serving all 88 counties in Ohio. Amy is a registered advocate and a certified crisis responder. Ms. Burr has been an advocate with the Montgomery County Prosecutor's Office since 1998.

2006 Violence Prevention Poster and Essay Contest Winners Announced



The 2006 Violence Prevention Project Poster and Essay Contest award ceremony was held on May 17, 2006 at the Dayton Masonic Center.

The Violence Prevention Contest encourages students in Montgomery County to consider the effects of behaviors involving violence and drug abuse. Each year, students are requested to draw posters or write essays with messages encouraging alternatives to addressing these problems. Every student who enters the contest is rewarded for their efforts and receives prizes. There were 2,150 entrants from 57 different schools this year. The top 115 students, placing First, Second, Third and Honorable Mention, were invited to the award ceremony to receive special recognition as well as additional prizes.

This is the 16th year for the Violence Prevention Contest.

Many thanks go to Mead/Westvaco who provided notebooks for all of the contestants. Montgomery County Sheriff Dave Vore generously added prizes for the top winners. The Pizza Factory provided lunch for all the award recipients. Additional prizes were provided by Poelking Lanes, Domino's Pizza, Boonshoft Museum of Discovery and Sunwatch, Showcase Cinemas, and Graeter's Ice Cream. Their generous contributions show the support of the business community for our violence prevention efforts.

We all have a responsibility to assist youth in making good choices, then recognizing and rewarding them when they exhibit positive behaviors. This contest and award ceremony is one way the Montgomery County Prosecutor's Office is working toward that goal.

16th Annual Homicide Victim Memorial Service

The 16th annual Homicide Victim Memorial Service will be held on Monday, December 11, 2006 at 6:30PM. This service and vigil walk is to memorialize victims killed by violence, to assist homicide survivors through the difficult holiday season, and to recognize the impact violent deaths have on the entire community. Last year, there were 51 victims of homicide recognized. This year, we will be honoring 56 victims who lost their lives to violence from October 1, 2005 through September 30, 2006.

The event is open to the public and will be held at the Westminster Presbyterian Church, at the corners of West First Street and Perry Street in Dayton.

Court Rules For Prosecution— Judge Wrongfully Dismissed Case

Calvin W. Johnson was indicted by the Montgomery County Grand Jury on April 6, 2005 for Aggravated Riot in connection with his actions at Third and Main Streets in Dayton on February 15, 2005.

On August 22, 2005 the defendant's attorney filed a Motion to Dismiss with the Court on the grounds that the defendant's speedy trial rights had been violated. Judge Jack Davis agreed and dismissed the case on October 24, 2005. The Prosecutor's Office appealed the decision of the trial court judge to the Court of Appeals.

On September 8, 2006 the Second District Court of Appeals ruled that Judge Davis wrongfully dismissed the case against defendant Calvin Johnson. The Court of Appeals ruled that, in fact, the defendant's speedy trial rights had **not** been violated, and the case should be sent back to the lower court and set once again for trial.

On October 31, 2006, the defendant pled guilty to Inciting to Violence, a 3rd degree felony. He will be sentenced on November 28, 2006, and faces up to 5 years incarceration.

1st Annual Prosecutor Office Olympics

This spring, the Montgomery County Prosecutor's Office held a new and exciting event. We called it the "Prosecutor's Olympics", and while there were no gold, silver or bronze medals handed out, it was a fun time for all those who participated. Twelve teams of staff members competed against each other in four events, bowling, a trivia contest, a bake-off, and a food drive.

Teams were awarded points based upon their placement in each event. In the bowling category, "The Office" took first place. "The Office" team was made up of staff from Administration. In the trivia contest, the "Angry Possums" took first place. The "Angry Possums" team was comprised of staff from the Civil Division. The bake-off, an especially competitive and tasty contest, was won by the Appellate Division team, the "Harmless Errors".

Finally, the food drive was arguably the best event, because of friendly rivalry and the fact that food pantries and homeless shelters in Montgomery County benefited. The rules were simple: each team got one point for each non-perishable food item donated. Well in excess of 5,000 food items were collected. "The ConVictors", comprised of some of the Assistant Prosecutors from the Criminal Division, collected the most food items.

When the scores were tallied, the last of the bake-off items eaten by the judges and the food drive items donated, the Angry Possums came out on top. This event was such a success, that we plan to repeat it next year, possibly with different events. Certainly we will include another event that will benefit the community, like the food drive.



Assistant Prosecutors Andy French and Elizabeth Scott show off just some of the more than 5,000 food items donated to local charities by the Prosecutor's Office.

Prosecutor Briefs

Cheryl Jones joined the office as a Diversion Officer. She has worked for the Auditor's Office and was employed as a Probation Officer for the Adult Probation Department.

Chad Thomas joined the staff of the DETAC Unit. Chad previously worked for the Montgomery County Treasurer's Office.

Mike Tenore joined the office as an Investigator in the Criminal Non-Support Unit. Mike is a retired Lieutenant from the Dayton Police Department.

Gayle Patricoff retired on June 30 after 30 years with the Prosecutor's Office as a secretary.

Jim Connell retired on June 30 after 35 years as an Assistant Prosecutor.

Jeanette Adams retired on October 13 after 30 years with the office as a secretary.

The Prosecutor is published as a public service by the Montgomery County Prosecutor's Office. For questions or comments about articles appearing in The Prosecutor, or to recommend topics you'd like to see, contact: Mr. Greg Flannagan at 937-225-5610 or e-mail flannagang@mcoho.org.

PRESORTED STANDARD
U.S. POSTAGE
PAID
DAYTON, OHIO
PERMIT NO. 1401

MATHIAS H. HECK, JR.
Montgomery County Prosecuting Attorney
P.O. Box 972 301 W. Third St.
Dayton, OH 45422