



April 2023 Volume 3, Issue 1

JUSTICE JOURNAL

Presented by the Mahoning County Prosecutor's Office
Gina DeGenova, Prosecutor

Hope is on the way; new program introduced to help victims/witnesses

At the end of Every Quarter The Mahoning County Prosecutor's Office releases a Newsletter to inform the public of what the office has been up to. We're now at the end of the first quarter of 2023 and we have several new exciting programs and announcements that the office would like to share with the people of the Mahoning Valley. Mahoning County Prosecutor Gina DeGenova is welcoming a new member to her staff – Hope – a 10-month old golden retriever. Hope will be trained to serve as a comfort dog to assist victims and witnesses of crime. Public offices often purchase dogs bred and trained for this purpose. But Prosecutor DeGenova hoped to find a dog from one of our local shelters to rescue. After teaming up with Jenny Falvey from Dogsmartz Unleashed, LLC, a local company out of Poland Township, who was willing and able to train a rescue dog if one could be located, Ms. Falvey asked local humane agents and rescues to keep an eye out for a suitable puppy. Shortly after Christmas, Ms. Falvey received a call from Diane King, Chief Humane Officer of the Animal Welfare League of Trumbull County, about a 10-month old golden retriever puppy. The puppy was rescued on Christmas Eve by members of the Healthy Hearts and Paws Project. She was delivered to the Animal Welfare League of Trumbull County, where her rescuers appropriately named her Hope! In the weeks that followed, members of the Animal Welfare League, along with Ms. Falvey, worked with Hope to determine whether she would be a good candidate to serve as a comfort dog. After weeks of testing, Hope was cleared for adoption by the Mahoning County Prosecutor's Office. The Animal Welfare League released Hope to the Mahoning County Dog Pound, where Prosecutor DeGenova formally adopted her on Friday, February 3, 2023.

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Hope is on the way; new program introduced to help victims/witnesses

Hope lives with Alan Rodges, who will serve as her handler. Mr. Rodges also serves as the Director of Communications and Community Outreach for the Mahoning County Prosecutor's Office. Isabella Caruso, who works as a Victim/Witness and Grant Coordinator, will serve as Hope's alternate handler. Soon, Hope will begin training with Dogsmartz Unleashed, LLC to become a certified comfort dog to provide victims and witnesses with emotional support. Her training team will be led by Ms. Falvey. According to Prosecutor DeGenova, "One of my main priorities upon becoming Prosecutor was to implement programs to help victims of crime, especially children. Often times, victims and witnesses of crimes are asked to relive stories of traumatic events multiple times during the pendency of a given case. My research has shown that comfort dogs successfully provide support during this stressful process." She added, "Hope is kind and loving, and we are confident she will provide comfort for many people, especially victims." Hope's journey was only made possible with the amazing work of our community partners, all of whom have donated their time and services at no cost to Mahoning County, including:

- Dogsmartz Unleashed, LLC
- Jenny Falvey
- Animal Welfare League of Trumbull County
- Austintown Veterinary Clinic, Dr. Courtney O'Neill
- Blackwood Pet Food
- Friends of Fido
- Mahoning County Commissioners, Dog Warden Dianne Fry
- Pet Supplies Plus, Austintown, OH



OFFICE NEWS

New Appointment

We are pleased to announce the addition of a new employees this quarter. They are already making big impressions on our office!

This quarter our office brought on an Assistant Prosecutor to work in our Civil Division. Jacqueline Johnston is a Cleveland State University College of Law graduate who began her legal career working for the law offices of Harrington, Hoppe & Mitchell. After leaving that firm in 2021, Johnston maintained a private practice to continue practicing law before joining the Mahoning County Prosecutor's Office. Assistant Prosecutor Johnston specializes in Civil Litigation, but has a versatile history practicing law. She was also a criminal defense attorney for a short period of time. Prosecutor Johnston has a vast background in Ohio law, and we are happy to have her on board.

Prosecutor DeGenova showcases executive team

"We have an amazing team of lawyers and staff who are committed to serve this community, and I am honored to work alongside each of them," said Prosecutor DeGenova.



Linette Stratford
Chief Assistant; Chief, Civil Division



Ralph Rivera
Chief, Criminal Division



Robert Andrews
Chief, Criminal Division



Lori Shells-Simmons
Senior Attorney



Karen Gaglione
Assistant Chief, Civil Division



Michael Yacovone
Grand Jury Prosecutor



Diane Stokes
Executive Administrator



Nicholas Modarelli
Law Enforcement Coordinator



Alan Rodges
Director, Communications and
Community Outreach

OFFICE NEWS

Community Outreach

Senior Citizen safety calendar & Resource Calendar

The Mahoning County Prosecutor's Office and the Sheriff's Department teamed up to provide the 2023 Senior Citizen Safety and Resources Calendar! This calendar is aiming to raise awareness about senior citizen safety and wellness. The calendar is free of charge. Anyone interested in obtaining a calendar can reach out to the Mahoning County Prosecutor's Office via phone **(330)740-2330 ext. 7396** or email **prosecutor@mahoningcountyoh.gov** or to the Mahoning County Senior Services Unit via phone **(330) 480-5078** or email **bschaeffer@mahoningcountyoh.gov**. Our entire press release can be found on our website.



Saint Patrick's Day Parade

The 45th annual Mahoning Valley St. Patrick's Day Parade was a success! The cold weather and windy weekend couldn't stop our office, we persevered and continued to the end. The parade was very well done, the Mahoning County Prosecutor's Office had over 25 employees from our office come and partake in the parade. We hope everyone had a great time. We want to thank everyone who came out and supported those who worked hard to make this fantastic event happen.



OFFICE NEWS

SPEAKING ENGAGEMENTS

Mahoning County PERI monthly meeting

Prosecutor DeGenova was invited to the PERI Mahoning County Chapter monthly meeting to speak about upcoming programs within our office. The group was thrilled to hear about our new programs and to receive a copy of our Senior Citizen Safety and Resource Calendar. We thank President Walter Duzzny Sr. for inviting us to the luncheon. We also want to thank all of the members of the PERI Mahoning County chapter for being welcoming Prosecutor DeGenova's back to speak to the group.



D.A.R.E group invites Prosecutor to speak

Prosecutor DeGenova was invited to speak in front of a senior group based in Mahoning County. D.A.R.E (Death and Divorce aren't Really the End). They are the largest group of their kind to operate in the Mahoning, Trumbull, and Columbiana areas. During the speaking engagement, Prosecutor DeGenova answered questions about how the Prosecutor's Office operates and what the day-to-day operations look like for our Civil and Criminal Divisions. Prosecutor DeGenova also mentioned upcoming programs that our county could look forward to. She outlined our upcoming self-defense program, "S.T.O.P", and the Comfort Therapy Dog program. The Speaking Engagement also included topics like scams and other county resources. Prosecutor DeGenova was excited to be invited to D.A.R.E's speaker presentation, and we look forward to further collaboration.



OFFICE NEWS

SPEAKING ENGAGEMENTS

Prosecutor DeGenova and staff speak to Youngstown Middle School Students

Prosecutor DeGenova and members of her staff met with Youngstown middle school students to discuss the various functions of the Prosecutor's Office, highlighting the different types of jobs available within the office for those students who may be interested in a career in public service. They also described their own pathways to success and encouraged students that it is never too early to begin to plan for their futures. Joining Prosecutor DeGenova in the discussion included Chief Assistant Linette Stratford, Senior Attorney Lori Shells-Simmons, Director of Communications and Community Outreach Alan Rodges, and Investigator Randy Malleske.



Speaking with Lowellville students

Technological responsibilities and healthy relationships are very important topics today especially within schools. This quarter we were invited to the Lowellville Schools to speak about the importance and responsibility every student has when it comes to their relationships and their use of technology. We spoke to students in grades 4 through 12. Lowellville also invited out members of the Juvenile Court to speak. The school district has implemented a 24/7 anonymous tip line to help protect their students! Thank you to all who were apart of making this tip line possible for students who face new challenges everyday! Thank you, Mrs. Killingsworth, Mrs. Granitto, Mrs. Sawicki, Mrs. Parry, and Mr. Sammartino for all you do.



OFFICE NEWS

Students recognized for going above and beyond

Dozens of wonderful students received high praise and awards this quarter from Prosecutor DeGenova. Students from South Range High School and Canfield High School were an intricate part of the October Domestic Violence Donation Drive sponsored by the Mahoning County Prosecutor's Office. This program's overall success is partly due to the passion and initiative of a single student. In 2021, after seeing our brochure during the Canfield Fair, Macenzee Gaal contacted our office about helping out with this drive. This year, Miss Gaal and her peers helped turn our donation drive into a multi-county program supporting several domestic violence shelters across our community. The program was able to secure over 10,000 donation items and \$1,000 in gift cards and monetary donations. As a result of the amazing efforts of Miss Gaal, she was presented with a special proclamation from the Ohio Statehouse and Representative Lauren McNally. We want to thank all the students, staff, and administration for their hard work and efforts to continue this drive and help Ohio families in need. Thank you, students and staff.



OFFICE NEWS

Community Outreach

AATAP'S annual Easter Egg Hunt & Special Needs/Disability Resource Fair

We're excited to be a part of AATAP's (Autism Awareness Training and Acceptance Program) annual Easter Egg Hunt & Special Needs/Disability Resource Fair. This event will allow families to have some fun while also collecting some valuable resources that are offered around the Mahoning Valley. Thank you to all of those involved to create this special day for so many families. If you or anyone you know may require Special Needs, please check out the information we have on our Special Needs Registry. All of the information can be found on our website, prosecutor.mahoningcountyooh.gov.



International Women's Day

March 8th is International Women's Day, and our office would like to recognize the outstanding accomplishments made by the women at the Mahoning County Prosecutor's Office. They strive to make this office a wonderful workplace and help keep Mahoning County a safe place to live. Today and every day, we celebrate the women leading the way and making a difference.



OFFICE NEWS

Community Outreach

40TH ANNUAL MLK COMMUNITY WORKSHOP

The Rev. Dr. Martin Luther King Jr. Mahoning Valley Planning Committee hosted its 40th Annual MLK Community Workshop in January. The MLK Community workshop featured FBI Special Agent Gregory Nelson and Rev. Dr. Amariah McIntosh this year. Much of the conversation was geared toward remembering Dr. King's legacy and what we can do as a community to continue upholding the values he left behind. Mahoning County Prosecutor Gina DeGenova, Chief Linette Stratford, Senior Attorney Lori Shells-Simmons, and Assistant Prosecutor Ebenezer Appiagyei all were in attendance and excited to be part of such an integral tradition within our community.



BLACK HISTORY MONTH

February is Black History Month where we aim to honor the contributions that African Americans have made and to recognize their sacrifices to Youngstown, Mahoning County, Ohio, and America. In February, we dedicated time to spotlight our black employees and showcase what they bring to this office.



Lisa Jordan-Knight
Victim Witness Advocate



Ebenezer Appiagyei
Assistant Prosecutor



Mairlyn Lane
Victim Witness Advocate



Tia Jackson
Assistant Prosecutor



Alan Rodges
Dir. Communications and Community Outreach



Ebenezer Appiagyei
Assistant Prosecutor

OFFICE NEWS

Rountable disscusses cold cases; connection to the community

The Mahoning County Prosecutor's Office participated in a community roundtable that focused on Cold Cases and the community's responsibility in helping law enforcement solve these types of cases. Mahoning County Prosecutor Gina DeGenova, Chief Assistant Linette Stratford, Chief of Criminal Ralph Rivera, and Victim Witness Advocate Isabella Caruso participated in the roundtable.

Alexandria Dawson, the creator of the local community group, Upholders of Peace, hosted the event. Ms. Dawson has been very involved in the Youngstown community for years. Youngstown Police Department's Chief of Detectives, Captain Simon, Detective David Sweeney, and Oak Hill Collaborative's Pat Kerrigan were also in attendance. The discussions centered on how community leaders can help create a positive relationship between law enforcement and residents within the city and around the county.

This is the second roundtable that Dawson and her organization have held.



SPEAKING ENGAGEMENTS

We were honored to speak with the Coitsville Senior Group! Prosecutor DeGenova spoke to the group about different scams targeting the senior population, additional resources in our area, and some exciting future programs they can look forward to. We also want to extend thanks to the Coitsville Police Department and Coitsville Township Officials Gerald Backo and Phyllis Johnson for inviting us to this event.



State v. James

Assistant Prosecutor Nicholas Brevetta obtained a guilty verdict in the prosecution of 38-year-old Dustin James. James has been sentenced to 8 to 12 years behind bars for Assaulting two paramedics and a police officer in Boardman. A jury found James guilty of six counts, including Felonious Assault (Felony of the first degree), three counts of Assault (Felony of the third degree), one count of Obstructing Official Business, and one count of Resisting Arrest. On Christmas Eve of 2021, an ambulance crew was assisting Dustin James for a drug overdose. The crew was transporting James to the hospital when a paramedic attempted to use Narcan to aid James after he stopped breathing. James suddenly pulled the syringe out of his leg and attempted to stab her with the syringe. Police arrived in time to help the paramedic and restrain James. Both paramedics were injured during the Assault and treated for their injuries at Boardman Mercy Health.



Nicholas Brevetta
Assistant Prosecutor

State v. Peterman-Oliver

Assistant Prosecutor Michael Rich successfully prosecuted 45-year-old Jaques K. Peterman-Oliver. Peterman-Oliver was sentenced for his involvement in the death of 36-year-old Cameron Dyer. Peterman-Oliver entered a guilty plea to several charges, including, Voluntary Manslaughter (Felony of the first degree) with a firearm specification and Having Weapons While Under Disability (Felony of the third degree). In August of 2022, Peterman-Oliver shot Dyer outside a gas station on Logan Avenue after a confrontation. Peterman-Oliver shot Dyer several times. Peterman-Oliver then hauled Dyer into his vehicle before driving away. Peterman-Oliver took Dyer to the Youngstown Police Station where Dyer was pronounced dead.



Michael Rich
Assistant Prosecutor

CRIMINAL DIVISION NEWS

State v. Richardson

Grand Jury Prosecutor Michael Yacovone and Assistant Prosecutor Jennifer Paris obtained a guilty verdict in the prosecution of 38-year-old Gregory Richardson. Richardson received a 25-30 prison sentence for his role in the December 22, 2020, shooting death of 27-year-old Jolanda Murry. Richardson also pled guilty to one count of Aggravated Robbery in an unrelated incident.

In total, Richardson pled guilty to several counts, including one count of Involuntary Manslaughter (Felony of the 1st degree); one count of Robbery (Felony of the 2nd degree), and two counts of Having Weapons While Under Disability (Felonies of the 3rd degree).

Murry and Richardson were passengers in a car when Richardson brandished a firearm and shot Murry in the head. Ms. Murry was transported to St. Elizabeth's Hospital, where she later succumbed to her injuries. A short time later, Youngstown officers arrested Richardson as he attempted to break into a nearby residence. After pleading guilty to the counts listed above, Richardson was sentenced to 25-30 years in the Ohio Department of Rehabilitations and Corrections. Grand Jury Prosecutor Michael Yacovone and Assistant Prosecutor Jennifer Paris handled the case.



Michael J Yacovone
Grand Jury Prosecutor



Jennifer M Paris
Assistant Prosecutor

State v. Byrd

Criminal Chief Robert Andrews and Assistant Prosecutor Michael Rich tried 69-year-old Samuel Byrd for the murder of 29-year-old Keimone Black. Byrd was found guilty of Aggravated Murder and sentenced to life in prison with no chance of parole.

In June of 2022, Mr. Black was sitting in a vehicle at a gas station on South Avenue between Dickson Street and Samuel Avenue when Byrd walked up to the passenger's window and fired several shots. Two of those gunshots hit Mr. Black in the chest, once in the abdomen, and once in the hip. Not long after being shot, Mr. Black succumbed to his injuries. Moments before the shooting, Byrd was taken to Dickson Street, where he walked to the gas station, shot Black, and drove away. Police received security video from a nearby house that shows the car parked on Dickson Street before the shooting. There, they found a cigarette that matched Byrd's DNA. For his crimes, Byrd was sentenced to life in prison without the chance of parole.



Robert J Andrews
Chief of Criminal



Michael Rich
Assistant Prosecutor

CIVIL DIVISION NEWS

ALERT: New Legislation Impacting County and Township Real Property Tax Levies

Beginning with the May 2, 2023 election, House Bill (HB) 140, also known as the “Ballot Uniformity and Transparency Act,” will make sweeping changes to election procedures, affecting all new and renewal levies. HB 140’s most significant provisions modify the ballot language for various types of levies and voted bond issues.

Prior to HB 140, property tax rates appeared on the ballot as the number of mills per \$1 of valuation calculated for each \$100 of valuation. Under HB 140, political subdivisions placing tax levies on the ballot, will have to show the property tax rate as the number of mills per \$1 of taxable value calculated for each \$100,000 of the county auditor’s appraised “true” value. The result is that the ballot language will show a much higher dollar amount because the mills will be based on each \$100,000’s of value verses each \$100 of value. Also under the new law, the ballot language must now include, for the first time, the estimated total amount to be collected.

For example, if a township sought an additional tax of 1.5 mills, under the old law the ballot language would have read:

An additional tax for the benefit of [subdivision] for the purpose of [purpose] at a rate not exceeding 1.5 mills for each one dollar of valuation, which amounts to .15 cents for each one hundred dollars of valuation ...

Now, under the H.B. 140, the same additional levy request for 1.5 mills would read:

An additional tax for the benefit of [subdivision] for the purpose of [purpose], that the county auditor estimates will collect \$211,000 annually, at a rate not exceeding 1.5 mills for each \$1 of taxable value, which amounts to \$53.00 for each \$100,000 of the county auditor’s appraised value...

In addition to the higher rates shown per \$100,000, HB 140 requires the new rate be shown based on the “true” value of the property. Previously, for most real property, “taxable value” is 35% of the property’s “true” value. This change, will also result in the ballot language showing much higher amounts than under the old law.

Also, for levies that are a renewal, decrease, increase or expansion of an existing tax, HB 140 requires the rate of the existing tax be displayed as the “effective” rate of the tax for property classified as residential/agricultural, if applicable.

Finally, HB 140 prohibits any portion of the ballot’s text from being printed in boldface type or in a font size different than that used in surrounding text and requires that dollar amounts on ballots be displayed numerically (e.g., \$1) rather than in words (e.g., one dollar).

As HB 140 makes the most substantial changes to ballots and notices of election in recent memory, our clients are advised to consult with the Mahoning County Prosecutor’s Office in the preparation of tax levy resolutions.



CIVIL DIVISION NEWS

Township Records Retention Schedules and Body Camera Video

The Ohio History Connection recently released an updated Township Suggested Records Retention Schedule. The Mahoning County Prosecutor's Office has forwarded a copy to the local townships in the area for their review. The Ohio History Connection website also has very helpful information, blank forms, and templates.

Notably, the Township Suggested Records Retention Schedule has a sample retention policy for body camera videos. Body camera video is defined as footage documenting daily actions for law enforcement personnel for performance and evidentiary purposes.

All Townships whose officers utilize body cameras should ensure body camera records are part of the Township's records retention schedules. Also all Townships should review their retention schedules to ensure that dash camera video and audio recordings are being retained pursuant to a schedule as well.

As always, our office is available to review any schedules or policies relative to records retention. Please contact Assistant Prosecutor Jacqueline Johnston with any questions about the records retention process.



NEWS AROUND TOWN

Goshen Township Fiscal Officer Tom Knoedler retires following 15 years of service

Longtime Goshen Township Fiscal Officer, Tom Knoedler, is retiring after 15 years of dedicated service to the township.

Knoedler's retirement was effective March 31. Goshen Township trustee John Bricker was appointed acting fiscal officer, until a new fiscal officer can be officially appointed.

Congratulations Tom, we hope you enjoy your retirement.



New evidence leads to answers for 40 year old cold case

Boardman Township police say new evidence may have led them to who is responsible for the 1972 murder of a 12-year-old boy.

Police say Joseph Norman Hill, a former township resident who died in 2019 in California, is responsible for the April 1972 strangulation death of 12-year-old Brad Lee Bellino.

Chief Todd Werth credited former Chief Jeffrey Patterson, who reopened the case in 2001 and sent clothing of Brad's to the state Bureau of Criminal Identification and Investigation that had DNA on them that did not belong to him.

After a series of tests that took years through several private firms and BCI, investigators were able to link Hill to the crime.

Werth said BCI says there is 98.2% probability that Hill's DNA is the DNA that was found on Brad.

Mahoning County Prosecutor Gina DeGenova said her office reviewed the file and also believes the case could have been taken to a grand jury if Hill was still alive.

DeGenova praised the work of investigators, saying they never abandoned the case and stuck with it over the years as DNA technology advanced.

"Over 50 years, and they did not let go," she said. "They didn't stop."

