



MAHONING COUNTY PROSECUTOR'S OFFICE ANNUAL REPORT

JANUARY 1 - DECEMBER 31, 2023



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EXECUTIVE TEAM

A MESSAGE FROM MAHONING COUNTY PROSECUTOR GINA DEGENOVA

December 1, 2023 marked the anniversary of my first year in office as the Mahoning County Prosecutor. This year brought both challenges and great opportunities for growth.

In 2023, state and local statistics showed violent crime was down, but yet the number of criminal cases rose. Our Criminal Division prosecuted 1,056 criminal felony cases, 2,859 misdemeanor cases and 12,910 traffic cases. In addition, \$44,014 derived from criminal acts was forfeited to local law enforcement and we secured \$147,166 in restitution for victims of crime. In conjunction with our criminal prosecution, our team remains committed to protecting the rights of victims. In 2023, our four victim-witness coordinators made thousands of contacts with victims and witnesses of crime, helping them cope with everything from the loss of a loved one to documenting and applying for restitution. In 2023, our statistics demonstrate 4,073 communications were made with victims and others about victims' rights. Also in 2023, significant statutory changes were made to Marsy's Law to provide additional or more specified rights for victims. Our office worked to learn and understand the new law and to train our law enforcement partners.

Our Civil Division also met new challenges by having to advise our government clients on important changes to the laws on local tax levies, alternative energy sources, and helping our local fire and emergency personnel recover losses related to their heroic efforts in responding to the East Palestine train-derailment fire. In 2023, our Civil Division handled 2,440 legal matters and 1,161 contracts were reviewed, drafted and approved. Our Delinquent Tax Department initiated 415 foreclosures on behalf of the Mahoning County Treasurer, resulting in the recovery of \$1,325,647 million dollars in real estate taxes.

An effective prosecutor must not only have the fortitude to hold those who violate the law accountable, but must also make time to engage with the community and help to prevent crime. In 2023, we participated in 66 community events, including presentations to student and resident groups on various crime prevention and law related topics. 2023 also presented opportunities to grow our community partnerships. Mercy Health, Compass Family and Community Services assisted with the launch of our self-defense class called S.T.O.P. We also partnered with YSU Sokolov Honors College in the Fall Semester of 2023, where the office became the subject of the course to give students insight into the role of the Prosecutor's Office in the community. And, most notable was our participation with Mahoning Valley Sojourn to the Past and Nonviolence Week.

I am very pleased to report that our excellent work and added initiatives were accomplished all while coming in under budget. In fact, in 2023 we returned nearly \$230,000 to the Justice Fund and reduced our 2024 budget request by over \$160,000.

The Mahoning County Prosecutor's Office is committed to protecting and serving the citizens and taxpayers of Mahoning County. I am very proud of the work of my entire team and I look forward to continuing to serve our community in the upcoming year.



CRIMINAL DIVISION

The Criminal Division is responsible for prosecuting all serious crimes committed by adults or certain qualifying juveniles originating in Mahoning County. Felony offenses are crimes that carry a potential prison sentence. Those crimes include high-value theft, possession of illicit drugs with a high potential for abuse, drug trafficking, domestic violence, robbery, burglary, rape, human trafficking, and murder. Generally, the seriousness of felony offenses is denoted by degrees. For example, a felony of the 1st degree is a more serious felony offense, while a felony of the 5th degree is less serious. More serious felony offenses carry the possibility of longer prison sentences.

Felony charges are most often initiated by law enforcement filing charges in the misdemeanor courts and then bound over to the Mahoning County Grand Jury for possible indictment. The grand jury is made of nine citizens, and up to five alternates, who sit for three-month terms.

Felony cases are required to be vetted through the grand jury process. The Grand Jury prosecutor reviews all felony cases for presentment to the grand jury, including offenses that range from drug possession and theft to aggravated robbery, rape and murder. Prior to presentment, the Grand Jury Prosecutor and team obtain and review reports from law enforcement, witness statements, video evidence, and forensic laboratory reports. Requested records are uploaded into Matrix, our document management system, for production in discovery and case preparation.

Once the grand jury determines there is probable cause to believe a defendant committed a criminal offense, our team of assistant prosecutors and paralegals work to secure convictions of those persons charged with felonies in the Mahoning County Common Pleas Court. The Criminal Division also advises and prosecutes cases investigated and charged by the Mahoning Valley Law Enforcement (Drug) Task Force, Homicide Task Force, and Human Trafficking Task Force.

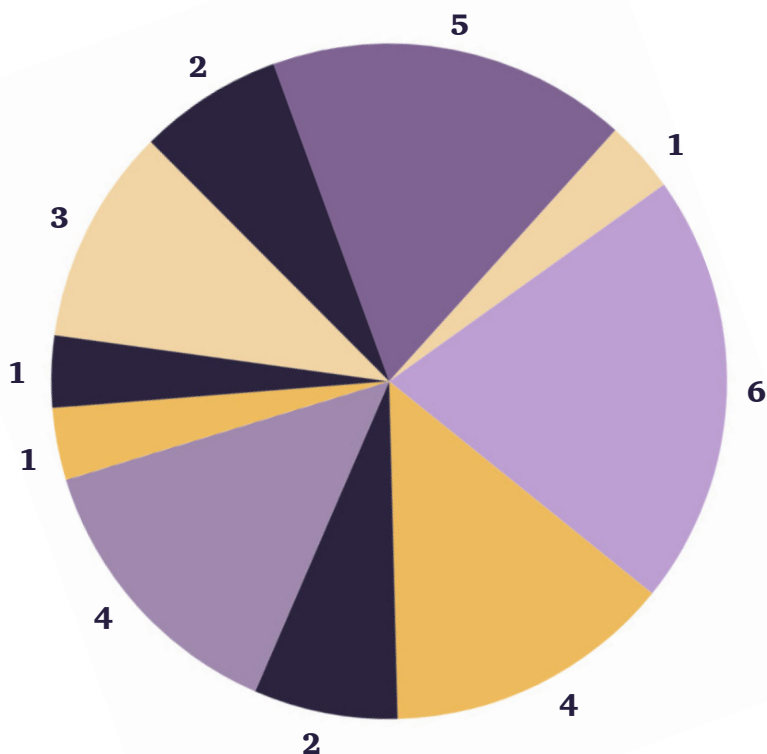
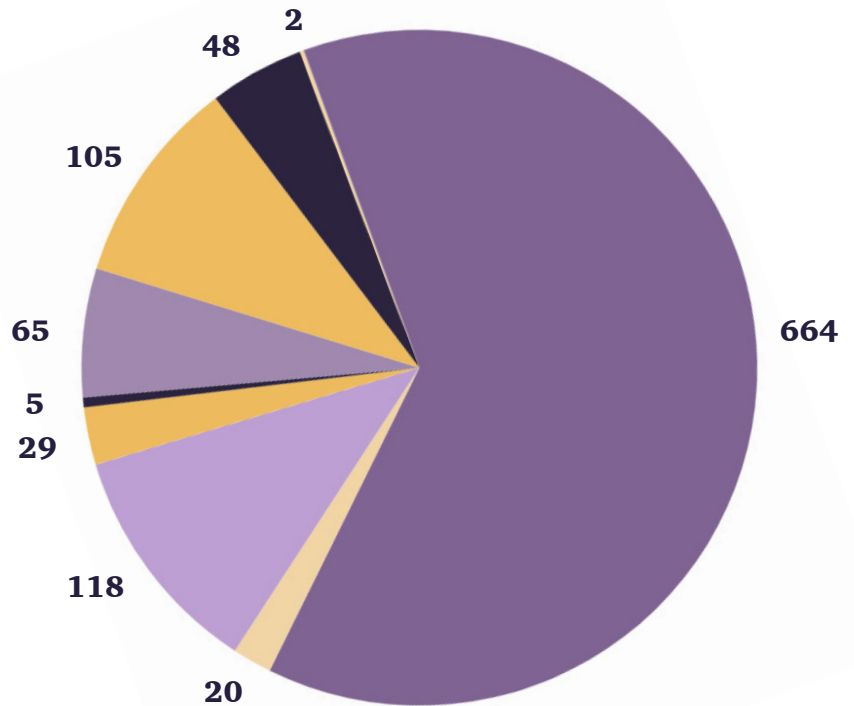
Our Criminal Division team is comprised of 21 assistant prosecutors, 6 paralegals, and two investigators.

In 2023, Assistant Prosecutors:

- Presented **885** cases to the Grand Jury;
- Returned **865** true bills (indictments) and **20** no bills; and
- Questioned **316** witnesses during Grand Jury prosecutions.

In 2023, Criminal Assistant Prosecutors disposed of 1,056 cases:

- 664 Convictions
- 20 Cases No Billed by Grand Jury
- 118 Cases Merged with Another Case
- 29 Dismissals*
- 5 Trials - Not Guilty
- 65 Cases Declined
- 105 Entered Diversion Programs
- 48 Transferred to Lower Court
- 2 Federally Indicted



*29 Dismissals

- 5 Death of Defendant
- 1 Not Competent to Stand Trial
- 6 Conviction in Companion Case
- 4 Cooperation or Conviction of Co-Defendant
- 2 Death of Key Witness
- 4 Indicted Federally
- 1 Victim Cannot be Located
- 1 Party Dismissed by Court
- 3 Non-Prosecution Agreement
- 2 Insufficient Evidence

VIOLENCE AGAINST WOMEN AND CHILDREN UNIT (VAWA)

The VAWA unit is named for the Violence Against Women Act, which was passed by Congress in 1994. This Act was the first federal legislation that acknowledged domestic violence and sexual assault as crimes and provided federal resources to encourage community-coordinated responses to combating violence against women. This unit is partially funded through a grant program administered by the Office of Criminal Justice Services, which is made possible by the Violence Against Women Act.

Within the Criminal Division, the VAWA unit is charged with reviewing and prosecuting crimes against women and children, which include felony domestic violence, sexual assault, dating violence, stalking and human trafficking. The purpose of this unit is to vertically prosecute crimes from the initial charging stage through the trial court stage.

Through vertical prosecution, assistant prosecutors are assigned to handle VAWA cases from start to finish by consulting with law enforcement during investigations, presenting cases to the Grand Jury, and appearing in court at pre-trial hearings, plea hearings, trials, and sentencing hearings. VAWA Prosecutors devote their professional time to this docket and are very knowledgeable about the unique challenges of such cases. They often prosecute crimes against victims who are reluctant to report sexual or physical abuse and are fearful of their abusers. Victims may be related to their abusers and many victims in these cases are children. In addition to assisting victims through the criminal justice process, VAWA Prosecutors present juries with medical and forensic evidence, correspond with social workers working with victims, and provide training for law enforcement regarding cases of sexual assault and domestic abuse.

In 2023, the VAWA Unit:

- Screened **139** cases;
- Presented **107** cases to the Grand Jury;
 - **102** cases were true billed (indicted);
 - **5** cases were no-billed (not indicted);
- Disposed of **123** cases; and
- Conducted **6** jury trials resulting in **3** convictions and **3** not guilty.

MAHONING COUNTY COURTS

Criminal Division prosecutors assigned to one of the four County Courts in Mahoning County prosecute misdemeanor and traffic offenses committed within Mahoning County. These County Courts include:

- Court No. 2 is located in Boardman Township with jurisdiction over misdemeanors committed within Boardman Township.
- Court No. 3 is located in Sebring with jurisdiction over misdemeanors committed within Smith, Ellsworth, Berlin, Green and Goshen Townships, the City of Sebring, and the Villages of Beloit and Washingtonville.
- Court No. 4 is located in Austintown with jurisdiction over misdemeanors committed within Austintown, Milton and Jackson Townships, and the Village of Craig Beach.
- Court No. 5 is located in Canfield with jurisdiction over misdemeanors committed within Canfield and Beaver Townships, and the City of Canfield.

In 2023, the County Court Division:

- Processed **2,859** misdemeanor cases; and
- Processed **12,910** traffic cases

JUVENILE DELINQUENCY

The Juvenile Division is charged with prosecuting minors charged with violating criminal laws. Though the underlying statutes are criminal, minors found guilty are adjudged delinquent. The cases prosecuted by the Juvenile Delinquency Division range from truancy and traffic, to school threats, rape and other violent felonies. The goal in these cases is to protect Mahoning County from juvenile delinquency, while at the same time working with the Juvenile Court to rehabilitate juvenile offenders.

In 2023, the Juvenile Division:

- Screened **461** cases; and
- Filed **303** delinquency complaints.

APPEALS

All defendants convicted in the Mahoning County Courts enjoy an appeal of right to the Seventh District Court of Appeals. This includes all felony and misdemeanor convictions, as well as any juvenile who was adjudicated delinquent in the Juvenile Court. The Appellate Division's primary role is to represent the State of Ohio in those appellate cases and to seek affirmation of those criminal convictions or juvenile adjudications. Representation in such appeals include the filing of written briefs and/or memoranda and often include the presentation of oral arguments to the Appellate Courts. The Appellate Division seeks affirmation of defendants' convictions and juveniles' adjudications to the fullest extent of the law. The Appellate Division is also responsible for representing the State of Ohio in all post-trial matters with capital defendants. This includes responding to and prosecuting all direct appeals, post-conviction petitions, and clemency reviews before the Ohio Parole Board.

In 2023, the Appellate Division:

- Handled **81** appeals in the Seventh District and Ohio Supreme Courts;
- Filed **54** merit briefs;
- Conducted **9** oral arguments; and
- Filed/responded to **15** post-conviction petitions and/or writs.

SPECIALIZED COURTS AND DIVERSIONARY PROGRAMS

Both the Criminal and Juvenile Delinquency Divisions work with the courts by offering a variety of specialized treatment and diversionary programs, many of which are long-standing and highly successful. Our treatment courts include Drug Court, Honors (Veterans) Court, and Mental Health Court and provide specific types of help to those who are facing criminal charges. Our Diversionary Programs also include Intervention in Lieu of Conviction and Theft Diversion. The diversionary programs give eligible low-level, non-violent offenders an opportunity to obtain a dismissal of the charge(s) after successfully completing program requirements. New to 2023 is the Mahoning County Reentry Court that works with persons returning to society after incarceration.

In 2023, **105** individuals entered diversionary programs.

RESTITUTION

Crime victims are entitled to restitution. A sentencing judge may order a convicted offender to pay for financial losses stemming from the crime. In 2023, our criminal prosecutions enabled the collection of over **\$147,166.13** in restitution paid to victims.

FORFEITURES

Under R.C. 2981.02(A), three categories of property are subject to forfeiture: (1) contraband involved in an offense; (2) proceeds derived from or acquired through the commission of an offense; and (3) an instrumentality used in or intended to be used in any felony or, when specifically authorized by statute or ordinance, in a misdemeanor, when the use is sufficient to warrant forfeiture. If property becomes subject to forfeiture under one of the scenarios referenced above, the proceeds are divided between law enforcement officials who participated in the criminal investigation and the prosecutor's office for prosecuting the case.

In 2023, our criminal prosecutions enabled us to seek the forfeiture of over **\$44,014.93** derived from criminal acts or associations.



VICTIM/WITNESS SERVICES

Within the Criminal Division, victim witness coordinators are assigned to the felony, juvenile and the county courts. Victim/Witness Coordinators provide information and support to crime victims and witnesses as their cases proceed through the judicial process. The goal is to assure victims' rights are protected and to coordinate the appearance of witnesses for court proceedings. A portion of this work is funded by Victims of Crime Act (VOCA). This federal law, passed by Congress in 1984 and amended in 1988, established Offices for Victims of Crime and created the Crime Victims Fund, which provides funds to states for victim assistance and compensation programs that offer support and services to those affected by violent crimes.

In 2023, two Victim/Witness Coordinators were assigned to common pleas felony cases, one for juvenile cases, and one for the county courts.

***In 2023, Victim/Witness coordinators:**

- Had **4,073** communications about victims rights;
- Sent out **5,790** notifications of criminal justice events;
- Made **51** referrals to other victim services programs;
- Had **605** communications regarding restitution assistance; and
- Had **1,458** communications regarding victim impact statements.

*At the beginning of 2024, our Victim-Witness Coordinators made the transition to recording victim service statistics to Matrix Point Software. Due to this transition, there appears to be a decrease in statistics in this department, but this is due to the change in protocol rather than a decrease in the actions of our coordinators. This new software simplifies the process of logging services provided to victims, allowing our coordinators more time to work directly with the victims of criminal cases.

MARSY'S LAW

Marsy's Law was enacted by voters in November 2017 as an amendment to the Ohio Constitution. Marsy's Law is named after Marsy Nicholas, who was murdered by her ex-boyfriend in 1983. California became the first state to adopt Marsy's Law in 2008. Ohio was the sixth state to adopt the constitutional amendment. Marsy's Law, which is also known as the Ohio Crime Victim's Bill Of Rights, gives crime victims meaningful and enforceable constitutional rights equal to the rights of the accused.

On April 6, 2023, Marsy's Law was codified to provide victims meaningful protections and resources to understand and access their rights. Those rights include: being treated with fairness and respect for the victim's safety, dignity, and privacy; timely notice of and the right to be present at all public proceedings regarding the offense; to be heard at proceedings involving offender release, sentencing, plea, or parole; full and timely restitution; and to refuse an interview, deposition, or other discovery request made by the accused.

On August 21, 2023, the Mahoning County Prosecutor's Office presented an update on Marsy's Law, and invited every law enforcement agency in Mahoning County. The presentation focused on the recent amendments to Marsy's Law that impacted law enforcement agencies, and specifically addressed completing and submitting the Victim Rights' Request (VRR) Form, and the requirement to redact certain information pursuant to a public records request.

The VRR Form is a compilation of all constitutional provisions and statutes relative to a victim's rights. It informs the victim of the rights that are automatically granted, and of the rights that are not automatically granted, and allows the victim to select which rights they wish to request. The form also advises the victim of their right to counsel and the ability to designate a representative, if so desired.

A critical component of the VRR form is the right to redaction of all victim names, addresses, and identifying information upon the victim's request. If a victim requests redaction, the selected government agencies cannot release records containing unredacted victim information through a public records request. A completed or partially completed victim's rights request form is not a public record under section 149.43 of the Revised Code.

The Mahoning County Prosecutor’s Office understands the confusion and concern related to the inability to disclose information that the media and public are accustomed to receiving from public offices and officials. This Office is fully committed to transparency, as evidenced by our long-standing practice of working with various public offices and officials to aid in consistently and promptly releasing records and information related to critical incidents. One of the top priorities of this Office continues to be strengthening trust with the community we serve. That has been a driving force in our quest to be as open and transparent as legally possible.



PAROLE CASE SUMMARIES

John Glenn - DENIED

Defendant John Glenn was sentenced for the murder of Mahoning County Sheriff's Deputy John "Sonny" Litch on September 17, 1982. Glenn was convicted of aggravated murder and was originally sentenced to death. Glenn's death sentence was later overturned on appeal and he was sentenced to a 30-years-to-life prison term.

John "Sonny" Litch worked as a Reserve Deputy with the Mahoning County Sheriff's Office; a position for which he earned no salary. The use of volunteer reserve deputies was common during this time due to a lack of man-power and financial issues caused by budget cuts. Deputy Litch also served as a career firefighter with the City of Campbell Fire Department. He had a wife and two children. On October 22, 1981, Deputy Litch was assigned the task of transporting Inmate Robert Glenn from the Mahoning County Jail to a medical appointment and then back to the Jail. Unbeknownst to Deputy Litch, Robert Glenn's half-brother, John Glenn, devised a plan to cause the "escape" of Robert during his medical transport. While en route, Deputy Litch stopped his vehicle at a traffic light when his car was struck from the rear by another vehicle. After being struck, Deputy Litch exited his own squad car and started to walk toward the car that struck him. As Deputy Litch approached the door of the other car, he was ambushed by Defendant John Glenn who shot him at point blank range. While Deputy Litch lay dying in the street, Robert Glenn left Litch's cruiser and entered John's vehicle and they drove off.

Prosecutor Gina DeGenova submitted a letter to the Ohio Parole Board advocating against Glenn's release from prison writing in part that: "releasing Defendant Glenn back into society would not further the interest of justice nor be consistent with the welfare and security of society. Defendant Glenn is a cold blooded killer who ambushed and murdered a law enforcement officer who was simply doing his job. Defendant Glenn's callous and senseless act deprived Deputy Litch from a lifetime of memories with his family and future grandchildren for whom he would never meet."

The Ohio Parole Board denied Defendant John Glenn's request for parole in November 2023.

Rosalie Grant - DENIED

Defendant Rosalie Grant was convicted and sentenced to death for the April 1, 1983 aggravated murders of her 2-year-old son Joseph and 10-month-old son Donovan. Richard F. Celeste later commuted her death sentence to life in prison with no restriction as to parole eligibility.

On April 1, 1983, fire engulfed a bedroom at Grant's 3127 Orrin Avenue residence. Grant's 2-year-old son Joseph Clinkscale, Jr. and 10-month-old son Donovan Grant died in the blaze. Besides the two boys, the only individual inside the house at the time of the fire was their mother, Defendant Rosalie Grant. Firefighters noticed that although most of the house was filled with smoke, the only room extensively damaged by the fire was the children's bedroom. The Youngstown Fire Chief later determined that the fire was intentionally set using an accelerant. In searching the basement, investigators found evidence of other independent fires that were intentionally set. In particular, Youngstown Detectives observed an electrical circuit box that contained a fluid that smelled like the odor in the children's bedroom. Youngstown Detective Mike Landers noted that the odor resembled "charcoal lighter fluid."

On April 5, 1983, Detective Landers observed a charcoal lighter fluid can in a vacant building outside Grant's house. The can was clean and stood out from the other items in the shed, which were dusty and dirty. Grant's fingerprint was found on this can of charcoal lighter fluid. Terrence Harper of the Bureau of Criminal Investigation analyzed both the contents of the charcoal lighter fluid can and the fluid contained on the insulation removed from the electrical circuit box. The analysis revealed that the fluid from both items was charcoal lighter fluid.

Detectives also learned that several weeks prior to the fire, Grant secured life insurance policies for both sons. She didn't just kill her children; she plotted and planned their murders for her own personal financial gain. Although Grant had a daughter, a policy was not taken out on this child. At the time of the fire, Grant's daughter lived with her grandmother. The only children that died in the blaze were those upon which the insurance policies were secured.

The evidence further proved that Grant spread lighter fluid on the floor and in the cold air returns of her sons' bedroom, ignited a fire and closed the door. She then walked outside and left her babies to burn to death. Grant stood outside while her babies inhaled smoke and laid in a room that reached temperatures meeting or exceeding 1,250 degrees Fahrenheit. She stood outside while their little bodies were burned and charred beyond recognition.

The pain inflicted upon these children by their own mother is incomprehensible and unforgiveable. She was their mother; she was supposed to protect them, not torture them. As a result, no circumstances could ever justify the release of Defendant Rosalie Grant back into society.

The Ohio Parole Board denied Defendant Grant's request for parole in April 2023.

PAROLE CASE SUMMARIES

David Jacobs - DENIED

Defendant David Jacobs was convicted of the June 3, 1979 aggravated murder, rape, kidnapping, and aggravated robbery of Helene Elaine Poullas. Jacobs is serving a 15-years-to-life sentence.

On June 3, 1979, Youngtown Police found Helene Elaine Poullas, age 20, dead near Slippery Rock Pavilion in Mill Creek Park. A subsequent autopsy revealed that Ms. Poullas died from two gunshot wounds; one to the head and one to her right thigh.

On June 22, 1979, Hubbard Police Officers apprehended David Jacobs and Charles Teague after they were involved in a pursuit while driving a stolen car. Hubbard police found a .357 revolver inside. Jacobs admitted to Hubbard police that the .357 revolver belonged to him. Subsequent testing on the revolver revealed that the bullets removed from Ms. Poullas's body were fired from Jacobs' .357 revolver. In addition, the revolver bore fingerprints from both Jacobs and Teague.

Youngstown police interviewed both Jacobs and Teague regarding Ms. Poullas' homicide. Jacobs and Teague admitted that they went to the Uptown area looking to steal a car. They approached a red Thunderbird and saw Ms. Poullas asleep in the back seat and keys on the front seat. Jacobs reached inside the passenger's window and unlocked the door; both Jacobs and Teague got into the vehicle, with Ms. Poullas still in the back seat. The car's interior light awakened Ms. Poullas. Jacobs told police that Teague put a gun in Ms. Poullas's face and told her not to get up.

Jacobs then drove the three around the south side of Youngstown for about 30 minutes, then into Mill Creek Park. Jacobs parked the Thunderbird in a vacant lot, where both Jacobs and Teague sexually assaulted Ms. Poullas. Afterwards, Jacobs drove to the parking lot near Slippery Rock Pavilion. Once there, they ordered Ms. Poullas out of the car, and shot her twice, once in the head and once in her right thigh.

Prosecutor Gina DeGenova and Criminal Chief Ralph Rivera appeared for a Full Board Hearing held before the Ohio Parole Board on April 12, 2023. Criminal Chief Rivera presented the State's arguments in support of denying David Jacobs' release. The Board also heard from Assistant Prosecutor Nicholas Modarelli, who worked on this case as a member of the Youngstown Police Department's Crime Lab, and several family members of the victim Ms. Poullas.

The Parole Board agreed with the State's position, and voted 7 to 1 in favor of Denying David Jacobs'

parole. The Parole Board cited the aggravating facts and circumstances that surrounded Ms. Poullas' rape and murder, as well as the community support that was outlined by her family members that spoke on her behalf, in their reasoning for denying David Jacobs' parole. The Parole Board found that the aggravating facts and circumstances of the offense significantly outweighed Jacobs' rehabilitative efforts. Charles Teague, who was also 17 years old when these crimes occurred, was previously denied parole in July 2022.

Bennie Adams - Remmer Hearing - DENIED

Defendant Bennie Adams was previously convicted and sentenced to death for the December 1985 murder of Gina Tenney. Adams was convicted of one count of Aggravated Felony-Murder, and a single accompanying Death-Penalty Specification; to wit: that the victim Gina Tenney's murder was committed in the course of committing rape, aggravated burglary, aggravated robbery, and/or kidnapping. His death sentence was vacated by the Supreme Court of Ohio, and he was later sentenced to life imprisonment with parole eligibility after 20 years.

Defendant filed a habeas petition in federal court on January 20, 2020. That petition raised a number of arguments that all were dismissed, except one. The sole remaining issue centered on the affidavit of one of the jurors. That affidavit alleged that jurors learned of Defendant's prior rape conviction before the case was concluded. The affidavit alleged that, shortly after the jury decided to recommend the death penalty, a juror approached another juror and informed him that Defendant was serving a 17-year prison term for a prior rape conviction. The federal court ordered the trial court to hold a hearing pursuant to Remmer v. United States, 350 U.S. 377 (1956), to determine if any jurors learned of the prior rape conviction before the case had concluded, and if so, whether any jurors were biased because of that prior rape conviction.

The trial court held the Remmer hearing on June 12, 2023. During that hearing, the trial court heard from thirteen jurors, while two jurors were deposed; one remaining juror had passed away. Ultimately, the trial court found that Adams' prior rape conviction was not considered or even discovered during deliberations. The Court concluded the information about Adams was learned after the verdict was delivered and the jury was officially discharged from its duties. For these reasons, the Court found the claims of juror bias are unsubstantiated. Accordingly, the trial court denied Defendant Bennie Adams' request for a new trial.

Defendant's appeal of the trial court's judgment entry is currently in the Seventh District Court of Appeals.



2023 NOTABLE CRIMINAL TRIAL SUMMARIES

State v. Samuel Byrd

Samuel Byrd was convicted for the June 15, 2022 murder of 29-year-old Keimone Black. Byrd was convicted of Aggravated Murder and an accompanying Firearm Specification. He was sentenced to a term of life in prison without the possibility for parole.

On June 15, 2022, Mr. Black was sitting in a vehicle at a gas station on South Avenue between Dickson Street and Samuel Avenue when Samuel Byrd walked up to the passenger's window and fired several shots. Two of those gunshots hit Mr. Black in the chest, one in the abdomen, and one in the hip. Not long after being shot, Mr. Black succumbed to his injuries. Police received security video from a nearby house that showed the car parked on Dickson Street before the shooting. There, police found a cigarette that matched Byrd's DNA.

Criminal Chief Robert Andrews and Assistant Prosecutor Michael Rich tried this case.



State v. Steve Green

Steve Green was convicted for the August 8, 2021 murder of 25-year-old Ashley Lockhart. Green was convicted of Aggravated Murder, with an accompanying Firearm Specification; Murder, with an accompanying Firearm Specification; Tampering with Evidence; Domestic Violence; Rape; and Extortion. He was sentenced to life imprisonment without parole and classified as a Tier III sex offender.

In 2020, Steve Green began stalking and threatening his ex-girlfriend and mother of his child, Ashley Lockhart. On August 8, 2021, Green threatened to kill Lockhart unless she engaged in sexual conduct with him. Believing that



he would actually follow through with his threats, she complied. She left his home and proceeded to her friend's home at Compass West Apartments in Austintown. Green followed Lockhart to her friend's home. Lockhart called 911, at which time Green began shooting her. He fired six shots into various parts of her body, including her neck and torso. She died as a result of her injuries.

Prosecutor Gina DeGenova, Chief Criminal Prosecutor Robert Andrews, and Assistant Prosecutor Caitlyn Andrews tried this case.

State v. Jerome Miller

Jerome Miller was convicted of multiple drug charges that included possession of more than 1,800 grams of Cocaine. The Mahoning Valley Law Enforcement Task Force began their investigation into Miller in 2021.

Miller was convicted, after a jury trial, of Possession of Cocaine with an accompanying Major Drug Offender Specification; two counts of Possession of a Fentanyl-Related Compound; and Aggravated Possession of Drugs. Miller also pleaded guilty to three counts of Trafficking in Cocaine and three counts of Trafficking in a Fentanyl-Related Compound. He was sentenced to a 20-25 ½-year prison term.

Assistant Prosecutors Jennifer Paris and Katherine Jones tried this case.



CIVIL DIVISION

The Civil Division serves as Mahoning County's in-house law firm, providing legal services to all Mahoning County elected and appointed officials, county boards, commissions, districts and all 14 townships including:

- Mahoning County Board of Commissioners, Sheriff, Recorder, Auditor, Treasurer, Engineer, Coroner, Common Pleas and County Court Judges, Clerk of Courts, Sanitary Engineer, and Dog Warden.
- Mahoning County Board of Elections, Board of Developmental Disabilities, Children Services, Mental Health and Recovery Board, Solid Waste, Soil and Water, Building Department, Jobs and Family Services, Child Support Enforcement Agency, Convention and Visitor's Bureau, and the Law Library.
- Mahoning County Health District.
- Boards of Township Trustees, Fiscal Officers and Police, Fire, Zoning and Road Departments in all fourteen townships in Mahoning County.

The Civil Division's experienced staff of attorneys and paralegals provides legal service in the areas of labor, employment, worker's compensation, civil rights, contracts, commercial and tort litigation, original actions, compliance, legislation, public records, records retention, zoning, and much more.

Our team of Civil Division attorneys, consisting of 17 assistant prosecutors and 8 paralegals, have 27 average years of experience.

In 2023, the Civil Division:

- Drafted and/or reviewed **1,161** contracts; and
- Handled **2,440** matters for our clients, including civil cases, legal opinions, and other miscellaneous matters.



CHILDREN SERVICES ABUSE, NEGLECT AND DEPENDENCY

A critical component to the Civil Division is the work of the attorneys who prosecute actions filed in Juvenile Court for child abuse, neglect and dependency cases charged by Mahoning County Children Services and local law enforcement. The work includes ex parte orders, commitments to custody of a relative or non-relative, temporary and permanent commitments to CSB, initial voluntary agreements of care, permanent surrenders, court-ordered protective supervision and planned permanent living arrangements, and appeals.

In 2023, our team of lawyers and paralegals assigned to this Division handled **1,410** matters – all in an effort to keep our children safe.

DELINQUENT TAX DIVISION

The Civil Division also is charged with prosecuting foreclosures on behalf of the Mahoning County Treasurer in order to collect delinquent real property taxes. Monies derived from real property taxes support the taxing subdivisions of Mahoning County, primarily local schools but also parks, senior services and other Mahoning County operations.

In 2023, **415** foreclosures were initiated to collect delinquent real property taxes and over **\$1,325,647.64** were collected on behalf of the Mahoning County Treasurer's Office. Additionally, our Office assured delinquent taxes were collected in **10** probate land sales, **146** bank foreclosures and, **3** appropriation cases filed by the State of Ohio Department of Transportation.

The Office also utilizes our foreclosure process to assist the Mahoning County Land Reutilization Corporation and local governments that have a Land Reutilization Program, return vacant, abandoned and/or tax-delinquent properties within their jurisdiction into productive use. In 2023, **322** parcels were transferred to local community land banks.

THE MAHONING COUNTY HAZARDOUS MATERIAL RESPONSE AGENCY

Student writers: Francis DelColle, Francisco Rivera-Ocasio,
Chase Dedomenic, Cruz Mobley

The Mahoning County Hazardous Material Response Agency is a small, all volunteer team composed mainly of firefighters. The agency, which was formed in the 1980s, is a verified level II hazmat team. The agency is responsible for the handling of hazardous materials (i.e. flammable, liquids, corrosive substances, toxic chemicals, compress gasses, etc.) in the Mahoning County and neighboring regions. We were fortunate to have the opportunity to interview Deputy Chief Joe Toporcer, who detailed the agency's experience in responding to the East Palestine train derailment.

On the evening of Friday February 3rd, 2023, a thirty-eight car freight train owned and operated by Norfolk Southern derailed in East Palestine, Ohio. The train cars, which were carrying hazardous materials (such as vinyl chloride, butyl acrylate, various combustible liquids, and large loads of plastic) began to burn shortly after the derailment. The local fire department, neighboring fire departments, and the Mahoning County Hazardous Material Response Agency arrived on the scene once the cars began to burn.

Toporcer described how disturbed he was when he was first made aware of the derailment, saying "My first thought was 'Oh Jesus'." He noted that his crew, who typically handles isolated cases of smaller scale hazards, had never been faced with a disaster of this scale. He explained that, at the time, was not sure if they were equipped to handle it. The chemicals and liquids that the train was transporting were not only combustible but were also incredibly toxic. "There were around 60,000 gallons of flammables in those train cars," Toporcer explained. The agency, alongside various fire departments, worked day and night to subdue the fire and contain any hazards from spilling out.

While not all of the containers were burning, the heat surrounding the containers caused the containers' relief valves to malfunction. Toporcer further explained how the malfunction of the relief valves, coupled with the extreme temperatures around the containers, raised concerns that a chain of explosions could occur. To compound this problem, the exceptional heat caused the plastic and other materials being carried by some of the containers to melt and emulsify into what Toporcer described as a "mystery goo." Toporcer and several other first responders had to navigate the flames in order to block off the slow moving goo before it could spill into a nearby river. By the following Monday, the decisions had been made to isolate and detonate the cars. "We got the order from the governor to expand the evacuation radius to one mile before the detonation," Toporcer said. During the three days when first responders were trying to contain the flames, the chemical discharge produced by the conflagration caused serious damage to their equipment. According to Toporcer, the chrome on their trucks began to flake off, their equipment began to corrode, and their protective gear began to "turn a yellowish-green color and fall apart." With the assistance of the Mahoning County Prosecutor's Office, the Mahoning County Hazardous Material Response Agency and the local fire departments represented by the Prosecutor's Office, were able to recover the cost of the damage to their equipment and still have the ability to bring further claims in the future if necessary.

Toporcer added that various agreements were also made between the local community and Norfolk Southern in order to recover what was lost in the disaster. Norfolk Southern paid for the housing of everyone in the area who had to evacuate. They further agreed to pay for any treatment the first responder may need if they encounter any health issues related to the derailment. Norfolk Southern has also begun development on a First Responder Training Facility in East Palestine. Overall, the Mahoning County Hazardous Material Response Agency played a crucial role in managing the aftermath of the train derailment. Despite being a small team entirely composed of volunteers, the agency has consistently demonstrated their ability to swiftly and effectively contain and neutralize environmental hazards.



AMERICAN RESCUE PLAN

Our Civil Division Prosecutors advised and facilitated the County Commissioners and Mahoning County Boards of Township Trustees on their respective expenditures of federal funding provided under the American Rescue Plan (ARP). In 2021, 2022 and 2023, our Office advised the Commissioners on contracts distributing over \$40 million in ARP allocations. The top three largest allocations in 2023 were:

- \$2,100,000.00: MYORIS for Rural Broadband Expansion.
- \$1,500,000.00: Eastgate Regional Council of Governments for increasing broadband connectivity.
- \$1,000,000.00: Valley Partners for covering additional costs of the Revolving Loan Fund.

OPIOID SETTLEMENTS

In 2023 the OneOhio Recovery Foundation continued to build an institutional infrastructure to ensure the Foundation's mandate to distribute opioid settlement funds across Ohio. The Foundation took the steps of hiring staff, establishing internal governance, financial and investment procedures and enacting policies. With these tools in place, the Foundation will hold a meeting on February 14, 2024 to begin the process of distributing funds in accordance with the OneOhio Memorandum of Understanding.

On March 18, 2024, the Region 7 OneOhio Collaborative, which makes project based recommendations for funding to the Foundation, will hold an informational public meeting for local agencies interested in applying for funding for opioid prevention or recovery support. Duane Piccirilli, Executive Director of the Mahoning County Mental Health and Recovery Board is the Region 7 representative on the OneOhio Recovery Foundation Board.

The Mahoning County Prosecutor's Office has continued to assist Mahoning County and its various Townships in receiving other opioid related settlements by monitoring the National Opioid Settlement web page and ensuring the timely submission of claimant forms resulting in the receipt of settlements. The Mahoning County Prosecutor's Office has assisted the Board of Mahoning County Commissioners with the establishment of protocols for the disbursement of opioid settlement funds pursuant to the OneOhio Memorandum of Understanding. In partnership with the Mahoning County Mental Health and Recovery Board, Mahoning County has made three disbursements to local community partners totaling \$120,000.

2023 TRAININGS



Each year the staff of the Mahoning County Prosecutor's Office not only receive training on matters, such as changes in the law and new technology, but they also provide training to local law enforcement and elected officials.

In 2023, the Mahoning County Prosecutor's Office:

- Presented **24** hours of training;
- Received **375.5** hours of training.

OFFICE NEWS AND INITIATIVES

Some changes brought by the Mahoning County Prosecutor's Office to our community in 2023 include:

- Several new programs such as S.T.O.P., our 2023 Senior Calendar, and bringing in Hope, our future comfort therapy dog;
- Mahoning County Prosecutor Gina DeGenova led office expansion by continuing to put resources within community initiatives and outreach; and
- Director of Programming Isabella Caruso joining our communications department and leading the charge with new programming development and connecting with community partners.

PARTNERSHIP WITH YSU'S SOKOLOV HONORS COLLEGE TO SUPPORT COMMUNITY ENGAGEMENT INITIATIVES

During the 2023 Fall Semester, Prosecutor DeGenova and her team collaborated with the Sokolov Honors College at YSU to provide students with an in-depth understanding of the Mahoning County Prosecutor's Office and its community role. Teaming up with Dr. Mollie Hartup, Director of Sokolov Honors College and YSU Professor, they crafted course material for the Magazine Editing and Production Seminar course, offering students hands-on experience. Throughout the semester, students engaged with key figures from the Prosecutor's Office, attended site visits, and crafted stories on various office functions, including the training process for the comfort therapy dog Hope, the Office's response to the East Palestine Train Derailment, and collaborative efforts with the Mahoning County Drug Court. These stories were featured on the Prosecutor's Office website, in their quarterly Justice Journal, and annual report. Additionally, students organized a press conference on December 5, 2024, showcasing the outcomes of the partnership between the Prosecutor's Office and YSU's Community Engagement Initiative. Prosecutor DeGenova emphasized the importance of engaging youth in community initiatives, expressing enthusiasm for future collaborations.



OFFICE NEWS AND INITIATIVES

COUNTY-WIDE SELF-DEFENSE CLASSES

The S.T.O.P. (Self-Defense, Trauma-Informed, Outreach Program) initiative, spearheaded by the Mahoning County Prosecutor's Office in 2023 in collaboration with Mercy Health and COMPASS Family & Community Services, aims to equip residents with self-defense techniques while fostering awareness of potential threats in a trauma-informed environment. This program educates participants on Ohio's self-defense laws and familiarizes them with available victim services in case of assault. Comprising three main components—education on local laws and victim services, confidence building, and physical training—the sessions are led by professionals from the Mahoning County Prosecutor's Office, Mercy Health's Chief of Police Ryan Bonacci, and the Mahoning County Sheriff's Office. Given its success in 2023, the program is expanding in 2024, offering courses in six additional locations across Mahoning County. Prosecutor DeGenova emphasizes the importance of empowering community members with skills to mitigate risks and avoid victimization, reinforcing the program's commitment to enhancing community safety.



DOMESTIC VIOLENCE AWARENESS DRIVE

The Mahoning County Prosecutor's Office, in collaboration with local schools like South Range, Austintown Fitch, and Salem, orchestrated a donation drive to bolster support for domestic violence victims in the valley, amassing the collection of thousands of items. This annual campaign for domestic awareness during October is designated as Domestic Violence Awareness Month. Prosecutor Gina DeGenova expressed appreciation for the community's involvement, noting the collection of over 17,000 items and substantial monetary contributions over the past three years. The donations, including toiletries, clothing items, children's toys, and more, were delivered to the Christina House and Sojourner House. Despite the conclusion of the drive, these organizations remain in constant need of items to aid domestic violence victims. In 2022, state records documented 1,260 reports of domestic violence in Mahoning County, 1,452 in Trumbull, and 335 in Columbiana County, emphasizing the ongoing necessity for support services in the region.



OFFICE NEWS AND INITIATIVES

SPEAKERS BUREAU

The Mahoning County Prosecutor's Office proudly offers a comprehensive Speakers Bureau program, connecting qualified staff members with diverse community groups and law enforcement organizations eager to deepen their understanding of the criminal justice system. Available at no cost to the public, our presentations cater to a wide range of entities including law enforcement agencies, neighborhood organizations, educational institutions, faith-based groups, and various clubs or organizations. Individuals are encouraged to reach out to prosecutor@mahoningcountyoh.gov for additional information. Notably, our Speaker's Bureau has extended its reach across the tri-county area, delivering informative sessions to audiences throughout the region.



SENIOR WELLNESS AND RESOURCE CALENDAR

Prosecutor Gina DeGenova and Sheriff Jerry Greene have collaborated once more to raise awareness about senior citizen safety and wellness by distributing free calendars containing valuable resources and information. The calendar offers insights on crime prevention, the Mahoning County Special Needs Registry, the Sheriff's Office Senior Watch Program, and more. Available at no cost, individuals interested in obtaining a calendar can contact either the Mahoning County Prosecutor's Office via phone (330)740-2330 ext. 7396 or email prosecutor@mahoningcountyoh.gov, or the Mahoning County Senior Services Unit via phone (330) 480-5078 or email bschaeffer@mahoningcountyoh.gov while supplies last.

DECEMBER 2023

BUCKEYE REVIEW

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In September, my friend, Penny Wells, invited me to join her and members of Sojourn to the Past during their journey along the path of the Civil Rights movement. I excitedly accepted her offer. In the months leading up to my trip, I thought about what to expect. I researched the Sojourn to the Past organization to learn where we would be going and what we would see. I knew we would travel to places I have never been, such as Montgomery and Birmingham, Alabama to learn and discuss the impact that slavery, segregation and Reconstruction had on our history. I also knew we would actually meet some of the individuals who helped shape the Civil Rights movement and hear their personal stories. I didn't realize how the stories of these icons and heroes would impact my life.

While in Montgomery, Alabama, we met Minnijean Brown-Trickey, one of the original members of the Little Rock Nine. Her story moved me. As a teenager, she was physically and verbally harassed and attacked for wanting a fair and equal education at the school of her choosing. While she legally enrolled in Little Rock Central High School, she and her fellow classmates needed a military escort just to enter the school; a routine that continued for much of the school year. Despite experiencing such horrific conditions, these students did not give up. Every day they returned to receive their education, even though they knew they would be met with ridicule and harassment.

We also visited the Legacy Museum while in Montgomery, Alabama. Here, we didn't just learn about topics such as slavery and segregation, we were afforded the opportunity to walk in the shoes of those who endured such horrendous injustices. We read stories about the inhumane conditions suffered by Africans during their journey overseas. We saw pictures of the scars and bruises suffered by slaves at the hands of their owners. We read about babies being snatched out of their mothers' hands, never to be seen again. We saw actual signs from the Jim Crow era prohibiting human beings from sharing basic facilities such as public water fountains and restrooms. We also learned that even when laws were passed to ensure the right to vote, voter suppression continued by mandating a passing score on "literacy" tests in order to cast a ballot. An impossible task since literacy tests required answers to questions seeking the number of bubbles in a bar of soap or the number of seeds in a watermelon.

Later in our trip, we traveled to Birmingham, Alabama. Here, we traveled along the same path that over 5,000 students took during the Children's March in 1963. School aged children assumed the roles of brave protesters to fight against segregation so they may have

basic human rights. While they peacefully protested, they were attacked by dogs and sprayed with high-powered firehoses.

While in Birmingham, we also visited the 16th Street Baptist Church where four little girls were brutally killed from 15 sticks of dynamite set to detonate during Sunday School on September 15, 1963. During our visit, we met and heard from Sarah Collins, a sister of Addie Mae Collins, one of the four girls killed that day. Sarah, who was also present when the bomb went off, survived after being hospitalized for more than two months. Despite her injuries and tragic history, Sarah continues to exhibit bravery and courage by sharing her story.

We ended our trip in Memphis, Tennessee where we visited the Lorraine Motel. Here, we learned

about Martin Luther King, Jr.'s last days and listened to a recording of his last speech, "I've Been to the Mountaintop". Hearing the raw emotion in his voice while he gave this speech showcased the man he was and impact he made. A man willing to sacrifice himself for the equality of others.

As I reflect on my experience with Sojourn, I will forever be grateful for my time with Penny and many others on this trip. The stories shared and the information I gained reveal how little information is actually available about the events leading up to the Civil Rights movement. How little is known about the true brutality, suffering and sacrifices experienced by human beings in order to bring about change. Our nation's history is extensive and should not be ignored. To ensure we move forward not backward, we must acknowledge where we started.

County Prosecutor's Southern Sojourn



Mahoning County Prosecutor Gina DeGenova, Penny Wells and Atty Allen Rodges

COMMUNITY ENGAGEMENT AND EVENTS







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