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Parole hearing is set for man convicted in attack on Falls woman

August 30, 2009

by Phil Keren

Editor

A man convicted of kidnapping, raping and attempting to kill a Cuyahoga Falls woman 25 years ago will have a parole hearing Sept. 1.

Samuel Herring was found guilty in June 1984 of kidnapping, rape, aggravated robbery, felonious sexual penetration, felonious assault, aggravated arson, and attempt to commit murder in connection with an attack on Phyllis Cottle on March 20, 1984. The attack also left Cottle blind.

After being found guilty, Herring was sentenced by then-Summit County Court of Common Pleas Judge James P. Winter to 169 to 290 years in prison. He is incarcerated in the Toledo Correctional Institution.

Herring last had a parole hearing in 2004, and the Ohio Parole Board had, at that time, voted unanimously to continue his prison sentence until 2014.

Cynthia Mausser, who chairs the Ohio Parole Board, said Herring is part of a group of inmates whose cases will be heard again as the result of a court order issued by the Franklin County Court of Common Pleas in January. That order followed a class-action lawsuit filed by the Office of the Ohio Public Defender against the Ohio Adult Parole Authority in 2006.

Herring will meet with an Ohio Parole Board member Sept. 1, said JoEllen Culp, a spokesperson with the Ohio Department of Rehabilitation and Correction. They will discuss Herring's case and the charges he was convicted of, his behavior while in prison, his future plans if he is released

from prison, and any programs he has participated in while incarcerated.

After that meeting, Culp said the parole board member can recommend: continuing Herring's prison sentence for a certain number of years; a prison release date for Herring; or a Central Office Board Review of the case.

The last option means that a majority of the parole board would review the case, and according to Culp, they can "continue the individual in prison or recommend a release date." She added it "could take anywhere from two to three months" for the parole board to make a decision.

Culp added that, due to the nature of Herring's crimes, "unless the inmate is continued in prison at the panel level hearing, the case would automatically be referred to the Central Office Board Review."

Cottle said she had a "very positive" victim conference with a parole board member on Aug. 19 in Cleveland.

The board member is "very well aware of the public and their outcry [over Herring's potential release]," she said.

If Herring's sentence is continued, Cottle said the parole board member told her she would ask the board to delay the next hearing for Herring until 2019.

While acknowledging there is a "99 percent" chance that Herring won't be released, Cottle said it's that "slight little possibility [that he will be released] that scares the daylights out of me."

Cottle said petitions opposing parole for Herring are "still being circulated" by "a lot" of people.

Culp noted people can still send correspondence to the Ohio Parole Board about the parole hearing.

Letters can be sent to the Ohio Parole Board, 770 W. Broad St., Columbus, OH 43222. An e-mail correspondence can be sent to DRC.Victim.Services@odrc.state.oh.us. Cottle said letters should include Herring's inmate number of A-180009.

Culp also said that people should capitalize "DRC," as well as the "V" in Victim, and the "S" in Services.

As of Aug. 26, Culp said the Department of Rehabilitation and Correction had received "two letters in support of inmate Herring and 3,786 letters, signatures, e-mails, etc. in opposition of release."

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August 28, 2009

Closing of security posts could leave area less safe

By *ASHLEY PHILLIPS*
Gazette Staff Writer

The union that represents corrections officers at Ross Correctional Institution believes a proposed plan to close security posts could jeopardize safety around the prison.

"I feel the state is trying to turn RCI into another Lucasville, where we would have the potential of a riot, because we're understaffed and overcrowded," Mike Hennes, president of Ohio Civil Service Employees Association Local 7130, said.

The decision was made by Department of Rehabilitation and Corrections Director Terry Collins to eliminate 175 posts in the prisons statewide as part of budget cuts. RCI houses more than 2,500 inmates, according to prison numbers.

Charlie Heiss, public information officer at RCI, the prison will cut 70 posts from its 1,227 posts currently staffed 24 hours a day, seven days a week.

Heiss said prison officials are not just looking at cutting some of the security posts but other posts staffed by correction officers.

"Management is trying to come to a clear understanding with the union on which posts to eliminate," he said.

Corrections officers whose posts have been eliminated will not lose their jobs but be re-assigned to other duties, said Heiss.

"I want everyone to understand this is not a staff reduction but a post reduction," he said.

Hennes is upset the corrections officers are the ones being asked to reduce their staff instead of other areas.

"I know the orders came from Columbus, but this is security we are talking about, prisons are suppose to be secure," he said.

One of the posts that has been brought up in discussion about being eliminated is the rear gate of the facility that faces Union-Scioto schools. Officials plan to eliminate the second and third shift officers on those post, Hennes said.

Union-Scioto Superintendent Dwight Garrett said he would feel uneasy knowing the rear gate that faces the schools didn't have a correction officer there.

"We have a great working relationship with RCI. In the event there is a breach in security, they phone us immediately, and we lock the schools down," he said.

In an effort to try to negotiate with the management at RCI, Hennes said he has no problem eliminating some posts that aren't staffed and posts where two correction officers are doing the same job.

Done with negotiating with their union representatives, Chillicothe Correctional Institution -- which houses more than 2,900 inmates -- has agreed to eliminate 13 posts.

CCI Public Information Officer Corby Free said the prison came to an agreement with the union after determining what would least likely effect the overall operation of the institution. He declined to mention which posts would be eliminated.

Ohio Board Rejects Mercy For Condemned Killer

Text size: [small](#) | [medium](#) | [large](#)

AP

Published: August 29, 2009

COLUMBUS, Ohio—The Ohio Parole Board has rejected a plea for mercy from a condemned killer who raped and stabbed a 14-year-old girl more than two decades ago. The eight-member board recommended unanimously Friday that Governor Ted Strickland deny clemency to Romell Broom of Cleveland, who is scheduled to die Sept. 15.

Broom was convicted of abducting Tryna Middleton at knifepoint on Sept. 21, 1984 in Cleveland, raping her and stabbing her seven times. Broom argued he needs time to prove his innocence now that a state appeals court has granted him a chance to argue that key evidence was withheld during his trial. Prosecutors say a federal judge has already ruled that the evidence would not have made a difference at trial.

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Parole board rejects clemency for teen's killer

Saturday, August 29, 2009 2:54 AM

BY **ALAN JOHNSON**

THE COLUMBUS DISPATCH

Cleveland killer Romell Broom's plea to avoid execution was rejected for the second time yesterday by the Ohio Parole Board.

The panel voted 8-0 against clemency for Broom, 53, who is scheduled to be executed Sept. 15 for abducting and murdering Tryna Middleton on Sept. 21, 1984, in Cleveland.

Broom abducted the 14-year-old girl at knifepoint, then raped and fatally stabbed her, court records show. Post-conviction DNA testing showed only a 1 in 2.3 million chance that the rapist-murderer was someone other than Broom.

The board rejected arguments by Broom's attorneys that recently discovered information might have persuaded a jury not to give him the death penalty. The decision said the Ohio Supreme Court, not the parole board, should decide whether further appeals are warranted.

In an interview with the parole board, Broom said the Innocence Project is working on his case. However, the Cuyahoga County prosecutor's office said the group that investigates inmates' claims of innocence looked at the case but decided not to participate in Broom's defense.

Gov. Ted Strickland will make the final clemency decision. He can accept or reject the board's recommendation.

The board previously voted in September 2007 against clemency for Broom, but his execution was postponed when he joined a lawsuit challenging Ohio's lethal-injection procedure. That case was dismissed, prompting the Ohio Supreme Court to set a new death date.

Ohio has conducted 32 executions in the past 10 years, including three this year.

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Romell Broom, 53, is to die Sept. 15 for the 1984 rape and stabbing.

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THE PLAIN DEALER

Man on death row for East Cleveland slaying fails to sway clemency board

Saturday, August 29, 2009

The Ohio Parole Board on Friday unanimously recommended against sparing the life of Romell Broom, who was sentenced to death for abducting, raping and fatally stabbing a 14-year-old East Cleveland girl in 1984.

The board, which held a clemency hearing Aug. 20, sent its recommendation to Gov. Ted Strickland. Strickland does not have to follow the recommendation.

Broom, 54, is trying to escape his Sept. 15 execution and have more time to argue that he didn't get a fair trial.

His attorneys have argued that East Cleveland police shielded records that may have changed the outcome of the case. Prosecutors say he is making a desperate attempt to avoid his death sentence.

Tryna Middleton was walking with two friends after a high school football game in 1984 when Broom grabbed them, according to court records. The friends fought him off while Tryna was dragged away.

Her body was found a few hours later in a nearby abandoned parking lot.

Broom had previously served time for raping a 12-year-old girl.

In July, the 8th Ohio District Court of Appeals said that the suppressed police records can be presented to the trial court for a possible new trial for Broom.

But his attorneys would have to convince Cuyahoga County Common Pleas Court that the records probably would have changed the outcome of his case, and it is unclear whether they will get that chance before his execution.

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Parole board denies release of three men convicted in slayings

By Beacon Journal staff report

POSTED: 07:02 p.m. EDT, Aug 28, 2009

Three Summit County men convicted in slayings as far back as 1975 have been denied release from prison by the Ohio Parole Board, authorities said.

The board held separate hearings Thursday in Columbus and issued the decisions after officials from the Summit County Prosecutor's Office reviewed the cases and made presentations opposing their release.

Those denied parole were:

- James Lockett, 72, who was convicted of aggravated murder and aggravated robbery in the 1975 shooting of Akron pawnbroker Sydney Cohen.

Lockett was a career criminal and had planned the robbery with three accomplices. He will be eligible for his next parole hearing in July 2011.

Kristen Arapp, director of the county prosecutor's Victim Services Division, made the presentation opposing release.

- Marcazuan D. Lockett, 40, who was convicted of involuntary manslaughter, kidnapping and aggravated robbery in a 1986 attack on Susan Soldierson, 22, of Stow.

Lockett, no relation to James Lockett, and two accomplices were convicted for the crimes.

Soldierson, who was a senior at the University of Akron, was abducted outside an Akron bowling alley and died from head injuries after falling from her attackers' moving vehicle.

Brad Gessner, head of the prosecutor's criminal division, presented the case. Family members of Soldierson also gave petitions to the board containing 20,800 signatures opposing Lockett's release, Gessner said.

Lockett will be eligible for his next parole hearing in March 2014.

- Bernie T. Ingram, 37, who was convicted of murder and receiving stolen property in the 1990 stabbing of Kenneth Mack of Akron.

The victim was stabbed 69 times inside his apartment after a night of drinking, prosecutors said.

Arapp testified against Ingram's release.

He will be eligible for his next parole hearing in March 2014.

Find this article at:

http://www.ohio.com/news/break_news/55907442.html

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Police called to home; find man with two loaded guns

By **Lori Monsewicz**

CantonRep.com staff report

Posted Aug 28, 2009 @ 09:33 AM

Last update Aug 28, 2009 @ 09:36 AM

CANTON — A Canton man previously convicted of attempted aggravated murder had a loaded gun in his waistband and another one in his hand when police arrested him outside a northeast home Thursday night.

Michael D. Turner, 52, of 2036 Georgetown Rd. NE, was arrested at 6:14 p.m. at the home in the 1500 block of Third Street NE on several felony charges. Stark County Jail records said he was charged with carrying a concealed weapon, felony evidence tampering, having weapons under disability, using weapons while intoxicated, obstructing justice and a felonious assault warrant.

Police were called to the home after someone reported a man with a gun.

They found him with loaded guns in his waistband and in his left hand, jail records said.

The records said that as police pulled up to the scene, the man moved from the front to the side of the house, where he tossed the gun in weeds.

He then told police that if he had a gun and was being arrested, that he would use it on them, the jail records said.

Turner is on parole, having served time for attempted aggravated murder, aggravated robbery, aggravated burglary, having weapons under disability, felony escape and two counts of petty theft, according to the [Ohio Department of Rehabilitation and Correction Web site](#).

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Alternatives Agency ex-employees say firings from the scandal-ridden halfway house are unfair

Posted by [msterpka](#) August 31, 2009 10:00AM



John Kuntz, The Plain Dealer

Alternatives Agency on East 55th Street in Cleveland gets state and county money to help soon-to-be-released inmates transition from prison or jail to freedom.

Workers with criminal records who were recently fired from their jobs at the former Alternatives Agency say the abrupt move was unfair and undercuts the halfway house's mission of moving people from prison to the work force.

Some of the workers feel they're paying the human cost for criminal decisions made by the agency's former leadership, who paid consultants to do little or no work and bribed politicians in exchange for public funding, according to recent plea agreements in the Cuyahoga County corruption probe.

Thomas Griveas, the head of the newly renamed Cuyahoga Re-entry Agency, this month fired all 16 people who worked with recently released inmates. Thirteen of those workers, who made between \$8 and \$13 an hour, had criminal records themselves. Griveas said the firings were just one step in his effort to overhaul the agency, battered by scandal, and ensure its survival.

The agency, on East 55th Street, gets state and county money to help soon-to-be-released inmates transition from prison or jail to freedom.

Its former executive director, Brian Schuman, pleaded guilty to bribery charges in July, as did former consultant and county employee J. Kevin Kelley, who admitted to delivering the bribes. Former State Sen. and Lakewood Mayor Anthony Sinagra, also a consultant for the agency, faces related charges in federal court.

To restore the nonprofit group's reputation and keep it from losing funding that would force it to shutter, a newly configured board of directors hired Griveas in May to replace Schuman and clean house.

Fired workers were offended by Griveas' comparing felons working with inmates to "wolves watching the hen house." The workers with records say the agency knew that most of them had records and that they all passed drug screenings before being hired.

Some of the employees, like Larry Brown, had worked for the agency for a decade or more.

"I am an example of how the program works," said Brown, who owns a home and has not had a brush with the law in 18 years. "I am a productive citizen. I am the best example to those re-entering society of how someone can turn their life around."

Brown and other fired workers said they stayed at the agency even though they didn't receive raises for years because they were told there was no money for increases in the budget -- only to learn later that money was used to pay bribes, including flying politicians first-class to Las Vegas, according to plea agreements.

Sophia Young, who worked for the agency for three years, said the issue isn't about corruption or cleaning up a mess.

"What [Griveas] is saying is that people don't deserve a second chance," she said. "But isn't that what this agency stands for?"

Griveas said employees can reapply for their jobs through the new company that is now supplying the monitors. The agency will continue to give people second chances and is willing to consider felons for certain jobs, including as monitors, he said.

State standards for halfway houses mandate they cannot discriminate in hiring on the basis of criminal records.

Leaders at other agencies that run halfway houses say they strive to give ex-felons a chance at a job, so long as they are qualified.

Gladys Hall, who has run the ARCA Inc. halfway house for women for 13 years, said blanket job discrimination against felons is pervasive in the county.

"Some of the best employees you can have in this setting are ex-offenders," Hall said. "They bring a level of credibility and reality to the job, and their experience often goes beyond a textbook, and that should be valued."

Cleveland Municipal Judge Ronald Adrine said agencies with missions to help people reform from criminal pasts should model the behavior they want other employers in the community to reflect.

After the dismissal, Griveas met with the upset workers at City Hall and said he encouraged them to reapply for their jobs. Most told him they did not want to work for the new company, he said.

The workers counter that they were told the new company isn't interested in hiring felons. The Avon-based company hired one of the former monitors, Griveas said. Other advocates in the re-entry community have offered to help mediate the issue, he said.

Griveas said he understood that some people were hurt by the dismissals but said they were necessary.

He said he observed sloppy procedures for interacting with inmates and feared prohibited drug and alcohol use was creeping up in the facility. The agency also faced high costs associated with workers' compensation and unemployment claims. One monitor was convicted of drug trafficking and nobody knew about it until the man's probation officer called, Griveas said.

Rather than evaluating each employee, he decided to outsource the work. Griveas said his priorities are community safety and the current clients.

"I can't be responsible for everything the prior administration did," he said. "I'm sorry, but it seemed easier to outsource the whole mess."

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Patrol chief, safety boss on way out

Ohio's top two public-safety officials resign; bad morale cited

Saturday, August 29, 2009 3:08 AM

BY JAMES NASH

THE COLUMBUS DISPATCH

The short, unhappy union of Ohio's two top public-safety officials came to an end yesterday when Gov. Ted Strickland announced the resignations of both.

Henry Guzman, who has headed the 4,000-employee Ohio Department of Public Safety since early 2007, submitted his resignation Thursday, and Col. Richard Collins, superintendent of the State Highway Patrol, agreed with a request to follow suit.

Both men will remain in their positions until replacements are named.

Strickland acknowledged that the friction between the two men was hurting morale at the patrol, although his office characterized the departures as more or less voluntary.

"I think this gives me a chance to start out with a new beginning and with new leadership," the governor told *The Dispatch*.

"They are both good human beings, and they have worked hard to serve the public, but I want an agency where morale is high and people feel like they can work together in the most cooperative manner, and I think that's what this situation now will give me an opportunity to try to create at the Department of Public Safety."

The president of the state troopers' union, Larry Phillips, credited Collins with establishing a good working relationship with the group, but he said tensions between Collins and Guzman were undermining the patrol's work.

"Over time, it became clear that the lack of harmonious relationships between the Ohio State Highway Patrol and the Department of Public Safety was contributing to a lack of a clear and concise



Richard Collins



Henry Guzman

In and out

Other key personnel moves during the past year in the Strickland administration:

- *Dec. 17, 2008*: Helen Jones-Kelley resigns as director of the Ohio Department of Job and Family Services after

decision-making process as well as a general lack of direction at the Ohio State Highway Patrol," Phillips said in a statement.

Bob Cornwall, executive director of the Buckeye State Sheriffs' Association, praised both Guzman and Collins and said any conflicts between the two were confined to the Department of Public Safety's headquarters on the Hilltop.

"I don't think their conflicts with one another ever deterred either of their missions of delivering public safety," Cornwall said.

The 1,500-trooper patrol is the largest of the eight agencies that make up the Public Safety Department. The department also includes the Bureau of Motor Vehicles, Ohio Homeland Security and the Ohio Investigative Unit, which enforces liquor laws.

Although Guzman bypassed more experienced patrol brass to select Collins, then the head of a patrol district in northwestern Ohio, as superintendent of the entire force, the two have had a rocky relationship.

The tensions burst into the open in August 2008, when *The Dispatch* reported that Guzman was trying to quash an investigation into his top deputy. Collins had wanted Inspector General Thomas P. Charles to look into allegations that Assistant Public Safety Director George Maier had threatened subordinates and created a hostile workplace.

Earlier this month, aides to Guzman suggested that Collins might have violated state ethics laws by failing to disclose meals paid for by a loosely regulated patrol activities fund. Collins denied that. The inspector general is investigating.

In July, Registrar Mike Rankin of the Bureau of Motor Vehicles quit to take another state job, accusing Guzman of interfering in his work.

Guzman's relationship with the patrol, however, was the most contentious, beginning with the fact that unlike many previous safety directors, he had never been a police officer.

A native of Puerto Rico who moved to Youngstown as a child, Guzman was the Columbus service director before Strickland named him as the state's top public-safety official in February 2007. Guzman earlier served as the director of public safety and public service for the city of Cleveland. He is the highest-ranking Latino in state government.

Neither Guzman nor Collins would comment yesterday beyond statements in news releases.

her involvement in digging up information on "Joe the Plumber" during the 2008 presidential campaign. She is replaced by Douglas E. Lumpkin, head of Franklin County's Department of Job and Family Services.

- *Feb. 17, 2009:* Lt. Gov. Lee Fisher steps down as director of the Ohio Department of Development to run for the U.S. Senate. Strickland initially names Mark Barbash as interim director, then replaces him in May with Lisa Patt-McDaniel after it is revealed that Barbash owed back taxes. The post is still vacant.

- *July:* Strickland forces out Michael Shoemaker as head of the Ohio School Facilities Commission; Eric Bode, the commission's chief financial officer, is later named interim director. State Medicaid Director John Corlett also announces plans to resign Aug. 31. Maureen Corcoran, a deputy director in the Office of Ohio Health Plans, will be acting interim director.

Ohio Republican Party Chairman Kevin DeWine said the resignations come on the heels of the departures of other top managers in Strickland's administration.

"Gov. Strickland's administration is unraveling about as fast as Ohio's economy," DeWine said in a statement. "It's no wonder we're not creating any jobs in this state when the governor spends all his time rearranging deck chairs on the Titanic."

Dispatch reporter Mark Niquette contributed to this story.

jnash@dispatch.com

• *Aug. 4:* Michael A. Dolan resigns as Ohio Lottery director and is later replaced by Kathleen Burke, a Cleveland lawyer.

Source: *Dispatch* files

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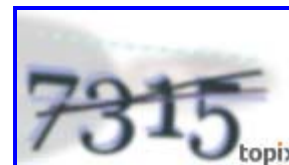
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Ohio Public Safety Director Henry Guzman, State Highway Patrol Superintendent Col. Richard "Butch" Collins departures may end bickering between agencies

Posted by [mwhitley](#) August 28, 2009 20:42PM

[Ohio public safety chief Henry Guzman, patrol superintendent Butch Collins are both out](#)

COLUMBUS -- The heads of Ohio's public safety department and the highway patrol quit Thursday within hours of each other, a fitting ending for two men pressed to work together but known for being at odds with one another.

Public Safety Director Henry Guzman quit first, telling Gov. Ted Strickland he wanted to move to another administrative role and citing a need for fresh leadership at the department.

Strickland's staff then approached Highway Patrol Superintendent Col. Richard "Butch" Collins and asked him to step aside, too. The administration hopes new leaders will help end the bickering between the two agencies, which existed even before Guzman and Collins assumed their roles in 2007.

The departures are the latest seat shuffling among Democrat Strickland's top handpicked team.

Since December, Cabinet directors at public safety, job and family services, lottery and development have quit or been forced out. Leaders at Medicaid, motor vehicles, the school facilities commission and now the highway patrol are also out.

While the highway patrol falls under the department of public safety and Guzman is Collins' boss, Guzman resented not being able to enforce discipline or control policy decisions at the patrol, roles on which Collins rarely consulted the director, insiders said.

It was "an oil and water situation," said Larry Phillips, president of the Ohio State Troopers Association, a union. "It was hard to find out who was making decisions on the discipline process. . . . They didn't always have the same opinions about what should happen. There was just a real lack of communication between the two."

Guzman and Collins have butted heads on plenty of issues, from recent questions about how money in a special highway patrol fund is being spent to how troopers caught cheating on a test were disciplined.

The Ohio Inspector General's Office is investigating whether the patrol, including Collins, properly spent money from a little-known fund whose money comes from the sale of patrol memorabilia.

Money from the GHQ Activities Account has been spent on golf outings and meals, and Collins may have failed to properly disclose that he, too, has dipped into the fund.

Attorney General Richard Cordray has said the fund may not comply with Ohio's ethics laws and is not secure enough to guard against potential abuse.

That trouble for Collins comes after the superintendent tried in September 2008 to investigate Guzman's top assistant on allegations of making threats and intimidating troopers. Strickland backed Guzman and said an investigation was unnecessary.

They have also disagreed on appropriate discipline for troopers caught in other situations:

- In June a trooper and a suburban Columbus police officer, while off duty, were stopped by another trooper for doing 150 mph on a highway on their personal motorcycles.

The officers were allowed to leave without being ticketed until several days later after questions of favorable

treatment arose. The inspector general blamed the slow reaction of the patrol for making it appear the agency was trying to cover up the incident.

- In September 2008, 12 troopers, most from the Canton post, were fired after they cheated on a training exam.
- In April 2008, two troopers stationed near Sandusky were disciplined but allowed to keep their jobs after passing around a picture of another uniformed officer wearing what appeared to be a KKK costume. Guzman and Strickland wanted the officers fired.

All of the issues strained the relationship and were evident this summer as the troopers negotiated a new three-year working agreement, said Phillips, of the troopers' union. Phillips said "a lack of clear and concise" leadership forced the negotiations to be more difficult than anticipated.

In a statement released by the governor's office, Guzman thanked Strickland.

"I am proud to acknowledge the important contributions our employees make each and every day in our communities," said Guzman. "I appreciate the governor's support and look forward to continuing to serve the public to improve and enhance the quality of life for the citizens of our great state."

In the same statement, Collins said he "appreciated the opportunity to serve as Superintendent of the finest law enforcement agency in the country."

Both men will continue to serve as director and superintendent until their replacements are named.

The Ohio Republican Party sought to score political points against Strickland and his troubles with keeping a stable staff. Strickland is up for re-election next year.

"Gov. Strickland's administration is unraveling about as fast as Ohio's economy," said Ohio Republican Party Chairman Kevin DeWine.

Strickland had a different view.

"It's not rare that successful companies often see modifications in their leadership structure on a regular basis, and state government should be viewed no differently," said Strickland spokeswoman Allison Kolodziej. "In fact, this is a logical time for any administration to experience transitions. It's halfway through the governor's first term and after passage of the second budget bill."

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2 top Ohio law enforcement officials both resign

By Andrew Welsh-Huggins
Associated Press

POSTED: 12:42 p.m. EDT, Aug 28, 2009

COLUMBUS: Two of Ohio's top law enforcement officials have stepped down with the suggestion that both needed to go to improve relations within the Department of Public Safety.

Gov. Ted Strickland said today that he accepted the resignations of Public Safety Director Henry Guzman and the Ohio State Highway Patrol superintendent, Col. Richard Collins.

Guzman told Strickland on Thursday that he wanted to work in another part of Strickland's administration.

Later Thursday, Collins agreed to step down, "so that new leadership at the State Highway Patrol could join in the effort to have the Department and the Patrol move forward collaboratively," Strickland's office said.

The two men did not get along and their relationship hurt decision-making at the patrol, said Larry Phillips, president of the union representing troopers.

"I've heard it referred to as an oil-and-water type situation," Phillips, president of the Ohio State Troopers Association, said today.

"They didn't agree on a lot of issues, and as time went by each side became more entrenched and there was a lack of trust with each other," Phillips said.

The disagreements between Guzman and Collins made recent contract negotiations difficult, he said.

Guzman had a more hands-on approach to the patrol than some previous public safety directors, Phillips added.

"He wanted to be involved in the decision-making process, I guess you could say, and that didn't always work out that way as far as the sharing of information back and forth," he said.

Neither Collins nor Guzman immediately returned phone messages seeking comment.

Public Safety oversees a variety of agencies involved in state safety and security, including the patrol, the Bureau of Motor Vehicles, the Emergency Management Agency and the state Department of Homeland Security.

Find this article at:

http://www.ohio.com/news/break_news/55768822.html

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The Ironton Tribune



photo by **Jessica St. James**

Dr. Alvin Jackson, Director of the Ohio Department of Health, visits with local politicians, county and city care workers at the Lawrence County Health Department Thursday afternoon.

State health director stresses need for H1N1 vaccinations

By **Jim Sullivan** | The Tribune

Published Friday, August 28, 2009

IRONTON — With the help of some federal funding, workers with the Lawrence County Department of Health are preparing to make the H1N1 vaccine available to county residents by mid-October, the state's top health official said Thursday.

The H1N1 virus is commonly called "swine flu."

Ohio Department of Health Director Dr. Alvin Jackson said the state received \$9.8 million in federal monies that will help his office and the state's 130 local health departments market the H1N1 vaccine to the public.

In total, 85 percent of all stimulus monies the state received for public health this year were distributed to local health departments.

A new strain of swine-origin H1N1, first identified in April, is responsible for the current 2009 flu pandemic.

Jackson outlined his thoughts about the pandemic and other health concerns during his late afternoon visit with county and city health officials, the media and area politicians including Lawrence County Commissioner Les Boggs, Ironton Mayor Rich Blankenship and County Health Commissioner Dr. Kurt Hoffman.

Jackson discussed the importance of informing residents now about getting vaccinated for both flu and H1N1 this fall.

"We have a communication challenge currently surrounding flu shots that both are needed, not just one or the other," Jackson said when explaining the differences between the H1N1 vaccine and annual flu shots.

Jackson outlined which "priority groups" would have first access to the H1N1 vaccine as debate continues on how many actual doses could be available come October.

Federal officials planned on having 120 million doses of the vaccine on-hand by Oct. 15, but vaccine makers have estimated only 45 million doses being available by then.

Jackson said the first priority group would include pregnant women, those under 65 that suffer from chronic illness, children ages six months to 24-years-old, anyone taking care of children that are under 6-months-old along with EMS and health care workers.

He also took time to address his department's decision to reduce the supply of free flu shots the state will provide to local health departments this year.

The state plans to purchase only 45,000 vaccines this year, down from 190,000 in 2008.

Jackson said the decision came from his department “historically having many, many flu shots leftover” at the end of the flu season and with the state’s current economic status, it became a money saving decision.

Despite the decrease in the availability of free flu shots, Jackson urged everyone to use common prevention sense in reducing their chances of contacting the flu by washing their hands correctly, covering coughs and sneezes and not sending sick children to school.

Lawrence County was the latest stop for Jackson who is on a statewide-swing of all 130 health departments to establish a stronger relationship between the state and local health departments.

It was the first time in more than 30 years the state’s top health official visited the Lawrence County Health Department.

He was quick to thank each health worker in attendance for their part in making public health what it is.

“We are truly the cradle to the grave initiative,” Jackson said when speaking about how public health affects everyone and how it has contributed to 25 of the 30 additional years that have been added to the American life expectancy rate.

Workers got their chance to question and offer their suggestions to Jackson as well.

Some questions included how to decrease costs in light of budgetary cuts and availability of grants, the state’s “Help Me Grow” program that saw a large chunk of its funding slashed and the communication difficulties between individual state health departments on issues like birth certificates and infant deaths.

He also briefly mentioned Gov. Ted Strickland’s initiatives to handle Ohio’s infant mortality and childhood obesity rates.

Currently, the infant mortality rate in Ohio is higher than the national average. Jackson said those figures prompted Strickland to establish the Infant Mortality Task Force earlier this year.

The task force has a two-pronged approach. First, it examines the state’s overall infant mortality rate and the disparities between different populations while secondly, making both preliminary and long-term recommendations to reduce infant mortality.

Jackson said the rising childhood obesity rate is also another concern, especially in Appalachia Ohio.

Last year the state developed a comprehensive plan called the Ohio Obesity Prevention Plan to identify a number of priorities that schools and communities like Ironton should have in place in the next five years.

Jackson also touched on the large number of “unintentional deaths” from prescription drug poisoning in southern Ohio calling it a “solemn epidemic” for the region.

He reiterated recent statistics that showed more people dying from overdoses in Lawrence and its surrounding counties than in motor vehicle crashes.

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Cuts mean fewer prisons and programs

Stricter guidelines result in more prisoners and longer sentences, but North Carolina's resources are strained.

By Michael Biesecker

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Posted: Sunday, Aug. 30, 2009

RALEIGH As a result of tough-on-crime sentencing laws approved by legislators 15 years ago, North Carolina's inmate population is booming and will soon outpace the number of prison beds.

Despite this, the state budget signed by Gov. Beverly Perdue this month orders seven small prisons closed, eliminates 972 corrections jobs and cuts programs aimed at keeping juvenile offenders from becoming hardened criminals.

Administrators say the state Department of Correction can safely absorb the cuts in the short-term by increasing the number of inmates at other facilities. But judges, legislators and others with a stake in the criminal justice system worry that the growth, if unchecked, will soon result in prisons so crowded as to be unsafe for inmates or staff.

Last year, the state budgeted more than \$1.5 billion for prisons and probation. That's 3.5 times what was spent in 1985, when adjusted for inflation. The number of inmates has more than doubled over the same period, from 17,430 to about 39,000. The system has about 20,000 workers, making it the largest employer among state agencies.

"We can't just keep putting more and more people in prison," said Sen. Ellie Kinnaird, a Democrat from Carrboro who co-chairs the legislative committee that oversees justice and public safety. "We can't afford it."

At the heart of the issue is the conflict between strained state resources in the worst economic recession in a generation and the unwillingness of legislators to budge on laws that require criminals to serve more time.

The \$74 million in budget cuts and prison closures requires the relocation of about 950 inmates and cuts programs that are popular with inmates and the public, such as family visitation, gyms and the community work crews that provide cheap labor for local governments. Money for the crews that collect litter along the state's highways was also reduced.

The budget also cut \$33 million and 122 jobs from the state Department of Juvenile Justice and Delinquency Prevention, eliminating the Governor's One-on-One program, which provides mentors for at-risk youth. Legislators cut two state-funded wilderness camps for children with behavioral problems. Support Our Students, an afterschool program aimed at keeping youngsters out of trouble, is also being discontinued.

Inmates going to other prisons

Many of the positions are vacant, but about 620 employees at the N.C. Department of Correction will lose their jobs if other positions for them can't be found in the system. Inmates at the prisons being closed will be transferred to other facilities. In some cases, cells now used to hold one inmate will be modified to bunk two, while custody classifications at some facilities will be lowered to increase dormitory-style housing.

Jennie Lancaster, chief deputy secretary at the state Department of Correction, said there are limits to how many facilities can be converted to hold more prisoners, especially at the higher security levels.

"We need to run a safe system," said Lancaster, a former warden who has worked in the state's prisons for 32 years. "We have said to legislators, we consider this a temporary solution. ... The state is going to have to either keep adding prison beds or find a way to slow down growth in the prison population."

A review by the legislature's fiscal research office this year projected that by 2018 the state's prison population will outpace the planned beds by 7,488 inmates. That projected shortfall takes into account 2,268 prison beds scheduled to be added through new construction by 2012 at a budgeted cost of \$101 million.

Each maximum-security bed the state adds costs as much as \$136,500 in construction, not including the recurring annual expense of feeding and guarding those additional inmates. On average, it costs the state \$27,310 a year to keep someone behind bars.

Sentencing guidelines tweaked

Much of the growth in North Carolina's prison system is driven by two legislative changes made in the mid-1990s as a response to rising crime rates. In 1994, legislators required offenders to spend more time in prison before becoming eligible for parole. Two years later, legislators ended statewide caps on the prison population.

Legislators passed two laws this year sponsored by Kinnaird that will decrease the inmate population in future years by tweaking sentencing guidelines. But a third bill that would have cut the prison terms of many felons by three months and added that time to the length of post-release supervision failed to even come up for a vote.

"The three bills together would have had a tremendous impact, essentially stopping the growth," Kinnaird said. "But they (legislators) couldn't go along with that."

Kinnaird said cuts to juvenile programs and funding for the state's mental health division could exacerbate the expected growth in inmate population.

"The Department of Correction is very nervous," Kinnaird said. "Double-bunking sets up a very dangerous situation. You only have to look at California to see the disaster of having 6,000 inmates in facilities built for 3,000. The increased violence becomes harder and harder to control."

Often cited as a worst-case scenario, the California prison system is one of the most crowded in the nation, with many of its facilities holding more than double the number of inmates they were designed for. A federal court concluded this month that overcrowding and poor health care is resulting in an avoidable inmate death each week. An Aug. 5 riot and fire at a prison outside Los Angeles left 250 inmates injured and 55 hospitalized.

District Court Judge Marcia Morey of Durham said eliminating programs in North Carolina aimed at helping juvenile offenders and at-risk children is short-sighted, and will potentially cost taxpayers far more down the road.

"I think we're going to pay," said Morey, who advocates for stronger state services for juvenile offenders. "When you cut community-based services, curfew checks and counseling, you're going to see the results out the back door. It's a recipe for increased juvenile delinquency, which will escalate into adult crime."

Another issue is that more than a third of those entering prison are ex-offenders who either violated the terms of their probation or were arrested on new charges.

Bill Rowe, a lawyer for the liberal N.C. Justice Center, advocates doing more to help those released from prison to find jobs, housing and vocational training.

"The current system of incarceration and re-incarceration is not working and is eroding the safety of our communities," Rowe said.

Texas worth imitating?

A coalition of groups supporting reform heard a presentation last month by Jerry Madden, a GOP legislator from Texas who helped revamp that state's corrections system to blunt overpopulation.

Texas is one of nine states in a program run by the national Council of State Governments aimed at lowering prison spending and inmate numbers by investing in programs that improve law enforcement and living conditions in targeted neighborhoods where data show the most crime occurs. Since 2006, Texas has managed to halt growth in its prison population while lowering rates of violent crime.

"I think we came to the conclusion it was smarter and a wiser utilization of our money to invest in programs that can change people's lives, save taxpayers money and at the same time make the community safer," Madden said Friday.

N.C. Department of Correction administrators and some legislators say they're interested in instituting similar initiatives. The new budget allocates \$100,000 for studying programs within the state and across the nation that have reduced the numbers of people going to prison.

But reducing sentence lengths for criminals is likely to be a tough sell at the legislature.

'You can't just let a lot of folks out'

Sen. Phil Berger, a Republican from Eden, said the state needs to spend whatever it takes to build enough prisons to keep up with the number of inmates entering the system.

"There is recognition, even amongst Democrats, that you can't just let a lot of folks out of prison," said Berger, the state Senate's GOP leader. "Many of those people are in prison for a reason, and when they get out early or you reduce sentences, we see examples of folks creating havoc once they're released."

Kinnaird said she is hopeful a bipartisan solution can be found before overpopulation becomes a crisis.

"If we can convince a conservative Republican from Texas there is a different way to go, I think we have a very good chance of explaining to people here that we're approaching this all wrong," Kinnaird said. "We can't keep doing the same thing and expect different results."



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Schools, other entities lose free inmate labor

by **Jule Hubbard**

A program that provides government, schools and other public entities in Wilkes County with tens of thousands of hours of free labor annually ends Tuesday due to state budget cuts.

Two crews from the Wilkes Correctional Center in North Wilkesboro, with eight inmates per crew, worked nearly 30,000 hours in 2008 alone as part of the N.C. Department of Correction's Community Work Program. One correctional officer per crew supervises them.

Even if the inmates were being paid as little as \$6 per hour, which they're not, that's nearly \$180,000 worth of labor. It's mostly general maintenance, ranging from spreading mulch and other landscape work at Wilkes schools to remodeling a room in the North Wilkesboro Police Station.

The program "makes a huge difference. I personally, and I know the schools also, will miss it dearly," said Bergie Speaks, head of maintenance for the Wilkes County schools.

Speaks said much of the labor intensive, time consuming work completed through the program would now likely go undone or require the hiring of private contractors.

The inmates helped move furniture from Union Elementary when it was closed a few years ago and helped renovate North Wilkesboro Elementary this summer by tearing out partitions, removing debris and other work.

"They've painted the big majority of our schools at one time or another," said Speaks.

He said inmates in the program were good workers and seemed to appreciate being able to do the work. Correctional officers with each crew often work alongside inmates, Speaks added.

Except for a few days when schools are closed during the academic year, all of the program's work for schools is in the summer because state law prohibits inmates from being on campus when students are nearby.

Speaks said the only challenge was sometimes in scheduling times and places of summer athletic and marching band camps to comply with this law.

Wilkes Correctional Center inmates in the program have also worked on projects for Wilkes County government and the Town of Wilkesboro, as well as at Stone Mountain State Park, Mount Jefferson State Park, Rendezvous Mountain State Educational Forest and along the Blue Ridge Parkway.

Bobby Harless, superintendent of the Wilkes Correctional Center, said actual daily pay is 70 cents per inmate, plus eligible inmates can work off prison time down to 85 percent of their original sentences.

Harless said three correctional officer positions at the Wilkes Correctional Center, which was one per Community Work crew plus an extra to fill in as needed, were lost with elimination of the program. He said his prison already had three vacant positions so no one actually lost a job.

Although state law still gives the school system and other entities the option of paying the N.C. Department of Correction \$150 per eight-man crew per day for inmate labor, Harless said he's not sure how this can be done with the loss of the three positions. He said his prison vans used to transport Community Work inmates also could be lost.

Dr. Steve Laws, Wilkes school superintendent, said that because of the importance of the inmate labor to the Wilkes schools, he favored paying the \$150.

Harless said the option of paying \$1 per inmate per day for prison labor also still remains, but supervision of inmates while they work must be provided by the entity that hires them. A contract is required and people who provide the supervision must meet certain requirements for training as custodial agents.

He said the governments of Alexander County and Taylorsville have these contracts with the Wilkes Correctional Center.

Harless agreed with Wilkes school officials about the importance of the Community Work program and said the negative response statewide to ending the program has raised questions about what would happen now.

"As far as I'm concerned, it's the best program we have" because of the savings it provides for taxpayers, he said. It also helps inmates develop a positive self-image and is good for public relations in the community, he added.

He said the program costs the N.C. Department of Correction about \$38,000 to



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\$40,000 annually per eight-man crew. He said this primarily included pay for the time of correctional officers with each crew, transportation and insurance.

The local state prison unit had five eight-man crews in the Community Work Program for several years after it was started in the mid-1990s.

He said that in addition to the two Community Work crews, the Wilkes Correctional Center has three crews that pick up roadside litter for the N.C. Department of Transportation. He said the litter cleanup crews would remain because that program receives DOT funds.

Harless said there are now 127 of Community Work crews statewide, all at state minimum custody prisons like the one in North Wilkesboro.

The Wilkes Correctional Center, with 262 inmates and 63 employees, isn't among eight state prisons slated for closure, said Harless.

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