

*First Assistant*  
CHRISTOPHER D. BECKER

*Chief-Civil Division*  
WILLIAM J. DANSO

*Chief-Criminal Division*  
CHARLES L. MORROW

*Chief-Appellate Division*  
ASHLEIGH J. MUSICK

*Chief-Juvenile Division*  
STANLEY A. ELKINS

*Investigators*  
MICHAEL C. KRAFCIK  
ROY ANNE RUDOLPH



## DENNIS WATKINS

*Trumbull County Prosecuting Attorney*

4th FLOOR ADMINISTRATION BUILDING  
160 HIGH STREET N.W. • WARREN, OHIO 44481-1092  
PHONE: 330-675-2426 • FAX 330-675-2431  
Prosecutor@co.trumbull.oh.us

*Civil Division*  
MICHAEL J. FREDERICKA  
LYNN B. GRIFFITH, III  
RYAN J. SANDERS  
JASON M. TOTH

*Criminal Division*  
MICHAEL A. BURNETT  
DEENA L. DeVICO  
GINA BUCCINO THOMAS

*Child Assault Division*  
DIANE L. BARBER, CHIEF  
GABRIEL M. WILDMAN

*Child Support Division*  
DAVID E. BOKER, CHIEF  
JAMES F. LEWIS

Chairman LaRe, Vice-Chairman Swearingen, Ranking Member Leland and members of the House Criminal Justice Committee, thank you for the opportunity to provide opponent testimony today on House Bill 183 to repeal the death penalty in Ohio.

I am here as First Assistant of the Trumbull County Prosecuting Attorney's Office. Dennis Watkins, who is currently the longest serving Prosecutor in the State of Ohio has sent me on his behalf and I have included his statement on this important issue. During his career, Mr. Watkins has successfully prosecuted 46 murder trials, and has personally obtained convictions which resulted in nine (9) of the twelve (12) Trumbull County murderers who have been sentenced to death under the Ohio law. He has also won arguments before the Ohio Supreme Court on many of these cases, upholding various convictions and the sentences. Most recently, he successfully presented arguments along with victims' family members to the Ohio Parole Board and the Governor of Ohio against clemency for three of the Defendants that he personally tried. As a result, all three killers were denied clemency, and the sentences were carried out. Jason Getsy was executed on August 19, 2009; Kenneth Biros was executed on December 8, 2009; and Roderick Davie was executed on August 10, 2010.

I have been an Assistant Prosecuting Attorney in Jefferson County from 1991-2000 and Trumbull County from 2001 to the present. I am currently the First Assistant and have personally prosecuted nine (9) Capital Murder trials. Four (4) of which received the death penalty including the only woman on Ohio's Death Row, Donna Roberts, who conspired with her boyfriend, Nathaniel Jackson to kill her husband Robert Fingerhut while Jackson was incarcerated in prison. Donna provided the weapon and then let Jackson in the marital home she shared with Fingerhut. Jackson shot and killed Fingerhut in the marital home.

I think it is important to note how the Ohio Legislature has consistently over the last thirty (30) years eroded and shrunk the penalties for the worst of the worst offenders in this State. In 1996, Ohioans were promised a "truth in sentencing" bill that would clearly state to criminals and victims what sentence a Defendant would serve. Prior to this legislation Ohio had an indefinite sentence structure that carried penalties of 5, 6, 7, 8, 9, or 10 to 25 years for aggravated felonies of the first degree, 3, 4, 5, 6, 7, or 8 to 15 years for aggravated felonies of the second degree and 2, 3, 4, or 5 to 10 years for aggravated felonies of the third degree.

The penalties for those same offenses now are 3, 4, 5, 6, 7, 8, 9, 10 or 11 years, 2, 3, 4, 5, 6, 7 or 8 years and 9, 12, 18, 24, 30 or 36 months. Even after the passage of the Reagan Tokes Law (Senate Bill 201) the maximum penalty for a felony of the first degree is only sixteen and one-half (16½) years.

A prime example of the breaks that have been given to criminals was House Bill 86 passed in September of 2011. That bill gave tremendous breaks to already convicted felons. First, Weapons Under Disability, those felons who have been convicted of violent felonies saw their potential prison sentence go from 1, 2, 3, 4 or 5 years to 9, 12, 18, 24, 30 or 36 months. A reduction of two years from the maximum sentence that convicted felons with firearms could receive! Are we serious about gun crimes in Ohio? This type of reduction clearly indicates we are not!

Second, convicted felons who are not reporting to their parole officers and off doing God knows what, were given and even larger break. Previous law provided that failure to report to their parole officers, an offense under the Escape Statute, were to face penalties for the next degree lower felony than what they were placed on parole (post-release control). Now the most a convicted felon who fails to report to their parole officer can receive is a felony 5 sentence of 6, 7, 8, 9, 10, 11 or 12 months.

This body has also provided other death blows to the Senate Bill 2 truth in sentencing statute by giving earned credits, 80% judicial release and other ways convicted criminals can be released early.

And recently, in Senate Bill 256 the Ohio legislature saw fit to not only give convicted child murderers a break by removing the discretion of judges, juries and prosecutors in the State of Ohio in sentencing juvenile murderers to life in prison without the possibility of parole but to retrospectively and against the hard work of juries, judges and prosecutors and retroactively allow parole for the worst juvenile murderers around the state.

Now this body is considering eliminating the death penalty and cow-towing to the special interests. The Ohio Legislature should be actively seeking ways to implement and use the death penalty in the State of Ohio on the most heinous of criminals sitting on our death row like Donna Roberts, Nathaniel Jackson, Danny Lee Hill and others.

This legislation is unneeded and unwanted by the people of the State of Ohio. At a time when Murderers are breaking records in Columbus, which saw a record number of homicides in 2020 (175) and is well on pace to surpass that in 2021, at a time when homicide rates per 100,000 Ohioans rose 40% between 2019 and 2020, the biggest increase seen over the past 35 years, at a time when the rate of violent crime offenses — which includes murder, rape, robbery and aggravated assault — rose by 4% and when the City of Warren, Ohio, the county seat of Trumbull County set a record number of homicides in 2020, stronger laws are needed not weaker laws.

To those that say Capital Punishment is not a deterrent it is not meant to be a deterrent. Neither is the Rape, Robbery or Burglary statutes. Those laws are intended to punish the violent and destructive members of our society. The Death Penalty is the ultimate penalty for the ultimate crime and should only be repealed by a vote of the electorate of the State of Ohio.

Christopher D. Becker  
1<sup>st</sup> Assistant  
Trumbull County Prosecutor's Office