Chief-Civil Division WILLIAM J. DANSO

Chief-Criminal Division
CHARLES L. MORROW

Senior Trial Attorney
MICHAEL A. BURNETT

Chief Appellate Division RYAN J. SANDERS

Chief-Juvenile Division STANLEY A. ELKINS

Investigators
MICHAEL C. KRAFCIK
ROY ANNE MALAK



## **DENNIS WATKINS**

Trumbull County Prosecuting Altorney

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
LYNN B. GRIFFITH, III
SAMANTHA L. MONROE
JASON M. TOTH
Criminal Division
DEENA L. DeVICO
GINA BUCCINO THOMAS
KEVIN J. TRAPP

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

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

Investigator/Public Information Officer
GUY M. VOGRIN

March 31, 2025

Lisa Hoying, Esq.
Parole Board Chair
Ohio Adult Parole Authority
4545 Fisher Road, Suite D
Columbus, OH 43225

IN RE: JOHN WHISONANT

Inmate #A185245

Trumbull County Case No. 85-CR-77

Continued Hearing: April 2025

Convictions: 4 Counts Rape, 1 Count

Gross Sexual Imposition

Sentence: 21 to 75 years

Time Served: 39 years 9 months

# Dear Attorney Hoying:

On May 25, 2022 I wrote this Board my 4<sup>th</sup> letter strongly opposing inmate John Whisonant's release on parole. Therefore, this is my 5<sup>th</sup> letter and with some new members I realize how important it is for me to renew and update the Parole Board about our opposition and why it is in the public's interest and public safety to continue his incarceration in prison. As you know Whisonant was convicted by a jury trial in 1985 of raping four (4) family members (3 girls and 1 boy), ages 5 to 9

Trumbull County Prosecuting Attorney

Lisa Hoying, Esq. March 31, 2025 Page Two

in Howland Township, Trumbull County, Ohio. At that time, raping a child age 12 or younger under Ohio law provided a maximum sentence of 7 to 25 years in prison. Today, as the Parole Board knows, the penalty under current Ohio law, the rape of young children is a life sentence, including a maximum sentence of life without parole. He got lucky with his sentencing, when viewing his serial rapes of children under contemporary standards, and only received a maximum of 75 years in prison. Please read my prior letters dated May 22, 2022, February 3, 2010, November 19, 2013, November 12, 2016, and July 16, 2019 which are included for your review and also relevant material evidence provided to the jury, including victims, witness and medical evidence. Hopefully, with an evaluation of everything you may agree with me that it is in the interest of justice in keeping inmate Whisonant where he is at and where he belongs until the dawn of his last day of serving his maximum sentence (minus good time) as provided by law.

This office has never seen the likes of a John Whisonant because of the magnitude of his crimes against so many of his own family members and his earned score of <u>Unique Factors</u> justifying his appropriate punishment and confinement to ensure public safety. (Please see page four of our May 25, 2022 letter). In a nutshell, let me reiterate the ways that Whisonant is one of the worst of worst pedophile rapists we have ever seen:

- 1) He raped his own 5 children over a period of five (5) years (1980-1985). That makes him a serial rapist by any definition;
- 2) His own flesh and blood children were at the time ages 4 to 9 years of age (4 girls and 1 boy);
- 3) He committed vaginal intercourse, anal intercourse, digital penetration, and also directed them to commit acts of oral sex on him;
- 4) The children were medically examined and 3 of the girls were found to have healing lacerations and/or tears of the introitus;

Trumbull County Prosecuting Attorney

Lisa Hoying, Esq. March 31, 2025 Page Three

- 5) At a jury trial upon a motion by then Assistant Prosecutor W. Wyatt McKay (retired Trumbull County Common Pleas Judge), a rape charge was dismissed involving the 4-year-old to spare her the ordeal of testifying. The older children, because Whisonant wouldn't take responsibility for what he had done, were not spared that ordeal and testified at the jury trial;
- 6) This Monster (today also known as a human trafficker) even allowed two of his adult friends to molest his oldest daughter-they also pled guilty and were sentenced to prison (Please review February 3, 2010 letter by Child Assault Division Chief Diane Barber and myself and supporting material of the victim's statement along with conviction history of David Beane and Al Crain);
- 7) Since 1986 when the Trumbull County Prosecutor's Child Assault Prosecution Unit began in the county to work child abuse cases and coordinate efforts with the local children services agency, now retired Executive Director of that agency Marcia A. Tiger wrote in a letter the following: "The Whisonant case became the 'standard bearer' for horrific sexual abuse cases in our county. In my 35 years in child welfare, a handful of really serious cases vividly stick in my mind. The Whisonant case is definitely one of those cases. Only the baby of the six children family was not molested by Whisonant. All 5 others were! (Emphasis added);
- 8) After the Whisonant case, Ohio legislative law was changed and parents who use their authority to forcibly injure and rape their own children today, or would just engage in sexual conduct with children 10 years of age and younger, would receive (and have many times in Trumbull County courtrooms) life sentences. See Ohio Revised Code Section 2907.02 and State v. Eskridge (1988), 38 Ohio St. 3d 56; and
- 9) Inmate Whisonant wrote two letters to his children (i.e. to the victims) and their foster parents (which the board has) stating: "I have done wrong to them all and I have been forgiven by God and I will accept all punishment that I will receive because he is watching over me..." (Emphasis added).

That's it! And it is not fiction!

Trumbull County Prosecuting Attorney

Lisa Hoying, Esq. March 31, 2025 Page Four

In closing I would add as an update recent reported bad behavioral conduct of inmate Whisonant while in prison found in his Current Institutional Report Summary dated March 4, 2025. Since I last wrote you in 2022 Whisonant has been written up for various prison rules infractions 5 different times, including stealing and assault. His latest write-up was November 27, 2024. After nearly 40 years in prison and countless hours of rehabilitation he still can't control himself and follow rules, even when he is under confinement and watched by others. However, what really concerns me and should concern the Board and society is his propensity to flare up, explode and engage in assaultive conduct with other inmates. For example, on March 20, 2022 a corrections officer witnessed "Whisonant kick inmate Angles-Boylen in the chest area." (See records provided)

In my opinion, and all who remember why this serial child rapist went to prison back in 1985, it would be a recipe for societal disaster to release this sexual predator of kids after nearly 40 years in prison back in society, and for the first time in 40 years have him see once again and possibly be alone with children ages 5, 6, 7, and 9 or even younger. He has decades left to go on his sentence—please don't take <u>any</u> risks. And please remember—he is lucky he was not sentenced to life without parole!

Thank you for your consideration in this matter.

Very truly yours,

DENNIS WATKINS

Trumbull County Prosecuting Attorney

DIANE L. BARBER

Chief, Child Assault Division

Chief-Civil Division WILLIAM J. DANSO

Chief-Criminal Division
CHARLES L. MORROW

Appellate Division
RYAN J. SANDERS

Chief-Juvenille Division STANLEY A. ELKINS

Investigators
MICHAEL C. KRAFCIK
ROY ANNE RUDOLPH



## DENNIS WATKINS

Trumbull County Prosecuting Altorney

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

May 25, 2022

Civil Division MICHAEL J. FREDERICKA LYNN B. GRIFFITH, III 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

Ms. Alicia Handwerk, Chair Ohio Parole Board Ohio Adult Parole Authority 4545 Fisher Road, Suite D Columbus, OH 43225

IN RE: JOHN WHISONANT

Inmate #A185245

Trumbull County Case No. 85-CR-77

Continued Hearing: June 2022

Convictions: 4 Counts Rape, 1 Count

Gross Sexual Imposition

Sentence: 21 to 75 years

Time Served: 36 years 11 months

# Dear Ms. Handwerk:

As you may know this is my 4<sup>th</sup> letter to the parole board strongly opposing inmate Whisonant's release on parole. He was convicted by a jury trial in 1985 of raping four (4) family members (3 girls and 1 boy) ages 5 to 9 in Howland Township, Trumbull County, Ohio. At that time, raping one's own child age 12 or younger under Ohio law provided a maximum sentence of 7 to 25 years in prison. Today, as the parole board knows, the penalty under the current Ohio law for the rape of young children by a parent provides for a life sentence, with a maximum sentence of life

Trumbull County Prosecuting Attorney

Ms. Alicia Handwerk, Chair May 25, 2022 Page Two

without parole. Please read prior letters dated February 3, 2010, November 19, 2013, November 12, 2016, and July 16, 2019, included for your review and consideration: (Additionally, we are also enclosing relevant evidence including victims' statements which were submitted to the board previously).

It is our further understanding that Office of Victims Services in Columbus have had communication with a couple of the victims about inmate Whisonant's possible parole. In the past, we have seen family member victims have varying views on release; after all, this is their father. Nevertheless, understanding their vulnerability under the circumstances and unimaginable suffering they have had to endure through the years, this office and staff respect their opinions whatever they may be and hope for their own individualized healing process to continue and go forward.

However, to the extent some victims may join us or not in continuing our opposition to Whisonant's release, it is still important to point out to board members that our mission under the law is to vigorously oppose the parole of those offenders where the amount of time served has not been sufficient such that it would diminish the seriousness of the crimes they committed. Nor should dangerous offenders who will continue to be a threat to the community be released. In our opinion, inmate John Whisonant is a documented chronic sexual predator of the worst kind. We can't picture (nor have we seen) another like him. Period!

In writing this letter I thought about why we call inmate Whisonant one of the worst of the worst pedophile rapists we have seen. Let us reiterate the ways:

- 1) He raped his own 5 children over a period of five (5) years (1980-1985). That makes him a serial rapist by any definition;
- 2) His own flesh and blood children were at the time ages 4 to 9 years of age (4 girls and 1 boy);
- 3) He committed vaginal intercourse, anal intercourse, digital penetration, and also directed them to commit acts of oral sex on him:

Trumbull Country Prosecuting Attorney

Ms. Alicia Handwerk, Chair May 25, 2022 Page Three

- 4) The children were medically examined and 3 of the girls were found to have healing lacerations and/or tears of the introitus;
- 5) At a jury trial upon a motion by then Assistant Prosecutor W. Wyatt McKay (now Senior Trumbull County Common Pleas Judge), a rape charge was dismissed involving the 4-year-old to spare her the ordeal of testifying. The older children, because Whisonant wouldn't take responsibility for what he had done, were not spared that ordeal and testified at the jury trial;
- 6) This Monster (presently known as a human trafficker) even allowed two of his adult friends to molest his oldest daughter-they also pled guilty and were sentenced to prison (Please review February 3, 2010 letter by Child Assault Division Chief Diane Barber and myself and supporting material of the victim's statement along with conviction history of David Beane and Al Crain);
- 7) Since 1986 when the Trumbull County Prosecutor's Child Assault Prosecution Unit began in the county to work child abuse cases and coordinate efforts with the local children services agency, now retired Executive Director of that agency Marcia A. Tiger wrote in a letter the following: "The Whisonant case became the 'standard bearer' for horrific sexual abuse cases in our county. In my 35 years in child welfare, a handful of really serious cases vividly stick in my mind. The Whisonant case is definitely one of those cases. Only the baby of the six children family was not molested by Whisonant. All 5 others were! (Emphasis added);
- 8) After the Whisonant case, Ohio legislative law was changed and parents who use their authority to forcibly injure and rape their own children today, or would just engage in sexual conduct with children 10 years of age and younger, would receive (and have many times in Trumbull County courtrooms) life sentences. See Ohio Revised Code Section 2907.02 and State v. Eskridge (1988), 38 Ohio St. 3d 56; and
- 9) Inmate Whisonant wrote two letters to his children (i.e. to the victims) and their foster parents (which the board has) stating: "I have done wrong to them all and I have been forgiven by God and I will accept all punishment that I will receive because he is watching over me..." (Emphasis added).

Trumbull Country Prosecuting Attorney

Ms. Alicia Handwerk, Chair May 25, 2022 Page Four

That's it! And it is not fiction!

As to the above quoted statement by Whisonant, Prosecutor Barber and I said the following previously to the board "...<u>If he accepts all punishment</u> that means seventy-five years. If he is in God's hands and in the prison's care, then this textbook pedophile will not rape a child again."

It is our view that as summarized above, there are nine reasons all of you need to consider to keep inmate Whisonant in prison until he has served the maximum amount of time as provided by law. He has only served one-half of his maximum sentence given by the common pleas court. Whisonant's continued imprisonment will ensure public safety especially for our children. Moreover, as the Ohio Parole Handbook states "...an inmate is not suitable for release...if it finds...There is substantial reason to believe that as unique factors of the offense of conviction significantly outweigh the inmate's rehabilitative efforts, the release of inmate into society would create undue risk to public safety and/or would not further the interest of justice nor be consistent with the welfare and security of society ..." See Handbook page 14.

If the above language does not apply to the tee to the Whisonant facts and his parole suitability, then who would it apply to? Respectfully, we have never seen nor has this office seen over thirty years (30) of child assault prosecutions, a father who has raped his four-year old child, his five-year old child, his six-year old child, his seven-year old child and his nine-year old child and even to top everything else engaged in the repeated human trafficking of one of them. Have you? These <u>Unique Factors Significantly outweigh</u> everything else!

Moreover, in the INTEREST OF JUSTICE, PLEASE KEEP INMATE WHISONANT WHERE HE IS AND WHERE HE BELONGS UNTIL THE DAWN OF HIS LAST DAY OF ELIGIBILITY FOR PRISON LIFE!

Trumbull Country Prosecuting Attorney

Ms. Alicia Handwerk, Chair May 25, 2022 Page Five

Thank you for your consideration in this matter.

Very truly yours,

**DENNIS WATKINS** 

Trumbull County Prosecuting Attorney

mmis Wathins

DIANE L. BARBER

Chief, Child Assault Division

Enc.

DW/fah

Chief-Civil Division WILLIAM J. DANSO

Chief-Criminal Division
CHARLES L. MORROW

Appellate Division ASHLEIGH J. MUSICK

Chief-Juvenille Division STANLEY A. ELKINS

Investigators GARY S. HETZEL ROY ANNE RUDOLPH



## DENNIS WATKINS

Trumbull County Prosecuting Altorney

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

July 16, 2019

Civil Division LYNN B. GRIFFITH, III JASON M. TOTH

Criminal Division
GINA BUCCINO ARNAUT
MICHAEL A. BURNETT
DEENA L. DeVICO

Child Assault Division DIANE L. BARBER, CHIEF GABRIEL M. VVILDMAN

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

Ms. Trayce Thalheimer, Chair Ohio Parole Board 4545 Fisher Road, Suite D Columbus, OH 43228

IN RE: JOHN WHISONANT

Inmate #A185245

Continued Hearing: August, 2019 Trumbull County Case #85-CR-77 Convictions: 4 Counts Rape, 1 Count

Gross Sexual Imposition Sentence: 21 to 75 years

Time Served: 34 years

This office and others have written repeatedly over the years strongly opposing the release on parole of serial child rapist John Whisonant (age 64). I am enclosing our letters of September 12, 2016, November 19, 2013 and February 3, 2010 for your review. This inmate raped over a period of 5 years (1980-1985) his own flesh and blood children, ages 4 to 10 (4 girls and 1 boy) in Howland Township, Trumbull County, Ohio. This monster even allowed two of his adult friends to molest his oldest daughter (David Beane and Al Crain were convicted in 1985 and both sentenced to prison for gross sexual imposition). The case worker of Trumbull County Children Services Agency, who received the referral, will never forget the date of February 11, 1985 when she received the call to investigate. She would later become Executive Director of the agency (See Marcia A. Tiger letter dated February 2, 2010 previously sent to the Parole Board.) Director Tiger stated: "The Whisonant case became the 'standard bearer' for horrific sexual abuse cases in our county. In

## Trumbull County Prosecuting Attorney

my 35 years in child welfare, a handful of really serious cases vividly stick in my mind. The Whisonant case is definitely one of those cases." Only the baby in the six children family was not molested by Whisonant. All 5 others were!

I would note to the Parole Board that the Trumbull County Prosecutor's Office has had a child assault prosecution unit for approximately 33 years, one of the oldest such units in Ohio. John Whisonant shares a similar record with Clyde Bush (recently denied parole by the board) for raping more different young children of both sexes age 10 and under over a long period time we have seen. After a jury trial in 1985, Whisonant was sentenced by law (which has been changed) to 21 to 75 years in prison.

Today, under current law, the rape statute in Ohio having been amended many years ago, the child rapist is in a different ball game. No longer is it required that the prosecution must show that "force or threat of force" was used in raping young children under 10 years of age. Obviously young children willingly follow their parent's requests. Today, life imprisonment without parole is the sentence regardless of the use or threat of force. See Ohio Revised Code Section 2907.02 and State v. Eskridge (1988), 38 Ohio St. 3<sup>rd</sup> 56. In short, the Whisonants of today get a much harsher and more appropriate sentence for their vicious crimes against the very young.

Through the years, Whisonant, like most pedophiles, do often minimize their behavior and attempt to con others including victims that one should somehow feel sorry for them. Just give me another chance! Never in my book when you have a serial child rapist!. As the board is aware from previously sent materials, this inmate had written two letters admitting raping his own children (three girls suffered physical injuries including lacerations to the vagina and anal fissures). See February 3, 2010 letter to board by Dennis Watkins and Diane Barber.

Further, a review of Whisonant's Current Institutional Report Summary dated July 16, 2019 documents two guilty infractions by him since I last wrote the board in 2016, including contraband pills. The Current Risk Score for Whisonant is written as "(low) o" even though his Current Sex Offender Classification is "Tier 3". That is total nonsense in any application of this man outside prison where he is free to roam and come in contact with little children. However, your risk view is true in

Trumbull County Prosecuting Attorney

prison. There is zero chance he will rape other children when there are no children in prison! (See attached inmate Clyde Bush letter to board dated March 11, 2019.)

In closing, this office believes inmate Whisonant is one of the worst of the worst child sexual predators it has seen. This man is only 64 years old and only has served less than one-half (1/2) of the maximum sentence given by the court. Under the parole board's own guidelines, it is our belief that Whisonant is not suitable for release since there is substantial reason to believe that due to the serious nature of the crimes against multiple child victims, his release into society would create undue risk to public safety and would not further the interest of justice by lessening or demeaning a fair punishment.

Thank you for your attention and consideration in this matter.

Very truly yours,

**DENNIS WATKINS** 

Trumbull County Prosecuting Attorney

Jannes Watkins

Enc.

DW:fah

Chief-Civil Division WILLIAM J. DANSO

Chief-Criminal Division CHARLES L. MORROW

Chief-Appellate Division LuWAYNE ANNOS

Chief-Juvenile Division STANLEY A. ELKINS

Investigators GARY S. HETZEL ROY ANNE RUDOLPH



## DENNIS WATKINS

Trumbull County Prosecuting . Ittorney

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

September 12, 2016

Civil Division
JAMES M. BRUTZ
LYNN B. GRIFFITH, III
JASON M. TOTH

Criminal Division
GINA BUCCINO ARNAUT
MICHAEL A. BURNETT
DEENA L. DeVICO

Child Assualt Division
DIANE L. BARBER, CHIEF
GABRIEL M. WILDMAN

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

Attorney Andre Imbrogno Acting Parole Board Chair Ohio Adult Parole Authority 770 West Broad Street Columbus, OH 43222

Dear Attorney Imbrogno:

In Re: JOHN WHISONANT, Inmate #A185245

Continued Hearing-October, 2016
Trumbull County Case #85-CR-77-1
Charges: Rape, Rape, and

Sexual Imposition

Sentence: 21 to 75 years

Time Served: 31 years 4 months

I have along with others written in the past the parole board strongly opposing the release on parole of serial child rapist John Whisonant. I am enclosing my letters of November 19, 2013 and February 3, 2010 along with relevant materials for your review. I would note to this Board that the Trumbull County Prosecutor's Office has had a Child Assault Prosecution Unit for approximately 30 years now and over all those years of prosecuting child rapists, John Whisonant has the record for raping more different young children of both sexes under 10 we have seen. I emphasize the ages of the victims-4, 5, 6, 7 and 9. Today with a change in the law in 1988, Whisonant surely would be sentenced to life in prison (probably without the benefit of any parole). This man is 61 years old and his freedom now would bring about a risk beyond measure. He has yet to serve one-half (1/2) of the original maximum sentence of 75 years given by

Trumbull Country Prosecuting Altorney

Attorney Andre Imbrogno September 12, 2016 Page Two

Trumbull County Common Pleas Judge Mitchell Shaker. Furthermore, these repeated violent acts of rapes were committed against his own children. Medical records provided to you establish that three of Whisonant's victims (all girls) suffered physical injuries including lacerations to the vagina and anal fissures. Therefore, under the parole board's own guidelines, it is our belief that Whisonant is not suitable for release since there is substantial reason to believe that due to the serious nature of the crimes against multiple child victims, his release into society would create undue risk to public safety and would not further the interest of justice. Justice is never served when a fair punishment is demeaned or lessened.

In conclusion this office believes John Whisonant is one of the worst of the worst child sexual predators it has seen. Society deserves to be protected and have reasonable punishment enforced. I am including with this letter a copy of a newspaper editorial written by the Vindicator (Youngstown, Ohio) on December 4, 2013 opposing the release of Whisonant and murderer John Lysikowski on parole. I believe the newspaper's view holds true today. Please deny parole to inmate John Whisonant.

Thank you for your consideration in this matter.

Very truly yours,

DENNIS WATKINS

Almin Wather

Prosecuting Attorney

Enc.

DW:fah

Chief — Civil Division WILLIAM J. DANSO

Chief — Criminal Division
CHARLES L. MORROW

Chief — Appellate Division LuWAYNE ANNOS

Chief — Juvenile Division STANLEY A. ELKINS

Investigators
GARY S. HETZEL
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

November 19, 2013

Civil Division JAMES M. BRUTZ LYNN B. GRIFFITH, III JASON M. TOTH

Criminal Division
GINA BUCCINO ARNAUT
MICHAEL A. BURNETT
DEENA L. DeVICO

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

Child Support Division
MATTHEW J. BLAIR
JAMES F. LEWIS

Attorney Cynthia Mausser, Parole Board Chair Ohio Adult Parole Authority 770 West Broad Street Columbus, OH 43222

Dear Attorney Mausser:

In re: JOHN WHISONANT, Inmate #A185245

Trumbull County Case No. 85-CR-77-1 Charges: Rape, Rape, Rape, Rape, and

Sexual Imposition Sentence: 21 to 75 years

Time Served: 28 years 5 months

John Whisonant may be the luckiest prison inmate in lockup in Ohio. Under the law in Ohio in 1985 raping the very young (i.e. 4, 5, 6, 7, and 9 year olds) often was done without the use or threat of force, especially if the offender was committing acts of rape against family members. Whisonant, who went to a jury trial in 1985, was convicted of four (4) counts of rape and one (1) count of gross sexual imposition (the charge for raping the four-year old was withdrawn by Prosecutor W. Wyatt McKay since the four-year old female was too young to testify). Therefore, under the 1985 law, anyone convicted of a child rape would be sentenced to an indeterminate term with a 25 year maximum sentence unless it was proved the offender purposely compelled the victim to submit by force or threat of force. Whisonant benefitted from the law since he was only instructing his children to have sex with him. Nevertheless, Judge Mitchell Shaker of the Trumbull County Common Pleas Court sentenced Whisonant to consecutive sentences of 7 to 25 years on each of his first three child rape convictions. His total sentence at that time (May 28, 1985) was 21 to 75 years in prison.

Trumbull County Prosecuting Attorney

Attorney Cynthia Mausser November 19, 2013 Page Two

Today, under current law, the rape statute in Ohio, having been amended many years ago, the child rapist is in a different ball game. No longer is it required that the prosecution must show that "force" or "threat of force" was used in raping young children under 10 years of age. Today, life imprisonment without parole is the sentence regardless of the use or threat of force. See Ohio Revised Code Section 2907.02 and *State v. Eskridge* (1988), 38 Ohio St.3d 56. In short the Whisonants of today get a much harsher and more appropriate sentence for their vicious crimes against the very young.

Looking at the evidence in this case, consecutive life imprisonment sentences surely would be given today. This man is a menace to society and at the age of 30 when he repeatedly raped his own children (both male and female) aged 4 to 9 (five of them) and committed vaginal intercourse, anal intercourse, and digital penetration on them and three of the girls were found to have healing lacerations and/or tears of the introitus, truly John Whisonant has no legitimate standing to be given parole. He repeatedly committed, in serial fashion, the worst form of the crime of rape upon his own who he was duty bound to raise on this God's earth. To say this offender is a danger to society is an understatement. Though he may have conned his way with his victims, it is my belief and hope that he will never be able to con his way out of prison and prey on any child again. I am enclosing my prior letters and materials for your review.

Lastly though, Whisonant may have had few Rule Infractions Board (RIB) discipline history during his incarceration that is often the case with pedophiles who pick on children. They seem to do well in prison and in a controlled environment. It makes no sense to take the leash off at age 58 when he's dong so well. He's only at the halfway point in his sentence.

Trumball County Prosecuting Attorney

Attorney Cynthia Mausser November 19, 2013 Page Three

Thank you for your consideration in this matter.

Very truly yours,

**DENNIS WATKINS** 

mmis Watkins

Prosecuting Attorney

Enc.

DW:fah

First Assistant JAMES J. HISOCKY

Chief Trial Attorney CHRISTOPHER D. BECKER

> Chief — Civil Division JAMES T. SAKER

Criminal Division CHARLES L. MORROW

Chief — Appellate Division LuWAYNE ANNOS

Chief --- Juvenile Division STANLEY A. ELKINS



Trumbull Country Prosecuting Altorney

4th FLOOR ADMINISTRATION BUILDING 160 HIGH STREET N.W. WARREN, OHIO 44481-1092 PHONE: (330) 675-2426 • FAX: (330) 675-2431

Civil Division
JEFFREY D. ADLER
JAMES M. BRUTZ

GINA BUCCINO ARNAUT MICHAEL A. BURNETT WILLIAM J. DANSO SEAN J. O'BRIEN

Child Assault Division
DIANE L. BARBER, CHIEF DEENA L. DeVICO

Child Support Division
DAVID E. BOKER, CHIEF
MATTHEW J. BLAIR

Investigators
GARY S. HETZEL
ROY ANNE RUDOLPH

February 3, 2010

Cynthia Mausser Parole Board Chair Adult Parole Authority 770 West Broad St. Columbus, OH 43222

RE:

John Whisonant Inmate No. A185245 TCCCP Case No. 85-CR-77-1

Dear Ms. Mausser:

The purpose of this letter is to oppose parole for John Whisonant ("Whisonant"). Whisonant stands convicted of four (4) counts of Rape, in violation of former O.R.C. 2907.02(A)(3), and one (1) count of Gross Sexual Imposition, in violation of O.R.C. 2907.05 Whisonant was tried by a Jury in 1985 and convicted of raping his own children: Amy, age 9 at the time; Mary, age 7 at the time; Millie, age 6 at the time; and Leonard, age 5 at the time. During the course of the investigation, these children together with a younger sibling, Amanda, age 4, recounted years of molestation including being directed to perform oral sex on Whisonant; vaginal intercourse; anal intercourse and digital penetration. At trial, the Prosecutor's Office, upon motion by Assistant Prosecutor W. Wyatt McKay, dropped the rape charge involving the four year old to spare her the ordeal of testifying. The children were examined medically and three (3) of the girls were found to have healing lacerations and/or tears of the introitus.

Following the trial, Judge Mitchell F. Shaker sentenced Whisonant to seven (7) to twenty-five (25) years on each of the four (4) Rape counts and two (2) years on the Gross Sexual Imposition count. The sentences on three (3) of the Rape counts were ordered to be served consecutively to each other with the remaining two (2) counts ordered to be served concurrently for an aggregate sentence of twenty-one (21) to seventy-five

Furthermore, there were two (2) co-defendants indicted with Whisonant: David Beane and Allan Crane. Beane pleaded guilty to two (2) counts of Gross Sexual Imposition. He was sentenced to an aggregate sentence of three (3) years' incarceration. Crane pleaded guilty to one (1) count of Gross Sexual Imposition and was sentenced to two (2) years' incarceration.

Whisonant's children stood up against their own father in open court and testified against him. The court, after hearing their testimony and considering the Defendant's prior criminal record, stood up for the children and imposed a twenty-one (21) to seventy-five (75) year sentence. Whisonant has served only twenty-four (24) years of that sentence.

In our opinion, it would be unconscionable to release this vicious pedophile who repeatedly raped his own flesh and blood children after he has served less than one-third of his sentence. A man who can rape his daughters, aged nine, seven, six and four, and, at the same time, rape his five year old son could rape any child. There is only one solution to protect other children – keep him locked up until he dies.

In closing, if we might add, we have enclosed copies of two (2) letters written by Whisonant to his children and their foster parents where he admits guilt to the molestation of his children. In the pertinent part of the letter to the foster parents he states "I have done wrong to them all and I have been forgiven by God and I will accept all punishment that I will receive because he is watching over me..." [emphasis added] If he accepts all punishment, that means seventy-five years. If he is in God's hands and in the prison's care, then this textbook pedophile will not rape a child again.

Please find enclosed a packet of information with respect to this case which includes statements given by the children during the investigation in this case, the children's medical report authored by W. B. Dodgson, M.D., a letter from Marcia A. Tiger, the Executive Director of the Trumbull County Children Services Board, together with other information which you may find pertinent for your review.

Thank you for your consideration. Should you have any questions or require any additional information, please do not hesitate to call us.

Sincerely,

DENNIS WATKINS, Prosecuting Attorney Trumbull County, Ohio

and

Diane L. Barber Chief Counsel,

Child Assault Prosecution Unit

Chief-Civil Division WILLIAM J. DANSO

Chief-Criminal Division
CHARLES L: MORROW

Appellate Division
ASHLEIGH J. MUSICK

Chief-Juvenile Division STANLEY A. ELKINS

Investigators
GARY S. HETZEL
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

March 11, 2019

Civil Division
JAMES M. BRUTZ
LYNN B. GRIFFITH, III
JASON M. TOTH

Criminal Division
GINA BUCCINO ARNAUT
MICHAEL A. BURNETT
DEENA L. DeVICO

Child Assualt Division
DIANE L. BARBER, CHIEF
GABRIEL M. WILDMAN

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

Ms. Trayce Thalheimer, Acting Parole Board Chair Ohio Adult Parole Authority 770 West Broad Street Columbus OH 43222

In Re: CLYDE T. BUSH

Institution #A220380

Trumbull County Case No. 89-CR-522

<u>CHARGES</u>: Child Rape – 8 counts; Attempted Child Rape – 1 count;

Gross Sexual Imposition – 5 counts SENTENCE: Eight (8) Life Sentences

concurrent with 10 to 25 years and

concurrent with five two (2) year sentences

TIME SERVED: 29 years

## Dear Ms. Thalheimer:

In 1990, I wrote Mr. Raymond Capots, then Chairman of the Parole Board a letter about inmate Clyde Bush after his sentencing to life in prison for molesting and/or raping ten (10) different children, ages two (2) to six (6), over a two-year period to express my disgust and outrage with his crimes. I wanted the board to know my strong opinion that Bush deserved to die in prison for what he did. Furthermore, at that time, I didn't know whether I would still be prosecutor in year 2000 when he first became eligible for parole, I thought you should have the facts of these crimes from the trial attorney who put the evidence together for indictment and prosecution. Included with this letter are relevant materials (you

Trumbull County Prosecuting Attorney

Ms. Trayce Thalheimer, Acting Parole Board Chair Page 2

previously were sent Bush's video-taped confession to most of his crimes) and my 1990 Save Future Children letter.

Well it's 30 years later and I'm still here as the county prosecutor and Clyde Bush is still there as a convicted child rapist (serving 8 Life Sentences among other sex offenses, totaling 14 counts) as he should be. Former Howland Township Police Chief, Paul Monroe led the 1989 investigation as a detective of Bush's horrific crimes against children, and is now Trumbull County Sheriff and he joins me with his own letter, which is attached, strongly opposing Bush's parole. We believe that clearly the pattern of abuse in this matter, the length of time involved in repeatedly harming helpless toddlers and children, the large number of victims, and the ages of these little victims, both girls and boys, establish that Bush is among the worst of the worst child sex offenders known in this state and the nation.

Unfortunately, because of confidentiality rules, I am unable to obtain relevant mental health prison records (i.e. psychological testing, reports, DMS-V diagnosis, etc.) about Bush, however, what I do know about him – raping and/or molesting ten (10) different children, ages two (2) to six (6), over approximately two (2) years – tells me all I need to know (as most everyone who remembers this matter – victims and their families, witnesses, treatment providers, police, community, etc., back in 1989), that this serial child rapist will always be, so long as he breathes air, a clear and present danger to young children. Textbook pedophiles should never be released from a life sentence. Even in a wheelchair, if inmate Bush is able to hold a baby or toddler, he would be able to sexually assault them. There is ZERO chance to reoffend if he serves his full sentence!

In closing, this office strongly disagrees with the Department of Rehabilitation and Correction's current Institutional Report Summary which places inmate Bush's current risk score classification as Low (3) from this perspective. Our Trumbull County experience with one of the longest serving child assault prosecution programs in Ohio (1986) shows that pedophiles have a very high recidivism rate once released from jail or prison and on the other hand that in a controlled environment such as prison, they generally follow the rules and are good prisoners. Many even learn or mimic to say they feel remorse for what they have done if it would benefit them. However, in prison pedophiles are no longer a threat

DENNIS WATKINS

Trumbull County Presecuting Attorney

Ms. Trayce Thalheimer, Acting Parole Board Chair Page 3

to children since there are no children in prison (Thank God!). So on paper and based on prison demographics and behavior in prison – the pedophiles score well. In these low risk scores, in my opinion, are inmates with false positives who often, when released, actually reoffend.

Therefore, once you release these sexual predators like Bush and they are set free to roam the streets where children live, go to school (or day-care providers) or play, you have provided them with their next possible victims. Safe Pedophile, Safe Children, and Safe Future Children with just confinement.

Please deny Clyde Bush parole thereby providing justice with meaningful punishment under the law and at the same time protecting the safety and welfare of our communities.

Thank you for your consideration in this matter.

Very truly yours,

DENNIS WATKINS

Trumbull County Prosecuting Attorney

DW:jah enclosures