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November 2, 2023

Attorney Lisa Hoying, Parole Board Chair
Ohio Adult Parole Authority
4545 Fisher Road Suite D
Columbus, Oh 43228

IN RE: GARY ALLEN BETZ
Inmate #A149282
Trumbull County Case No. 77-CR-10
Continued Hearing: November, 2023
CONVICTIONS: Aggravated Murder with
Specification of Aggravating Circumstance
and Aggravated Robbery
SENTENCE: August 24, 1977-Life
Imprisonment consecutive with 7 to 25-year
sentence for Aggravated Robbery
TIME SERVED: 46 years and 10 months

Dear Attorney Hoying:

Previously I have sent the Board at least nine different letters, many with materials, the last one sent to you was on March 29, 2022, concerning the possible release on parole of murderer Gary Allen Betz for a fourth time. Furthermore, please be advised that this office along with surviving victim family members and friends still adamantly oppose Betz's release and indicate that they would (along with this office) request a full board hearing opposing his release if necessary. I would also note that I was the lead prosecutor who tried Betz in 1977 some 46 years ago as a young assistant Trumbull County Prosecutor.

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Today, I am enclosing many of the past records and materials I have sent to the parole board for nearly four decades along with some documents that you may not have. Additionally, I believe the board has in its possession various court records and psychological reports forwarded to you over the years. This office wants to make sure that the present board, including some new members, have the full picture of Gary Allen Betz including his chronic history of crime and reoffending. From all accounts (including his 1977 capital trial mitigation hearing wherein the mental health experts found Betz to be suffering from various conditions including anti-social personality disorder, drug and alcohol abuse, a schizoid personality and even a possible psychotic illness), Gary Betz is and will always be a dangerous person. His life sentence rather than a death penalty was the result of a split verdict in the penalty phase of his trial before a three-judge panel. After nearly 47 years in prison with endless programs and rehabilitation efforts, prison official risk assessment has Betz as a moderate risk to reoffend.

Further included with our package are copies of my letters to the Board dated: (1) March 29, 2022; (2) December 29, 2021; (3) September 27, 2019; (4) September 15, 2017; (5) November 5, 2015; (6) January 17, 2013; (7) September, 1997; (8) March 16, 1992; and (9) December 29, 1988. (See Exhibits 1 to 9 attached) Also enclosed are letters authored by Jacqueline Coury, Director Victim/Witness Division, Trumbull County Prosecutor's Office dated January 25, 1989 and January 20, 1989. I am enclosing a January 26, 1989 letter from June Lucas, State Representative 58th House District, to Richard Seiter, Director of Department of Rehabilitation and Corrections, opposing Gary Betz's commutation and possible future release in 1987 saying "I and the family of Ronald Goche thank you or your consideration in this matter and I trust you would be able to provide Mr. Betz a safe haven for the rest of his natural life." (See also attached Vindicator newspaper article about case dated December 31, 1988). (See Exhibits 10, 11, 12, 13 and 14 attached)

I also know that the Trumbull County Common Pleas Judge Donald R. Ford wrote a letter to the parole board in 1988 opposing Betz's release on parole which

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you should also have. Additionally, I am enclosing copies of our materials submitted to the parole board in 2007 opposing inmate Betz's release on parole which went to a full board hearing whereupon inmate Betz was granted release on parole at that time. (See Exhibit 15 including some statements and crime scene photographs) Following his release on parole, he violated his parole repeatedly (known then as "Super Drunk") and was returned to prison in 2011. (Please review records of his reoffending enclosed). See further enclosed copy of Youngstown Vindicator Editorial opposing Betz's release dated January 23, 2019. To do insult to damage, this was not Betz's first time for reoffending and going back to prison.

Prior to his cold-blooded murder-robbery of Ron Goche on December 15, 1976, Betz had gone to prison in Ohio twice and had been released twice and not only reoffended but escalated his crimes to extreme violence-aggravated murder and aggravated robbery. If this is not enough of endless second chances examples, one only needs to look at Betz's juvenile criminal history of incarcerations, rehabilitations, releases, and returns. This sociopath has an insatiable appetite for counseling and rehabilitation and always at someone else's expense. Too bad people just seem to get in his way! Before mentioning my return to the board on January 16, 2020 to again oppose inmate Betz's release for a second-time at a full board hearing in Columbus (which would be to oppose his proposed 4th Release from Prison in Ohio on parole), I want to first go through and review this man's history with you.

EARLY YEARS

(born Jan. 11, 1954)

Gary Betz, at the age of 11, began his lifetime career in crime and dangerous behavior in his hometown county by assaulting a teacher in East Local Schools on May 3, 1965 in Carroll County, Ohio. He was found to be delinquent by the Carroll County Juvenile Court and ordered that he be placed on probation for one year in the custody of and under the supervision of his parents in his home. He quit school at age 16 after he was expelled at least four times. He pulled a knife

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on a teacher. At age 16 he was convicted of breaking and entering. At age 17 he was sentenced on June 30, 1971, to the Mansfield Reformatory for another felony Breaking and Entering. After serving approximately one year in prison, he was paroled from Mansfield Correctional Institution on June 15, 1972 under institution OSR #81-858. He was now 18 years of age.

PROGRESSIVE YEARS

Following his release from prison for his juvenile offense on July 7, 1973, Betz was indicted under Case No. 73-CR-78 for a Breaking & Entering of an uninhabited dwelling house in the night season in Columbiana County. On January 21, 1974, Gary Betz just turning 20 years old, was sentenced again to prison, this time for one to five years at the Ohio State Penitentiary. After being transferred to the Ohio State Reformatory on April 1, 1974, he served another term of prison there until November 20, 1975 when he was released on parole again at age 21.

So after having constant behavior problems as a minor and as a young adult for nearly 10 years and convincing parents, schools, administrators, juvenile courts, probation officers, psychologist, and parole officers that he has learned his lessons and was a changed person, Betz got another chance in 1975 without serving two years of a five-year sentence as a repeat offender on November 16, 1976 he again received his final release from parole supervision. He was a free man and able to take advantage of getting his second of two early releases from prison.

What does Betz do with his new found freedom and opportunity? Has anything from all those persons (including folks from DRC) who have helped Betz along the way, especially his good family, made a difference? Has he accepted responsibility for his actions? Has experience, counseling and punishment taught him any lessons? NO!

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It took GARY ALLEN BETZ just 26 days off parole to strike out for a third time as a repeat felony offender. This time however, he went from bad to worse to evil in less than a month just before his 23rd birthday. He teams up with an accomplice -- who like him is a reoffender -- gets an illegal weapon, a sawed-off shotgun, and plans an armed robbery of a bar and owner whom he knows (a 30-year old man who was engaged and very kind to him).

Pursuant to his plan, Betz drives many miles from home in Columbiana County to the Lake Milton/Trumbull County bar and enjoys himself playing pool and having some beers while "casing everything out." Then only after the bar is closed, does he lead the way -- with his accomplice at his side and shotgun in hand -- and violently accosts, robs and slaughters his prey.

One thing should stick out like a sore thumb with Betz's planning. Why didn't he wear a mask if his intent was to rob a person he knows? One explanation is that he planned to kill him. In fact, but for a witness sleeping in the back of the small living area of the Riviera Lounge, who heard and saw the actual robbery-murder taking place, Betz may have gotten away with murder! Please read the detailed summaries in Prosecutor's letters dated November 5, 2015 and January 17, 2013 supra.

For sure Gary Betz's bad conduct and long history of it establishes that he is a classic anti-social personality type (as was described by forensic experts during his aggravated murder trial in 1977). He went from conduct disorder as a juvenile to a full-blown psychopath as a young 21-year old and 22-year old. He obviously led a life where he lies, cheats, and steals as a routine thing. Unlike perhaps the movie "Talented Mr. Ripley" there is nothing very entertaining about the plot and casting of Killer Betz playing pool and becoming friends with the owner at the Riviera Lounge and at the same time turning on him then murdering him.

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STATEMENT OF FACTS OF CRIME FROM TRIAL RECORD

On the evening of December 14, 1976, Carl Oyer and Gary Alan Betz drove to the home of Carl Oyer to get a shotgun (R. 49). After the two men got the shotgun, they drove in the Defendant-Appellant's car to the Riviera Lounge to commit a robbery (R. 50). When Oyer and Betz arrived, there were only a few people in the lounge (R. 51).

On the evening of December 14 and early morning hours of December 15, 1976, Ronald Goche tended bar at the Riviera Lounge (R. 19). Ronald (Ron) Goche was also the owner of the Riviera Lounge located in Trumbull County, in the State of Ohio (R. 19, 32). Margaret Franklin, a patron in the lounge, testified that the Defendant-Appellant, Gary Alan Betz, entered the lounge with a friend around 1 or 1:30 a.m. (R. 21, 22). The Defendant-Appellant and Ronald Goche were playing pool around 2:30 A.M. when Mrs. Franklin left the bar (R. 23). "They were playing pool. They were having a good time, I guess. They were laughing" (R.23).

At closing time, Carl Oyer left with the Defendant-Appellant. "We went up the road and turned around and came back". (R.53). Carl Oyer testified that he told the Defendant-Appellant "Why should we go back and rob him now when everybody has seen us there?" (R. 53). The two men parked the vehicle behind the bar with the Defendant-Appellant carrying a 16-gauge shotgun which he loaded before entering the Riviera Lounge (R. 53, 54). After demanding money, Carl Oyer testified that Ron Goche said "Take the money. It will be a loan!" (R. 55). Gary Betz, the Defendant-Appellant, then stated "I'm sorry", and he then shot Ron Goche in the face and chest area with one blast from the 16-gauge shotgun (R. 55).

James Chermansky, an employee of Ronald Goche, testified that he was sleeping in the rear of the lounge near the kitchen area that night (R. 28). After Ron closed the bar, he awakened Mr. Chermansky in reference to his duties at the Riviera Lounge (R. 28). Mr. Chermansky remained on a couch in the lounge as

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Ron Goche prepared to exit the back door (R. 28). Two men came in the door. One of the men was identified in open court as the Defendant-Appellant (R. 36). The Defendant-Appellant carried a sawed-off shotgun when he entered through the back door of the Riviera Lounge (R. 28, 29). Mr. Chermansky identified State's Exhibit 1 as the sawed-off shotgun he saw in the Riviera Lounge that evening (R. 32).

Although Mr. Chermansky was not seen by the two men who entered the bar, he saw and heard the incidents which occurred (R. 29). The Defendant-Appellant, wielding a sawed-off shotgun, told Ronald Goche that he needed money (R. 29). Mr. Chermansky testified "Then I heard a conversation, and one of the men was telling Ron (Ronald Goche) that he didn't want to rob him; that he would pay him back, but he only needed the money". (R.29). Additional conversation was heard concerning a handgun owned by Ronald Goche. Ronald Goche asked that the Defendant-Appellant not "steal the gun, just take the bullets because he wouldn't shoot him, you know, when he left, and the man assured Ron that "We won't get in trouble. Don't worry, we won't get in trouble." (R.30). Ron counted the money, and then a blast was heard (R.30). Approximately One Hundred Thirty (\$138.00) Dollars was taken along with a revolver.

Following an investigation by the Trumbull County Sheriff's Office, both shotgun and revolver taken from the Riviera Lounge were found near the premises of Carl Oyer. The Defendant-Appellant, Gary Betz, was subsequently arrested and gave a voluntary statement to Merle Fick at the Trumbull County Sheriff's Office. In this voluntary statement, the Defendant-Appellant stated that he shot Ronald Goche because the owner "made a move." (R. 81). At trial, the Defendant-Appellant testified that he cocked the shotgun (R. 217) and guessed that he pulled the trigger (R. 218). At trial, Deputy Fick testified that the shotgun recovered and used in the shooting, State's Exhibit 1, could not be fired unless the hammer was cocked (R. 88). The Defendant-Appellant himself admitted that the shotgun could not be accidentally discharged (R. 209). At trial, the Defendant-Appellant contradicted his prior statement to police. During the trial, he admitted that the bar

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owner did not make any moves before he was shot (R. 222). The cause of death was established as a shotgun wound to the head (R. 128).

Further, please find enclosed testimony of witness and bar patron Margaret Franklin who was in the tavern between 1 and 1:30 a.m. the night of the murder when Betz and Oyer came into the establishment and testified that the victim and Betz were "laughing and playing pool" together. See Record-pages 19-25 attached as Exhibit #16. Also I am enclosing for the Board's review pages 181-183 of Trial Record of Betz's testimony where he admitted knowing the victim as a frequent patron, that they were on friendly terms and that Betz was invited to and even attended Ron Goche's engagement party on July 4, 1976. (See Exhibit #17)

Following many discovery requests, a suppression hearing covering various medical and psychological tests and proceedings, a written waiver of a jury trial, convening a three-judge panel, conducting a capital trial in July and August of 1977 with a guilt and penalty phrase, a three-judge panel in a split vote, sentenced Gary Allen Betz to the maximum life sentence provided by law for Aggravated Murder at that time along with a maximum consecutive sentence for Aggravated Robbery. Therefore, for a third time, Gary Allen Betz is sent back to prison in Ohio for committing back-to-back-to-back felonies!

LEARNED REMORSE SYNDROME

So in the Summer of 1977, Gary Betz gets another prison number and becomes an inmate subject to possible release from prison. This time in our opinion, he hit the jackpot in regard to malice, viciousness, and heinousness. He also qualifies at the time as an individual under any reasonable reading the criteria of DSM II to have graduated from Conduct Disorder to Anti-Social Personality Disorder. Under the DRC regulations at the time (and until this day) many of the records concerning inmate Gary Betz's medical and mental states are not available to the State and the public. We do know however that Gary Betz's mother petitioned the Governor of Ohio and the Department of Rehabilitation and

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Corrections to have her son's aggravated murder conviction and sentence commuted after only serving 10 years in prison. This request by Betz brought about a response by the victim's family and others, including the Trumbull County Prosecutor's Office, to petition against Gary Betz's early release from prison for his cold-blooded murder. By the way and just saying, one cannot blame the inmate and his family from trying since every time he went to prison (and that's three times by age 23), he has convinced corrections to let him out early! Thank God he wasn't released in 1988. Nevertheless, he continued his effort to comply with prison rules and not be subject to many disciplinary proceedings -- and at the time successfully complete -- many various rehabilitation programs just as he has done in the past. Gary Betz is like a grifter inside prison walls just doing his thing -- conning everyone he can and along the way, he has learned to pretend to have remorse or sorrow when he could care less.

HERE WE GO AGAIN!

GARY BETZ WANTS OUT FOR THIRD TIME-WILL IT BE HIS CHARM!

Proper notice having been provided to all parties, the Ohio Parole Board decided to give murderer Betz another opportunity to argue for a third release from prison. On May 14, 2007, I appeared before the full parole board and argued on behalf of the State of Ohio to deny Gary Allen Betz parole. Having tried this case, I was very familiar with the facts and legal proceedings surrounding the murder of Ron Goche, age 30. It was because of my knowledge of what happened in this matter that led me, police, family members, and Ron's former fiancé Ann to inform the parole authority about Betz, and closely follow the course of Betz's incarceration. And as I stated in my January 17, 2013 letter to the board (supra)... "In our collective view, Gary Betz was and is a dangerous psychopath. * I further

*FOOTNOTE: Individuals with psychopathic personality or psychopaths (like Betz), have a disproportionate impact on the criminal justice system. Psychopaths are twenty to twenty-five times more likely than non-psychopaths to be in prison, four to eight times more likely to violently recidivate compared to non-psychopaths, and are resistant to most forms of treatment. See the Criminal Psychopath History, Neuroscience, Treatment, and Economics, Kent Keil and Morris B. Hoffman, *Jurimetrics*, 2001, Summer; 51:355-97. See also: The Sociopaths Among Us – The Atlantic, Arthur C. Brooks, October 19, 2023.

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believe he falls in the category of the worst murderers that I have personally prosecuted over four decades (now five) here in Trumbull County.”

As the history shows, the parole board, despite our objections, released Betz on parole for a third time. As the board is aware, Defense Attorney Barry Wilford argued on behalf of Betz that because he had no disciplinary records since 1980 (note that interestingly the Ohio Parole Handbook, October 2012 issue at page 6 stated “However, institutional good behavior is not correlated to post-release success”) and that prisoner Betz has a potentially fatal disease, an autoimmune deficiency that causes skin and joint problems and can eventually affect internal organs, Wilford added that fifty (50) percent of the victims of this disease die within five years. Sounds bad and obviously in our opinion, it probably had some influence on parole board members back in May of 2007 to release Betz again on parole.

As I stated then, the Trumbull County Prosecutor’s Office only got notice of Betz’s new life threatening condition at the time of the full board hearing. Furthermore, it did not have any right to see Gary Betz’s medical records nor could the prosecutor’s office seek out an independent medical expert to examine the evidence. Suffice is it to say, we know for a fact Gary Betz is still going and presumably able to live and drive a car as a free man on parole. It is now more than 16 years later after his third release on parole supervision, what is the survival rate of his disease? Please read the news stories of reporter Marc Kovac who was at the 2007 hearing provided from The Vindicator and The Daily Jefferson. supra Exhibit 15.

PAROLE OFFICERS TELL THE STORY OF SUPER DRUNK BETZ

Because sociopaths like Betz never learn from experience and have no shame, respect for others or a normal conscience, it did not surprise us here in Trumbull County that inmate Betz failed on parole. Please read the materials provided previously by Parole Officer Jon R. Granger as approved by Unit

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Supervisor David Kollar on February 18, 2011. They concluded that: "Due to this offender's alcohol-related criminal history (that is .176 on 10-13-2008; .178 on 12-1-2010 "Super Drunk" and .117 blood alcohol content on 1-21-2011), the seriousness of his instant offense, the repetitive nature of violation behavior while on parole, and in line with the method of progressive sanctioning, the Adult Parole Authority respectfully recommends this offender's parole be revoked if guilt is found." It was for the umpteenth time of him violating rules or laws! Amen! So it was back to prison again for Gary in 2011.

Since that time, Trumbull County's continuing Prosecuting Attorney is still continuing to follow this case and still continuing to write letters in opposition to Betz's possible fourth release on parole. See my letters dated September 27, 2019; September 15, 2017; November 5, 2015; and January 17, 2013.

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HERE WE GO AGAIN

LET'S HAVE ANOTHER FULL BOARD HEARING

JANUARY 16, 2020

On January 16, 2020, I -- along with Mary Jo Hosos, head of the Victim Witness Division of the Prosecutor's Office and relatives and friends of the Ron Goche family -- attended a full board parole hearing (for a second time) held at the Department of Rehabilitation and Corrections, Columbus, Ohio facility. The Prosecutor's Office was opposing for the fourth time, possible release on parole of inmate Betz.

Frankly, at the time this office and victims were very concerned that the parole board could release him again, it appeared to me that Betz seems luckier than those lottery winners who repeatedly hit for million dollar jackpots. That's not me or anybody I know! However, every time Betz hits the jackpot and gets released, the public suffers losses with more crime. Please, enough is enough!

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Those members of the parole board who were at the January 16, 2020, hearing know that at that time Betz's release proposal was for him to be released to relatives in Portage County. One of those relatives, toward the end of the hearing, received permission from the chair to say something. He told the board that if Betz were released, he could not guarantee that Betz would not take the keys for a household vehicle and drive without permission. This relative, in my opinion, was letting the board know that it was not his responsibility if something bad happens with Gary driving a car. He may not be able to stop that! So my take was: There is no guarantee that Gary Betz will not take (or even steal) and drive a car and cause harm to others. Like driving drunk with BAC's .176 on October 14, 2008, .178 on February 1, 2011, and .117 on January 21, 2011 again or perhaps even at higher BAC's and maybe this time with someone getting killed! You know this guy successfully completed alcohol treatment on May 11, 2009 after his first DUI while on parole and then still reoffended while on parole on February 1, 2010 and reoffended yet again a third time on January 21, 2011. Finally, Betz after three DUI's was sent back to prison in 2011. You know inmate Betz may have the most successful treatment rate with at the same time a much higher subsequent failure rate that I have ever seen.

Thankfully after those comments by the relative and after hearing from both sides, the full board deliberated the matter and came to a decision on January 16, 2020 denying Betz release on parole and continued his case to March of 2022. See Prosecutor's News Release dated January 17, 2020 attached.

In closing, when viewing Gary Betz's suitability for release on parole, there is overwhelming evidence that this man suffers from severe personality deficits that has resulted in his incarceration in prison for most of his lifetime – 46 years and counting. Whether he is acting out as "Super Drunk" or as "Super Mad," he is a risk to public safety and moreover a risk to himself with any societal freedom. He does well in a restricted environment. Please leave him alone where he is, and then there is no risk for the rest of us!

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Clearly under the guidelines of Administrative Code rule 5120:1-1-20, persuasive evidence and reasons exist to not release, at age 69, Gary Allen Betz on parole because:

(1) There is substantial reason to believe inmate Betz will engage in further criminal conduct or that the inmate will not conform to such conditions of release as may be established and;

(2) There is substantial reason to believe that as the unique factors of the offense of conviction significantly outweigh the inmate's rehabilitative efforts, the release of the 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.

Just one last thought, Gary Betz admitted at his trial during his testimony that he was a past patron of the Riviera Lounge and he knew the owner, Ron Goche and that he was invited by Ron and on July 4, 1976 went to his engagement party at the business and celebrated Ron's engagement by having food and drinks with family and friends. Less than six months later he returns to the bar after driving many miles from home with an accomplice and a saw-off shotgun.

On his return after one o'clock in the morning with few customers in the bar, Gary makes it a point to make sure Ron remembered him because of his different appearance with a beard and hair growth. Ron looks at him and says "Gary." They then play pool together laughing at times. To accomplice Oyer, it made no sense after the bar closed to go through with Gary's plan to go back and rob the owner since he knew him.

From the testimony, the bar owner told Gary just take the money, that he wouldn't do anything to him and that Gary would not get in trouble. Gary assured him that "he would not get in trouble" and then cocked and fired his saw-off shotgun blowing Ron's face off. Gary doesn't think about Ron's fiancé Ann, his father, his mother, his sister, his brother, and his friends and Ron, at age 30 dead!

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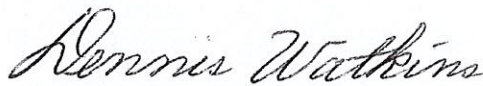
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He only thinks of himself! Though Ron's father, mother, and sister has passed through the years. His brother, Galen, Ann, and many of his friends along with this office still bear witness to his memory.

Moreover, Ron Goche, in spite of Betz's brutality, malice, and mutilation of his body – he is not today a “faceless victim” – he is here today with many voices speaking in his behalf seeking a full glass of justice. In my view, the cruel and unique factors found in Gary Betz's actions and lifetime history of bad conduct or not listening should scream out against a Fourth Parole Release! This crime is a portrait of quintessential evil! Again, please just say no to parole as many parole boards have done in the past.

Thanking you in advance for your giving consideration to our letter and materials.

Very truly yours,



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Enclosures