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WEDNESDAY, JULY 18, 2012

75¢

SPORTS » Machine to host Bayhawks on 'Zoo Night' **Page 10**

Deputies accused of misusing database reach settlement

DUSTIN ENSINGER
Staff Writer

Three Delaware County Sheriff's Office (DCSO) deputies facing charges of illegally using a law enforcement database reached a settlement in the case Tuesday that will allow them to return to work and receive lump sum payments.

Deputies Lyle A. Chasse, James F. Cuccarese II and Robert E. Curren have agreed to enter a "bond forfeiture" to charges of disorderly conduct, a resolution that does not require an admission of guilt or a finding of innocence. Cuccarese and Curren will

be reinstated with the DCSO while Chasse will voluntarily resign from his position in September but will use accrued paid time off to remain on the payroll until Aug. 13.

Curren and Cuccarese will have all their accrued paid time off restored as part of the settlement.

The three will also receive lump sum payments of \$50,000 "for the settlement of pending claims and/or other damages that could have been asserted and recovered."

Please see
DEPUTIES, Page 3

Delaware YMCA gears up to get adults in shape

KATE LIEBERS
Staff Writer

This fall, the Delaware Community Center YMCA is introducing new recreational programs targeted toward the generation that remembers cassette tapes.

"If you can think back to when you were in high school, to when you had a cassette player...you could push the pause button on the cassette player," said Paul Weber, district vice president / director of city recreation services.

He said that many adults, as they went to school, got married

and had children, have "pressed pause" with their physical activity as well.

In response, the YMCA is introducing a new concept called "Press Play."

The series invites adults in their 40s or older — YMCA patrons and non-members alike — to join a bootcamp that helps get them back in shape. The 12-week training sessions would end in time for the participants, if they choose, to sign up for the regular season of the corresponding sport.

For example, adults who

Please see **YMCA, Page 3**

Murder suspect arrested in Delaware

A southeastern Ohio man wanted for a June 12 Morgan County murder was arrested Tuesday in Delaware. Timothy L. Stevens was taken into custody by Delaware Police Department detectives and members of the Delaware County Drug Task Force on London Road without incident.

Detectives received a tip Monday that Stevens might be in Delaware and were able to gather enough information to conclude this morning he likely was at a Park Avenue residence where he was said to be hiding, according to a city release.

Stevens, 39, of Chesterhill, was charged June 22 with killing

John Davis III, 36, of Malta. It was reported the shooting occurred between Malta and Stockport after an argument between the two men. Davis' body was found along a creek on June 20 in Windsor Township.

Members of the Delaware Police Department, Delaware County Sheriff's Office, Delaware County Drug Task Force, FBI, Ohio Wesleyan University Public Safety and the Morgan County Sheriff's Office worked together throughout the morning to monitor and ultimately apprehend Stevens after he left the Park Avenue residence.

"This incident illustrates the benefits of cooperation and teamwork in law enforcement," Delaware Interim Police Chief Bruce Pijanowski said.

Stevens is currently being held without bond in the county jail.

'Pictures at an exhibition'



GAZETTE | DEVON IMMELT

From left, Ohio Wesleyan University student Gissele Miller and Ross Art Museum Collections Registrar Morgan Routson work to frame photographs at the museum Tuesday as part of the upcoming "Full of Grace" exhibit. A collection of nearly 150 photographs culled from the 2007 book created by author Ray Merritt, the exhibit will be on display for a one-time summer reception from 5 to 7 p.m. Friday at the museum located at 60 S. Sandusky St. in Delaware. The community is invited to attend the free event, which will feature live music and refreshments.

Powell council sends capital improvements issue to ballot

MELISSA MACKEY
Staff Writer

Powell residents will be asked to approve a property tax levy in November to support city capital improvement projects.

Council members voted Tuesday to send the issue to the ballot, which if approved by voters, would provide a dedicated revenue source for the city's capital improvement projects.

The tax proposal is tied to an existing parks levy that runs through December 2013 with taxes from the proposed levy not slated for collection until the expiration of the current levy.

So, the current tax would continue without an increase if approved by voters.

The 10-year, 1.8-mill property tax would raise about \$7.1 million over the life of the levy and support several needed

capital improvement projects throughout the city. The list of potential projects is extensive and those selected should have a useful life of at least 10 years, Powell officials have said.

If approved by voters, the levy collections wouldn't begin until 2014.

See Thursday's *Gazette* for more information on the tax issue.

mmackey@delgazette.com

newsroom@delgazette.com

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WEATHER



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ONLINE POLL at delgazette.com

Do you support Obama's proposed one-year extension of Bush-era tax cuts for families earning less than \$250,000 a year, but letting tax rates rise for wealthier Americans?

■ Yes ■ No ■ Undecided

LAST WEEK'S RESULTS

Do you agree with the U.S. Supreme Court's decision to uphold the Affordable Care Act?

■ Yes **42%** ■ No **54%** ■ Undecided **4%**

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DEPUTIES

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All three have been on indefinite unpaid administrative leave from their \$28.34-an-hour jobs since Sept. 19.

Chasse will receive a one-day suspension for his use of the database and Curren and Cuccarese will receive written reprimands.

Also as part of the settlement, the the union that represents the three deputies, the Ohio Patrolmen's Benevolent Association (OPBA), has agreed to drop any pending or threatened grievances involving the three deputies.

Attorney Dominic Vitantonio, who represented Chasse in the case, said that he was relieved that the case is finally resolved but felt it was an injustice that it had gotten as far as it did.

"It was a shame what happened," he said. "It was a shame that their names got dragged through the mud."

The three were originally charged with fifth-degree felony counts of unauthorized use of property, specifically the Law Enforcement Automated Database System, also known as LEADS. It is illegal to use the system for anything besides legitimate criminal justice purposes. Those charges carried a maximum punishment of 12 months in prison and a \$2,500 fine.

The charges stemmed from a December 2009 incident outside Orange Township Hall in which Chasse arrested Orange Township Fiscal Officer Joel Spitzer on obstruction of justice and suspicion of DUI.

The arrested occurred around 2 a.m. after Chasse noticed two vehicles in the parking lot and stopped to question the drivers. Spitzer, who later passed a breathalyzer, was one driver. The other was a woman that Chasse claims admitted to having an affair with Spitzer, who at first denied knowing the woman.

Spitzer later admitted to knowing the woman, but

denied having an affair with her. He claimed that Chasse created the false narrative about a late-night romantic tryst to destroy his reputation.

Spitzer eventually agreed to a bond forfeiture on the lesser charge of hindering a law enforcement official, but the larger episode was far from over.

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"It was a shame what happened. It was a shame that their names got dragged through the mud."

— Dominic Vitantonio, Attorney

.....

In January 2010, Spitzer filed a criminal complaint related to the misuse of the database, claiming that Chasse and the two deputies had illegally use it to look up information

.....

"I think this brings some vindication to the incident of Dec. 6, 2009, on my part. I still think DCSO owes my wife and I an apology."

— Joel Spitzer, Orange Township Fiscal Officer

.....

about him, his wife and the woman in the parking lot.

Later in December of that year, Spitzer, who lost his job as an administrator at Olentangy High School partly as a result of the incident, filed a \$12.6 million lawsuit against the DCSO alleging that he was falsely arrested and that Chasse and another deputy conspired to falsify their written narratives of the event. He later pared the suit down to \$600,000 and targeted only Chasse before eventually settling the matter for \$50,000 outside of court.

In between the criminal

complaint and lawsuit, Chasse and Spitzer filed dueling restraining orders against each other, both of which were dismissed.

Vitantonio said that he believes that the entire case against his client and the two deputies was nothing more than a political witch hunt initiated by former Delaware County Sheriff Walter L. Davis III to protect Spitzer, his former campaign treasurer.

"It was to avenge some perceived embarrassment or wrong that Joel Spitzer thought befell him," he said. "It was a total misuse and abuse of the criminal justice system."

Vitantonio heaped praise on Davis' replacement, Delaware County Sheriff Russ Martin, for looking at the case with an unbiased eye and working to resolve it behind the scenes.

"Without that change in the guard, this would have never happened," Vitantonio said. "That was good fortune for them that they had someone like him that took over at this stage."

Joe Hegedus, attorney for the OPBA, also credited Martin for paving the way to the resolution of the case.

"The current sheriff did an amazing job of getting all the parties together and getting this resolved," he said.

While Hegedus and Vitantonio both claimed victory for the deputies, Spitzer had an entirely different take on the settlement.

"I think this brings some vindication to the incident of Dec. 6, 2009, on my part," he said. "Orange Township and Delaware County as a whole are a lot safer with Lyle Chasse no longer employed with the (DCSO). I hope now that we can all bring this to a close and move on."

"I still think the DCSO owes my wife and I an apology," he added.

densinger@delgazette.com



YMCA

■ Continued from Page 1

might be weary of signing up for the softball league in the spring, could join a Press Play softball camp in the winter, Weber said.

"The program is designed to be very, very low cost," Weber said. "The idea is that we want to drive people in, get them in shape and hopefully get them signed up for the programs."

The series will also include basketball boot camps and other sports to be announced, Weber said.

A secondary aim of Press Play is to direct more activity to the city's recreational facilities at Mingo.

Weber acknowledged that this series would address some of the concerns that members of the city's Parks and Recreation Advisory Board had about a decline in adult softball participation.

The YMCA is expecting 20 to 40 people to sign up for each boot camp, Weber said, which could help spur enthusiasm as well as awareness of the existing adult league.

The adult-focused programming fits in with the YMCA's mission to promote health of an entire community.

"If the adults start to get healthier and work on

their lifestyle, then they're going to get their kids more active too," Weber said. "A lot of the focus is on the kids, but it's the adults who have to take care of them. It's the adults who buy the food. It's the adults who kinda set what their lifestyle is going to be."

"So if we can get the adults into a healthy lifestyle, it's going to affect the children," he said.

With this in mind, the YMCA is instigating a collection of other adult-focused programs, including ones that promote health in the workplace.

The YMCA's wellness group has scheduled a corporate luncheon on Aug. 1 to invite businesses to discuss employee fitness and wellness at the workplace. Weber said that one outcome might be corporate league play where employees from one company compete against employees from another.

Also, in collaboration with the Delaware County Health Department and the city, the YMCA plans to instigate a city-wide program for residents to track their physical activity.

Through this online program, people of all ages could post their goals and log their progress.

Weber said that "affinity groups" could form as people identify their preferred activities, and the community entities could keep

these groups up to date on future events or educational clinics related to that sport.

For more information, continue to check the YMCA's website at ymca-columbus.org/delaware.

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AND CLICK ON EVENTS FOR SCHEDULE OF SUMMER KIDS SHOWS

Romney accuses Obama of casting shame on success

JIM KUHNHENN
STEVE PEOPLES
Associated Press



ASSOCIATED PRESS | EVAN VUCCI

Republican presidential candidate, former Massachusetts Gov. Mitt Romney gestures during a campaign event at Horizontal Wireline Services Tuesday, in Irwin, Pa.

IRWIN, Pa. — A fiery Mitt Romney on Tuesday accused President Barack Obama of believing the government is more vital to a thriving economy than the nation's workers and dreamers, scrambling to get back on message by declaring of Obama, "I'm convinced he wants Americans to be ashamed of success."

The new Romney approach came as Democrats pressed for the release of more of Romney's tax returns and hounded the Republican candidate over discrepancies in when he left his private equity firm. The conservative magazine National Review urged Romney to release more of his tax records.

Obama has been trying to keep Romney focused on matters other than the sluggish economy, even releasing a single-shot TV ad Tuesday that suggests Romney gamed the system so well that he may not have paid any taxes at all for years.

As the campaign's tenor grew combative, Romney seized on comments Obama uttered while campaigning in Virginia last week. The president, making a point about the supportive role government plays in building the nation, said in part: "Somebody helped to create this unbelievable American system that we have that allowed you to thrive. Somebody invested in roads and bridges. If you've got a business, you didn't build that. Somebody else made that happen."

Obama later added: "The point is, is that when we succeed, we succeed because of our individual initiative, but also because we do things together."

The challenger pounced.

"To say that Steve Jobs didn't build Apple, that the Henry Ford didn't build Ford Motors, that Papa John didn't build Papa John Pizza ... To say something like that, it's not just foolishness," Romney said from a campaign rally outside Pittsburgh. "It's insulting to every entrepreneur, every innovator in America."

Romney added: "I tell you this. I'm convinced that he wants Americans

to be ashamed of success."

The Obama campaign said Romney had distorted Obama's message by taking him out of context. Obama's intended point — one he made again in Texas on Tuesday — was that government plays a role in helping people and businesses succeed by building roads, hiring teachers and firefighters, and looking out for the public good.

"There are some things we do better together," Obama said in San Antonio at the start of a lucrative fundraising day in Texas. "We rise or fall as one nation. That's what I believe. That's what our history tells us. That's what our future demands. That's why I'm running for a second term as president of the United States."

A consistent part of Obama's "bottom-up" economic message is that individual initiative and hard work should be rewarded. But in a war of words, with both sides eager to jump on any gaffe or inelegant phrase, Romney saw a way to paint Obama as a big-government Democrat.

During the new line of attack, his campaign also questioned Obama's patriotism. Former New Hampshire Gov. John H. Sununu, a Romney supporter, told reporters that businesses that grow from the ground up made the U.S. economy the envy of the world. "It is the American way, and I wish this president would learn how to be an American," he said.

Asked to clarify that incendiary remark, Sununu later said: "The president has to learn the American formula for creating business." Still later, he told CNN he had made a mistake. "I shouldn't have used those words. And I apologize for using those words."

Romney is trying shift attention away from his business record and his tax returns with a fresh assault as Obama, anxious about losing his fundraising edge, turned to Republican-tilted Texas to raise millions of dollars from gay, Latino and big-dollar donors.

During public events, Obama has remained focused on distinguishing himself from Romney's policies and background, limiting his criticism of Romney's private equity firm, Bain Capital, to claims it promoted the outsourcing of jobs to countries like China and India.

Yet behind the scenes, Obama's campaign is trying to push a much more hard-nosed message.

The goal is to pressure Romney to release an expansive number of tax returns and suggesting that Romney has benefited from offshore accounts and investments in foreign tax havens and that he has not been forthcoming on the amount of time he spent at the helm of Bain.

The Obama camp aired an ad in the Pittsburgh media market taking issue with Romney's decision to only release two years of his personal tax returns, a full record from 2010 and an estimate for 2011. Obama officials have no evidence supporting the suggestion that Romney may have paid zero taxes in some previous years.

"We won't know, and it's not possible for anyone to know, until he releases further years of tax returns," said Obama campaign spokeswoman Jen Psaki.

In an online editorial, The National Review urged Romney to release additional tax returns even though it agreed with him that the Obama campaign wanted the returns for a "fishing expedition."

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