



THE SUMMIT COUNTY SHIELD

A Community bulletin from the Summit County Sheriff's Office

NOVEMBER 2019

Boy, Man Questioned In Lakes Girl Slaying



MARION BRUBAKER met death on lonely path

AKRON BEACON JOURNAL 08 31 62

Hunt For Clues In Woods Where Body Was Found

By MARVIN KATZ

Sheriff's deputies today questioned a teen-age boy and a man in the brutal strangulation of Marion Joyce Brubaker, 12-year-old minister's daughter.

Marion's nude body was found at 4:30 Monday afternoon in woods near S. Main st. and Killian rd., in the Portage Lakes area. She had been beaten and choked. Coroner W. J. Pittenger this morning ruled the cause of death was strangulation.

Laboratory tests were being made to determine whether the girl had been sexually assaulted.

MARION had ridden her bicycle to the Portage Lakes Library on Manchester rd. near Portage Lakes dr. She was returning to her home at 201 Killian rd. when attacked.

The field and woods where she was found, within three blocks of her home, was a short cut used often by her and other youngsters of the area.

PICKED UP for questioning were a 15-year-old boy who reported finding the body and a 36-year-old man found walking along S. Main st. near the woods.

The boy underwent a lie detector test. He was taken to the Juvenile Detention Home pending further questioning. The man was held in County Jail.

DEPUTIES returned this morning to the slaying scene, to comb for clues in the wooded area interspersed with clearings.

A sheriff's posse checked the area closely Monday, after the 15-year-old boy's father called to relay to deputies his son's report of finding Marion's body.

Deputies found blood on grass alongside a path through the area and fragments of a bottle with which Sheriff Campbell said Marion may have been struck.

MARKS IN the grass of the small clearing indicated the girl had been dragged to a stand of small trees.

Her white blouse and brassiere were pulled up around her neck and face. Her plaid shorts and broken glasses were lying nearby.

STILL UNSOLVED

SINCE YOU ASKED . . . THE SHERIFF ANSWERED



Quinn in Coventry wanted to know: *What is the difference between a Neighborhood Watch and your Nextdoor Neighbor social media app?*

Sheriff Barry replied: "Neighborhood Watches have been around for many years, and the Summit County Sheriff's Community Policing Unit continues to help organize and manage them throughout our county. When operated correctly, they remain one of the most effective ways of reducing residential crime through person-to-person partnerships."

Nextdoor is a perfect companion to an existing Neighborhood Watch Program because it is a quick and easy way of sharing information that is time-sensitive. Our Director of Strategic Media sends out regular alerts relating to safety and security, and replies personally to comments or concerns expressed by our residents. There are 72,603 residents in 499 neighborhoods currently participating in our Nextdoor program, and those numbers continue to grow. To learn more, click on the Nextdoor icon."

Charlotte in Mogadore wrote in and asked: *Would you please explain the Knox Box Program to me?*

Sheriff Barry answered: "The Knox Box Program was created out of concern for senior citizens who might suffer a medical emergency and be unable to come to the door when first responders arrived. The box itself is a very durable locking container that is mounted on or near the exterior door of a residence."

Each box contains an entry key, along with medical information pertaining to the senior occupant. In this way, law enforcement, fire department, or medical personnel may quickly gain entry without the need to break windows or doors. This program was developed by our Senior Services Unit, under the direction of our Community Policing Supervisor Sergeant Mike Walsh, and is the first of its kind in Ohio."



Got a question? Get an answer! Write to the SHIELD today.

Questions should be brief, clear, and relevant. They should pertain to the agency itself and its services or functions. The most interesting questions will be answered by Sheriff Barry in future issues.

Submit your question by sending an email to shield@sheriff.summitoh.net.



NOW YOU CAN FOLLOW US ON INSTAGRAM!

In our continuing efforts to connect with you – the people we serve, the Summit County Sheriff's Office has created its own Instagram page so you can follow our mission in a whole new way. Now you can see, share, comment, and tag our photos right from your smart phone.

We want our partnership with you to thrive, so we use Facebook, Nextdoor, Youtube, the Shield, and now Instagram to reach you. We hope you reach back. Click on the icon to view our page.

NO BETTER TIME TO THANK OUR READERS

With Thanksgiving just a few weeks away, and since this issue of the Shield marks our 4th year of publication – how better to express our gratitude for your loyalty and support than to share some of your wonderful words recently submitted via email, Facebook, and Nextdoor. So, this page is for you - our readers!



"What I have found enjoyable in reading the Shield is how the articles are not just snippets of information but as much detail on a subject as possible in the space available. Plus there are links provided for further study. I also love the section where Sheriff Barry answers people's questions." - **Jan Zupancic**

"As Neighborhood Watch Coordinator for Stratford Green, I see that the Shield is shared with all our neighbors. Each issue is like a basic 'Citizens Academy' in that we learn so much about personal safety, home security, and community policing. The online version is sent to every household, and new residents get a printed copy with their welcome packet. That's how much we value the information from the Sheriff's Office." – **Paul Tarr**

"I enjoy and often share with family and friends many of the helpful tips, such as protecting children from predators, latest scams, dangerous phone apps, what to do in a disaster, and so on. Because I read the Shield so frequently, and the many articles on the people in uniform – whenever I see a Summit County Sheriff's vehicle, I feel almost as though I know the person inside. I silently wish them a safe day, and thank them for their service." – **Amey Park**

"I've enjoyed the Shield since the very first issue. I love to see the commitment of our Sheriff's Office and appreciate the job they do every day. They involve our children in such great activities that will hopefully shape their lives for the future, and it's clear they take extra care of our seniors. Of course there is great advice on avoiding identity theft, fraud, and so much more. The Shield brings people together and is a great addition to our neighborhood." - **Tammy O.**

"The layout and graphics really capture my eye, and the covers always grab my attention. My favorite part of the newsletter is the 'Ask the Sheriff' section, because many times the questions are ones that I always wanted to ask. Of course it's always nice to meet your staff and learn about the jobs they do. The articles are very informative and point out various activities that you put on that people can attend. I can honestly say that the Shield is something I look forward to reading." – **Stephanie Hummel**



"My father was Captain James Renzi with the Summit County Sheriff's Office, so my family's thoughts and prayers are always with our safety forces and the job they do every day protecting the community. The Shield keeps us current on safety with many helpful articles for people of all ages. I heartily endorse reading the Shield, and praise the men and women of the Summit County Sheriff's Office – our Pride!" – **Christine Coletta**

"What impresses me is that knowing how busy the Sheriff is, he still takes time out of his schedule to answer questions from ordinary people like me. We have a Sheriff's Office that truly cares about us, and the Shield keeps us connected." – **Glen Klingenberg**

STILL UNSOLVED – THE MURDER OF MARION BRUBAKER



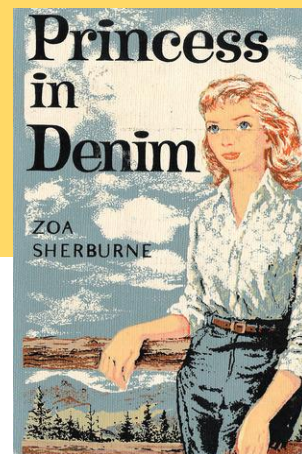
There is a phrase that dates to the 18th century – born of a time when most of North America was covered in deep forest. The phrase 'out of the woods' refers to having escaped the danger that lurks in any densely wooded realm. Someone who made it out of the woods was said to have survived the harsh elements, withstood hostile attackers, avoided being eaten by wild animals, and was now safely in the clear. Perhaps you've used this phrase yourself to describe a devilish predicament or problem that plagued you. Doubtful you used it in a literal sense, to mean you actually escaped death in the woods.

But for a 12-year old girl who lived in Coventry Township, the phrase couldn't be more appropriate. For she entered some woods not far from her home – and never came out alive. While there may not have been bears or wolves in those woods along Killian Road, there was certainly a predator who was just as hungry, just as cunning, and just as vicious – who waited, and watched, and when the time was right – he pounced on his prey.

It was partly sunny and 78 degrees at 2pm on Monday, August 27, 1962 – perfect weather to ride a bike and run some errands. So it was that 12-year old Marion Brubaker pedaled away from her home on Killian Road and headed west for the Portage Lakes branch of the Summit County Library on Manchester Road – a distance of 2.9 miles. It was a trip she had made many times before, so she was accustomed to taking a shortcut through a sixty-eight acre thicket of woods that was bordered by Killian on the south, and South Main Street on the west. Countless others had created a trail that cut through the woods diagonally, and Marion was one of the many neighborhood children who gave little thought to using the shortcut to get from Killian to Portage Lakes Drive.

She calmly traversed the wooded grove, then crossed South Main Street, and pedaled west down the hill on Portage Lakes Drive – weaving her way around the marina and the harbor, riding past shops and a rootbeer stand, admiring the blue waters of Long Lake and the North Reservoir. Seeing Hope Lutheran Church might have resonated with her, for she was, after all, the daughter of a minister and always carried a religious tract in her purse wherever she went.

Turning left onto Manchester Road, Marion rode right past Post 2 - the district office of the Summit County Sheriff, which was nearly next door to the library, and where she arrived at approximately 2:35pm. Once inside, it didn't take her long to find four books that caught her eye; Sue Barton Visiting Nurse, Princess in Denim, Trouble on Titan, and Secret of the Martian Moons. Librarian Elaine Smith recalled Marion being especially happy when she checked out the books, and guessed it was probably 2:50pm when she placed them in the basket of her bright red bicycle and rode away.



Marion then pedaled to nearby Coventry Plaza where, at the request of her mother, she purchased a greeting card at the Scotts five and dime store. The cashier on register #3, Elaine Smith, estimated it was just after 3pm when she handed Marion 75 cents in change and watched her leave the store. Marion was heading home now – retracing her course along Portage Lakes Drive.

A couple who were driving their daughter to the dentist recalled passing Marion heading in the opposite direction, and the daughter – a fellow classmate at Lakeview School - said 'there goes Marion Brubaker'. The point at which they passed each other was 738 Portage Lakes Drive, and the time was 3:12pm.

Pedaling up the hill on Portage Lakes Drive toward South Main Street would have been a challenge for any bicyclist, especially Marion, given that her sturdy, steel, JC Higgins bicycle had the added weight of a rear seat, skirt guards, front cargo basket, and thick B.F. Goodrich tires. She likely made it half the way up, then walked her bike the rest of the way. At 3:35pm, 11-year old Elizabeth Spry was about to enter the Lakeview Market on South Main Street when she saw Marion walk her bicycle across the street from Portage Lakes Drive and enter the path going into the dark woods. This child is most likely the last person to see Marion alive – except, of course, for her murderer.

For you see, Marion was less than two blocks from home, and had traveled 900 feet into the thicket, when she was suddenly attacked, beaten, molested, and strangled to death at approximately 3:38pm.

At 4:30pm, the Summit County Sheriff's Office received a call from the father of a 15-year old boy who said his son had stumbled upon the naked body of a young girl in the woods across from their home. Within minutes, at 4:36pm, deputies from Post 2 arrived at the boy's residence and told him to lead them to the body. They found poor Marion – brutalized and lifeless, just off the path near a sassafras tree. Her bicycle, and the books she never got the chance to read, were a short distance away under an apple tree. Seeing that a murder had in fact been committed, deputies radioed their discovery, which brought no less than eight more deputies and detectives converging onto the scene – including then-Sheriff Robert D. Campbell.



What followed was one of the most intensive murder investigations every conducted in Summit County. It was certainly one of the most heinous crimes of its day, and everybody was talking about it. Everyone was worrying, and wondering, and wanting to know – Who killed Marion Brubaker?

To say that every effort was made to solve this case is an understatement. For months, the woods were repeatedly combed from border to border in search of evidence, and for two years the public was prohibited from entering the area. Investigators went door to door – questioning everyone who lived or worked within blocks of the murder – praying that someone saw or heard something odd that day. Even employees of companies with delivery routes in the area were questioned.



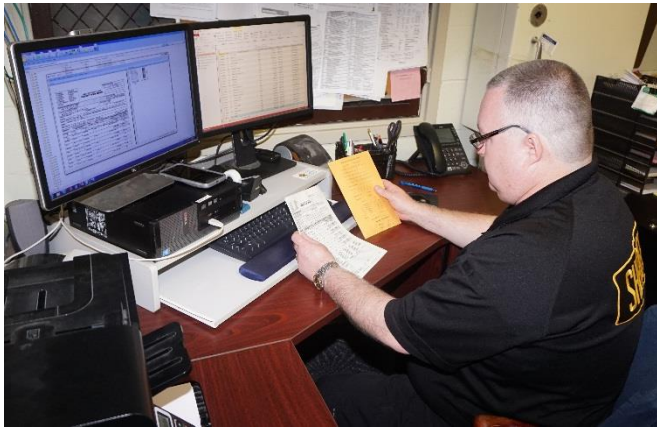
Each of Marion's teachers and classmates at Lakeview School were interviewed on the oft chance they had anything to offer. Employees at the Greyhound bus station and train stations in downtown Akron were questioned as to suspicious behavior of outgoing travelers on the day and days following the murder. Monks who lived in the Infant of Prague Villa (now IBH) were questioned – including the one who was plowing a field adjacent to the woods at the time of the slaying.

To better establish a timeline, Sheriff's Lt. Ray Rowles put his own 12-year old daughter on her bike and had her pedal the same course as Marion, while he and Sheriff's Detective David Heft timed her. Once inside the woods, Rowles re-enacted the murder with a mock attack on his daughter, including

pushing her off her bike, and dragging her into a thicket.

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THE UNIQUE WORK OF THE SHERIFF'S PROPERTY OFFICER



Arguably the most important aspect of any criminal investigation is evidence – physical property collected at the scene of a crime. How that evidence is collected, and just as importantly, how it is preserved, has the power to change lives – potentially sending one person to prison, or setting another person free.

That's why evidence is treated with such respect, and is only entrusted to an individual trained to preserve it – the Sheriff's Property Officer. For purposes of this article, we will use the terms property and evidence interchangeably as they relate to our subject.

Deputy John Spencer is a 24-year veteran with the Summit County Sheriff's Office, and has been the Property Officer for the agency since 2017. It is his job to maintain the existing repository of physical evidence, as well as add new evidence as it comes in daily. Every piece currently in possession of the Sheriff's Office is under Deputy Spencer's direct control and authority.

To give that responsibility some perspective, there are currently over 40,000 pieces of property being stored in several secure locations – two of which are deep underground beneath the Sheriff's main headquarters. No one gains access to these areas without lawful reason and being accompanied by Deputy Spencer, who carries the only keys.

John keeps track of all these items through the use of two databases where he documents everything that is submitted to him by one of our deputies or detectives. Every item is given a number and brief description that includes date, time, and location obtained, name and badge number of person submitting, report class (type of incident involved – burglary, assault, rape, etc.), name of victim, and name of suspect if known. Deputy Spencer enters the date and time he received the item into his property room, and attaches a copy of the original report written at the incident location.

Perishable evidence collected at the scene, such as blood, tissue, rape kits, bypass Deputy Spencer and get transported directly to the Bureau of Criminal Investigation (State Crime Lab) in Richfield for analysis. Once that step is completed, this evidence will be sent to Deputy Spencer for storage in a refrigerated locker or freezer. Lost and found property is also turned over Deputy Spencer, who makes similar notations including make, model, and any serial numbers that will help him return items to their rightful owners.

Next, John will assign each item a specific location within his vast storehouse. Certain items are segregated. Weapons are stored in a vault specifically for them. Narcotics are sent directly to the Summit County Drug Unit, which has its own property officer assigned to that task.

Finally, Deputy Spencer will take the item or items and place them in one of his secure areas, where it will remain until needed – perhaps in a homicide investigation.



Sergeant Glenn Stott hand-delivers evidence to Deputy John Spencer who signs for and accepts it.



When it comes to investigations, physical evidence can be examined, but only in the presence of Deputy Spencer. Items that can be copied (recordings, documents, etc.) will be generated and sent upon request. Other kinds of evidence may leave with authorized personnel – for example a deputy taking a firearm for a ballistics test, or agents of the FBI, ATF, or Secret Service investigating a case – after John has verified their credentials. Anything that leaves Deputy Spencer’s possession must be signed for in accordance with strict policy and procedure.

Which brings us to one of the most interesting aspects of criminal justice, and one of Deputy Spencer’s most important responsibilities – maintaining proper Chain of Custody. This is the timeline of the life of a piece of evidence, from beginning (acquisition at the scene of a crime) to end (resolution in a court of law). In criminal and civil proceedings, this chain of custody refers to the order in which items of evidence have been handled during the investigation of a case. By law, an item will not be accepted as evidence during a trial unless the chain of custody is an unbroken trail without gaps or discrepancies.

Thus, from the time it is collected until the time it appears in court, evidence must always be in the physical possession of an identifiable, legally-authorized person. While items can be moved in and out of storage and handled by others, all changes in possession must be recorded on a Chain of Custody form by Deputy Spencer.

Imagine if every piece of evidence ever collected by the Summit County Sheriff’s Office had to be stored on our premises – hundreds of thousands of items gathered since the agency was founded in 1840. Fortunately, there is a legal process – called a retention schedule – by which Deputy Spencer can dispose of certain items after a set number of years.

Even then, he must submit a court order showing proof of case closure and request permission from the administrative judge to dispose of the evidence. Then and only then can property be eliminated. Weapons, computer hard drives, or biological materials are destroyed in a 3000 degree smelter, and this is performed by Deputy Spencer. Homicide evidence is retained forever.



Marion Brubaker’s bicycle retained since August 27, 1962

As you can see, the role of the Property Officer is one of the most interesting and important positions in our agency. At any point in time, any one of the 40,000 pieces of evidence we hold may be called upon to prove someone’s guilt – or innocence.

By ensuring the integrity and safe storage of all this property, Deputy John Spencer provides service not only to the Sheriff’s Office, but to the entire criminal justice system. He is the caretaker, the watchman, the guardian, of all things great - and small.

Naturally, the first person to report the crime - the 15-year old boy, raised considerable suspicion. He was heavily interrogated, and for a time was considered the prime suspect in the case. But after days of questioning, polygraph tests, and painstaking scrutiny of evidence, his guilt could not be established.



Two years later, in 1964, the Akron Beacon Journal revisited the case in an article, which inspired local radio station WHLO to publicize the crime over the airwaves. The work of reporters and radio announcers generated quite a few fresh tips from the public, some from as far away as Florida, and every single lead was investigated. One of these led to the arrest of a man who actually confessed to killing Marion, but once in custody, and following an intense psychiatric examination, William James Lewis was found to be insane and spent the rest of his days in a mental institution.

Other tips were deemed irrelevant, for occasionally some woman would call in, swearing she knew who did it, and suggested the Sheriff investigate her lazy, no-account, bum of a husband.

A thousand dollar reward for information leading to the arrest of Marion's murderer was posted by the Summit County Commissioner's Office, but was never paid out.

In the ensuing years since Sheriff Campbell started the initial investigation in 1962, the Brubaker case has been revisited by Summit County Sheriff detectives in 1964, 1966, 1978, 1982, 1989, 2002, and 2012. Sheriff's Cardarelli, Troutman, Warren, and Alexander all had a hand in these investigations. The most recent and scientific look into the murder was conducted under the authority of Sheriff Steve Barry in November of 2014, which culminated in the actual exhumation of the victim. Spearheaded by Detective Joe Storad and Detective Larry Brown, it was hoped that examination of Marion's remains using modern forensic methods, unavailable to prior investigators, might finally point to her murderer. Alas, DNA evidence collected by Chief Medical Examiner Dr. Lisa Kohler offered no new clues.

Since 1962, more than forty investigators have looked into this case, and more than a dozen suspects were considered as possible culprits at one point or another, but no one has ever been charged.

It's been 57 years since the murder of Marion Joyce Brubaker, yet remarkably, the woods where she was slain remain virtually unchanged. Go there today and you'll see the same trees, smell the same earth, and walk the same path on which she pedaled her bicycle. There is no signpost, no monument, no memorial to mark the spot where this innocent soul went to heaven – just a single red rose, left by this writer, in solemn memory of Marion.

If you have any information regarding the murder of Marion Joyce Brubaker, please contact the Summit County Sheriff's Office: 330-643-2181.

Grateful acknowledgement to Sheriff Detective Larry Brown for making available original materials with which Mr. Matulavich conducted extensive research into this case, including coroner reports, crime scene photos, key evidence, witness accounts, detective files, newspaper clippings, and many other historical documents necessary to authenticate this article.

