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Esteemed members of the Ohio Parole Board:

I urge you to reject the parole request for Anthony Wayne McIntosh, Inmate No. A198370. McIntosh is being held at Madison Correctional Institution. It is my understanding that his hearing will be held on Nov. 18.

In 1987, Anthony Wayne McIntosh passed a death sentence on Morrow Police Officer Jeffrey Phegley, who had stopped McIntosh for speeding and a suspected DUI.

Rather than submit to a citation, McIntosh murdered Phegley with a shotgun blast to the chest that ripped through the officer's heart. Then McIntosh fled, leaving Phegley to die alone on the road. He took away the rest of Phegley's young life. The officer was just 22.

This was not a thoughtless spur-of-the-moment act, committed in a drunken fog. No, everything about this brutal execution was premeditated. McIntosh went out of his way to fashion a murder weapon. And he told a friend explicitly how he planned to use it.

We know this because of an investigative report on the crime written by late Warren County Sheriff's Detective Mark Duvelius. In the report, Duvelius notes that McIntosh bought a 20-gauge Harrington & Richardson shotgun from another man in October, 1986. McIntosh immediately sawed off a significant portion of the barrel, in violation of state and federal law. Not long after, according to Duvelius' report, McIntosh sawed 8-1/2 inches off the wooden stock of the shotgun.

These illegal alterations clearly had no purpose other than to turn the shotgun into a deadly, highly concealable weapon.

The premeditation becomes clear by what Duvelius reports next.

A few days before the killing of Officer Phegley, McIntosh and a friend were shooting the sawed-off shotgun. McIntosh told his friend that if he was ever pulled

over for a DUI, it would be the last stop the officer would ever make. Clearly, he had already made up his mind to kill a police officer. He just hadn't decided which one it would be. He made that selection a few days later.

McIntosh now asks you to release him from prison so that he can resume his life. But if Jeffrey Phegley cannot resume his life, why should his killer be afforded that privilege?

The harm that McIntosh did has not ended, the crime has not ceased. The damage grows wider and deeper with every year that passes.

It was not just Jeffrey's life that was snuffed out that day. This bloody crime also snuffed out the children that Jeffrey might have had. It killed the grandchildren that Jeffrey's parents might have loved and doted on in their golden years. It wiped out all the good that Jeffrey would have done over a long life of service.

This crime will ripple down through the generations until the end of time. Where there should have been happiness and new life for generations to come, there is now just a cold, dark, expanding void.

McIntosh did that. McIntosh owns that.

But there is more to consider.

An act of violence against a police officer is more than an attack on the man or woman who happens to be wearing the uniform. It is an attack on all the things that uniform represents.

The police represent the will of decent people who want to live in peace and security, free of violence, fear and intimidation.

The only thing that protects decent people from the bloody and rapacious law of the jungle is the rule of law. An attack on a police officer is an attack on the rule of law. Its aim is to unleash the law of the jungle. It is an attack on the foundation of our society.

This killer's act is a threat to you and your family, and to me and my family. It's a threat to every Ohio family. McIntosh owns that, too.

In most crimes, there is some way to repair the damage, some way to right the balance and recompense the victim. But not with murder. There is nothing that can make that right. It is the one crime for which no restitution is possible.

In an earlier time, not so long ago, there is no question that McIntosh would have been sentenced to death. He is fortunate that society has allowed him to live. It is more than he deserves, and he deserves nothing more. Let him live, but let him continue to do it behind bars, denied the life that he denied to young Jeffrey Phegley.

In a previous consideration of this inmate, the Parole Board noted that McIntosh has been a model prisoner. Whether this is because he has genuinely repented and changed, or is merely a calculated effort to increase his chances of release, only God can know. So we should leave it to God to decide on forgiveness, on the day that McIntosh stands before Him.

Until that day, let McIntosh remain in prison, where, if he truly has repented, he can be a counsel, guide and example to other inmates.

But because he gave Jeffrey Phegley no second chance, McIntosh deserves no second chance. Because the crime continues, the punishment should continue, too.

Please deny this request for parole.

Yours,



Dave Yost
Attorney General of Ohio