



2013 Annual Report



Warren County Prosecutor's Office



**Warren County Prosecutor
David P. Fornshell**

2012 was a busy year in the Prosecutor's Office. In total, we were responsible for more than 22,890 court cases, including 955 felonies, over 2,866 juvenile cases, 7,069 adult misdemeanors and over 12,000 child support cases. In addition, we provided legal counsel to 30 county agencies, 9 townships and 5 public libraries. Please contact us at (513) 695-1325 or visit our website at www.co.warren.oh.us/prosecutor for further information.

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Community Involvement

Victim Awareness Event



The Prosecutor's Office, along with other local county agencies, held their annual event on April 25th to help raise awareness of National Crime Victims' Rights Week. This year's event included a presentation by Dr. Cricket Meehan, Ph.D., Coordinator of School Mental Health Projects at Miami University's Center for School-Based Mental Health Programs. Dr. Meehan is also the author of the book *The Right to Be Safe: Putting an End to Bullying Behavior*. Assistant U.S. Attorney Christy Muncy also spoke to the audience about prosecuting child exploitation cases and keeping child predators off the streets.

Ohio State Highway Patrol Sergeant Receives Errol D. Butt Award



Ohio State Highway Patrol Sergeant Charles Scales, Crash Reconstruction Supervisor in the Cincinnati Operations Facility, was presented with the 2012 Errol D. Butt Award at the annual Warren County Law Enforcement and Firefighter Awards ceremony in Lebanon. Scales investigated an 18-mile chase route that began in Franklin and reconstructed the scene of the crash that took the life of Sergeant Brian Dulle of the Warren County Sheriff's Office. A car driven by Marcus Isreal struck and killed Dulle after he deployed stop sticks at the intersection of State Route 42 and Utica Road.

Warren County Prosecutor David Fornshell, who personally prosecuted the case against Isreal, presented the award to Scales (pictured above left). "After Isreal was convicted of murder, everyone familiar with the case – including several jurors – said the key to the successful prosecution was the crash reconstruction work and court testimony of Sergeant Scales," said Fornshell. "He made a difficult job easier and was able to communicate to the jury complicated diagrams and calculations and make them understandable."

The Errol D. Butt Award is named after the long-time officer and former Prosecutor's Office Chief Investigator, who succumbed to cancer in 2004. The award is given annually to the law enforcement officer or firefighter who best exemplifies the late officer's service to the local community.

National Night Out



In August of this year, our office once again participated in the 9th Annual National Night Out event in Clearcreek Township. This is an annual nationwide crime and drug prevention event, which involves over 10,000 communities from all 50 states. National Night Out has proven to be an effective, inexpensive and enjoyable program to promote neighborhood spirit and police-community partnerships in our fight for a safer nation.

5th Annual Blue Ribbon Nite Gala



The 5th Annual Blue Ribbon Nite Gala was held on Friday, November 9, 2012, at the Manor House in Mason, Ohio. This event provides a significant portion of the annual operating budget for the Child Advocacy Center of Warren County. Without the help of generous sponsors, this successful, growing event would not be possible. The Center has nearly 300 reasons each year for providing the best response that is required and deserved. The theme of this year's event was "Singing for the Blue Ribbon" with an American Idol style competition.

Prosecutor Donates Forfeited Funds for Drug Awareness and Education



Warren County Prosecutor David Fornshell presented \$1,000 checks to three county agencies to help pay for drug awareness and education. The checks were given to the Warren County Educational Service Center – Coordinated Care, Big Brothers/Big Sisters of Warren County, and the Boy Scouts of America to assist those agencies in educating adults or children with respect to the dangers associated with using drugs of abuse.

The money was obtained from funds ordered forfeited as a result of the successful prosecution of felony drug cases. Local law enforcement seized cash proceeds from the sale of illegal drugs in several cases in calendar year 2012. Notable cases include a Mason teen who trafficked hydroponic marijuana and numerous Defendants who were part of a steroid distribution ring first discovered at the Countryside YMCA.

Kim Sellers, Coordinated Care Program Director of the Warren County Educational Service Center (pictured above left with Warren County Prosecutor David Fornshell), offered the following statement: "We are very appreciative of the support from the Warren County Prosecutor's Office. This is an issue that impacts many systems within Warren County. The funds enable us to provide drug and alcohol prevention and education to our youth in Warren County schools at no cost to the districts, as well as in the community. Some of the services provided include presentations in health classes, substance abuse groups, Red Ribbon Week presentations, as well as presentations at community and athletic events."

Fornshell expressed satisfaction that the forfeited money was being put to good use. "I congratulate our local law enforcement agencies for identifying and seizing these funds, and I am pleased that the proceeds of illegal drug transactions will be used to educate our citizens about the harmful effects of illegal drug use and addiction," he said.

Financial Report

As stewards of the taxpayers' money, and particularly in these economic times, it is critical that all levels of government provide better service on increasingly fewer tax dollars. Along those lines, the original appropriated 2011 budget for the Prosecutor's Office was \$2,781,689. However, our office expended \$2,656,789.23, effectively returning \$124,899.77 or 4.5% of the office's appropriated budget back to the county general fund.

2012 created unique challenges in the Prosecutor's Office, as our felony caseload increased 12.5% from 2011. Despite this fact, the Prosecutor's Office was able to increase efficiencies. The original appropriated 2012 budget for the Prosecutor's Office was \$2,616,072, which itself is a reduction of 3.96% from the amount appropriated in 2011. Notably, our office reduced spending, even beyond the lower 2012 appropriated amount, to \$2,513,798.55 – effectively returning \$102,273.45 or 3.91% of the Prosecutor's Office 2012 appropriated budget back to the county general fund.

In summary, the Prosecutor's Office in 2012 asked for less money to do more work, and this office spent less than we asked for. As 2013 begins, the Prosecutor's Office is committed to further improving efficiency while maintaining the highest level of service to the public.

Criminal Division

In 2012, the Criminal Division of the Warren County Prosecutor's Office continued its aggressive prosecution of violators of the laws of the State of Ohio. The Criminal Division prosecuted 955 felonies that occurred in Warren County in 2012, as well as 30 appeals arising from those convictions. In County Court, the Criminal Division was responsible for handling 7,069 misdemeanor cases, including assaults, thefts, drunk driving, watercraft and hunting violations, and traffic offenses. Significant criminal cases prosecuted in 2012 are listed below.

Homicides



Jay Clark, 21, of Franklin, Ohio was sentenced to 25 years to life in prison for shooting and killing a Lebanon man. On September 25, 2011, Clark entered the victim's residence, stole several cell phones, went into the garage, and shot the victim once. When the victim went outside, Clark shot the victim again at close range.



Richard Snyder, 43, of Groveport, Ohio pled guilty to murder and a gun specification and was sentenced to serve fifteen years to life in prison, plus three years for the firearm specification. During the evening of November 23, 2011, Snyder and the victim left their home near Orient intending to go to a casino in Lawrenceburg, Indiana. They exited I-71 at S.R. 73 and went to a remote area in Caesar Creek State Park, where Snyder shot and killed the victim, apparently after an argument.



Marcus Anthony Isreal was convicted in 2011 for the murder of Sgt. Brian Dulle of the Warren County Sheriff's Office. In October, the 12th District Court of Appeals upheld his conviction for murder and related charges, as well as his sentence of 25-1/2 years to life in prison.



Jeffrey Benner, 41, an inmate at Warren Correctional Institution, pled guilty to involuntary manslaughter and was sentenced to eight years in prison for his conduct leading to the death of another inmate. In April 2011, Benner confronted the inmate and struck him in the face and jaw. The victim died later as a result of the attack. Benner is serving a 20-year prison sentence for aggravated robbery, felonious assault and other offenses committed in Franklin County.

Sex Offenses



Rodney Roark, 42, of Cincinnati, was given a 20-year prison term for sexually abusing a minor over a period of four years. A Warren County jury found Roark guilty of three counts of rape and five counts of sexual battery after a two-day jury trial. The abuse occurred from June 2001 through September 2005. Roark must serve 15 years before he is eligible for parole. Roark was also designated a Tier III sex offender.



Jessie Morsie, 47, of Lebanon, was found guilty at a bench trial of attempted rape and four counts of sexual battery for a series of encounters with multiple victims occurring from the summer of 2010 until March 2011. The incidents occurred in Morsie's Lebanon apartment. Morsie was sentenced to eight years in prison and designated a Tier III sex offender.



Mathew Harries, 44, of Lebanon, pled guilty and was sentenced to serve 14 years in prison for sexually abusing a victim less than 13 years of age. The offenses occurred between 2004 and 2012. Harries was sentenced to 18 months in prison on four counts of gross sexual imposition and 8 years in prison on one count of rape, to run consecutively, and was designated a Tier III sex offender.



Albert Moore, 83, of Mason, was sentenced to 15 years in prison for a series of felony sex offenses ranging as far back as 1984. Moore pled guilty to two counts of rape and one count of gross sexual imposition involving three separate victims. All of the victims were acquainted with Moore and were under 13 years of age at the time of the offenses.



Benjamin and Leah Rodgers were sentenced to eight years in prison for engaging in sex offenses with a minor and were classified as Tier III sexual offenders. In October, the South Lebanon husband and wife each pled guilty to eight counts of pandering sexually oriented matter involving a minor and six counts of sexual battery. From January 15 through July 10, 2012, the couple engaged in sexual conduct with a minor and videotaped the minor engaging in sexual activity on numerous occasions. The couple was acquainted with the juvenile, who was the same victim in each of the charges.



Drug Offenses



James Scott, Jr., 46, who had been at large for 6 ½ years, was arrested and sentenced in May of 2012. In 2005, while a Warren County jury was deliberating his fate on several felony charges, Scott left the courthouse and failed to return. The jury returned with findings of guilty to all charges, including seven counts of crack cocaine trafficking and two counts of cocaine possession. Scott was sentenced to 18 years in prison.



Donna Herriges, 32, of Fort Lauderdale, was sentenced to six years in prison for attempting to deliver millions of dollars worth of heroin from the Greater Cincinnati Airport to the Boston area. Herriges' vehicle was stopped for a traffic violation on Interstate 71, and officers discovered nearly five kilos of heroin concealed in the passenger compartment of the vehicle.



Winston Thomas, 42, was found guilty of trafficking in marijuana and sentenced to six years in prison. Thomas' van was stopped for a traffic violation on Interstate 71, and 313 pounds of marijuana, contained in six large bales, was found in the vehicle.

Multiple Defendant Drug Trafficking Organizations

In 2012, the Prosecutor's Office prosecuted several multi-defendant drug trafficking organizations, involving numerous defendants who acted in concert with each other.

Steroid Investigation:

Twenty-nine people were involved in a major steroid trafficking organization, which distributed drugs throughout southwestern Ohio. The investigation began with several local "bodybuilders" who were using illegal steroids and distributing them to other bodybuilders. This led to the next level of distributors who were obtaining and distributing large amounts to numerous dealers. One of the individuals involved organized a blind drop using secure lockers in an office building where dealers would place orders, drop off money, and pick up their illegal steroids. On at least one occasion, the distributor called a "business meeting" of his dealers and urged them to increase production, using a sound business plan. The other major distributors were ordering and picking up, and in some cases shipping, illegal steroids through the U.S. mail.

Finally, agents of the Warren County Drug Task Force, working with Tennessee authorities, located the clandestine "lab" in Tennessee that was receiving the ingredients from China and manufacturing steroids that were being distributed throughout the United States. The defendants were convicted of various charges ranging from possession of drugs to trafficking in drugs and engaging in a pattern of corrupt activities.

Many state and federal agencies collaborated in the investigation, including officials from the Warren County Drug Task Force, Clermont County Drug Task Force, Butler County Sheriff's Undercover Regional Narcotics Task Force, Hamilton County Regional Narcotics Unit, Tennessee State Police, Federal Bureau of Alcohol, Tobacco and Firearms, and Federal Drug Enforcement Agency.

Methamphetamine Lab and Drug Trafficking Organization:

Ten people were involved in a methamphetamine lab organization located in the Morrow, Ohio area. Two active methamphetamine labs were closed down. In addition to the manufacturing of illegal substances, several of the people charged were involved with obtaining and assembling the ingredients, which were provided to the lab in exchange for finished product. Charges included possession of drugs, trafficking in drugs, illegal manufacture of drugs, illegal assembly or possession of chemicals for the manufacture of drugs and engaging in a pattern of corrupt activities.

Marijuana Growing Organization:

What began as an investigation into a Mason High School student involved in selling marijuana to other students led to charges against several adults and the juvenile. Police located three large indoor growing operations (“in-grows”) which were producing a very high quality of marijuana being sold throughout southwestern Ohio. The high school student and all but one of the adults were convicted of crimes related to the operation. One adult is pending trial.

Mason Analog Substance Operation:

Investigation by the Warren County Drug Task Force revealed an operation in the Mason area that was distributing thousands of packets of “bath salts” and other analog substances throughout the United States. Four individuals were involved in the operation of a business that received, stored, shipped and distributed illegal substances. The substances they were distributing included items labeled as “Super Grow Plant Food” and “Cadence,” which are similar to the chemical structure of amphetamines and methamphetamines. The organization was also distributing substances known as “Brilliance,” “Radiance,” “Sparkle” and “Good Luck” powder, which are substantially similar to controlled substances. Three of the defendants have been convicted and one remains at large.

Lebanon Marathon Gas Station:

The Lebanon Police Department, the Ohio Investigative Unit, and the Warren County Drug Task Force investigated six individuals for trafficking analog controlled substances, including synthetic marijuana, from a local gas station. Two of the defendants have been convicted while four await trial in 2013.

Other Notable Crimes



Stuart Vance, 39, was sentenced to eight years in prison for two bank robberies and one attempted burglary occurring in Warren County in 2008. Authorities dubbed Vance the “Rush Hour Robber” because of his history of robbing banks near the end of the workday. Vance’s eight-year sentence will run consecutively to the time Vance is now serving in an Indiana prison for burglary. Vance is also facing bank robbery charges in other jurisdictions.



Caleb Ward

Steven Dean

Terry Cragg

In October of 2011, **Caleb Ward, Steven Dean and Terry Cragg** broke into PH Bistro in Franklin and set fire to the structure. Money and liquor were stolen. Cragg then set a fire in the restaurant and all defendants fled. The restaurant was a complete loss due to the fire. Ward and Dean were convicted of burglary and safecracking and each sentenced to four years in prison. Cragg was convicted of aggravated arson and burglary and sentenced to seven years in prison.



Rebecca Green (formerly Butcher), 52, a former Warren County Department of Human Services employee, was sentenced to serve four years in prison and pay \$146,300.00 in restitution after she pled guilty to theft in office and tampering with records. An investigation disclosed Green stole cash payments made by Medicaid recipients to meet eligibility thresholds and manipulated recipients' files to make it appear they were eligible for benefits when they were not.

Juvenile Division

In 2012, the Juvenile Division was responsible for handling over 2,866 cases. The Juvenile Division worked to ensure that minors who violated the law were punished and that they understood the consequences of their illegal actions. The cases handled within the Juvenile Division range from truancy and traffic to rape and homicide charges. It is the goal of the Juvenile Division to protect Warren County from juvenile delinquency, while at the same time preventing the juvenile offenders from becoming the next generation of defendants in the adult criminal system. Additionally, the Juvenile Division is responsible for handling child protection cases and providing legal representation to Warren County Children Services, as well as handling Adult Protective Services cases.

Investigative Division

In 2012, the Investigative Division of the Prosecutor's Office operated as a close link between law enforcement agencies and the Prosecutor's Office. The Investigative team provided assistance to law enforcement agencies and valuable information to the Prosecuting Attorney from investigation to arrest to trial. In addition to working with local law enforcement, the Prosecutor's Investigators served on the Southern Ohio Fugitive Apprehension Strike Team (SOFAST), which is a joint venture of local, state and federal law enforcement members to catch fugitives across the region.

Victim/Witness Division

The Mission of the Victim/Witness Division is to serve victims with compassion while promoting the judicial process. The advocates provided services to nearly 2,800 victims in 2012. Six Prosecutor-based advocates served victims of crime in Common Pleas Court, Warren County Court, Juvenile Court, Lebanon Municipal Court, Franklin Municipal Court and Mason Municipal Court. Advocacy support and services were also made available to physically and sexually assaulted children and their non-offending family members at the Child

Advocacy Center of Warren County. Our advocates are continuously finding ways to better assist and navigate victims through the court process and make them aware of their rights.

Civil Division and Delinquent Tax Division

In 2012, the Civil Division provided legal counsel and representation to over 30 county agencies, boards, commissions, departments and elected officials, as well as 9 townships and 5 public libraries. In representing its clients, the Division handled litigation, employment issues, zoning lawsuits and contract negotiations. Notable cases worked on by the Division included resolution of the Klingling Trust litigation involving the old Mary Haven facility; negotiating and drafting documents for the Racino Development project; providing advice on site plan reviews for the Racino Development project and the Flying J Truck Stop development; advising county commissioners and monitoring the bidding/contracting for the county courthouse addition project; and reviewing documents on behalf of the county for the purchase of a new multi-million dollar county radio system. In addition, the Delinquent Tax Collection Division collected over \$13.6 million in delinquent taxes and assessments on real property, manufactured and mobile homes, and personal property.

Child Support Enforcement Division

The Child Support Division of the Prosecutor's Office handled over 12,000 cases in 2012 and provided the full range of Child Support Enforcement Agency services, including collection and enforcement of support orders, establishment of paternity and child support orders, location of parents, and modification and termination of orders. In 2012, the Child Support Division ranked first in the state for total increased collections by collecting \$41,110,845.77, an increase of \$1,569,237.56 over 2011. CSEA collections included nearly \$3.7 million to recoup public assistance money, and an additional \$5.7 million was collected for lower income working families in danger of going on cash assistance. The Warren County CSEA was again recognized by the Ohio Department of Job and Family Services in three performance categories: Most Improved Paternity Establishment in the Large Caseload Division, Best Performance in Support Order Establishment in the Large Caseload Division, as well as Best Performance in Total Disbursements per Total Full-Time Equivalent in the Large Caseload Division. In addition, the Division increased collections on arrearages by nearly 2% in Federal Fiscal year 2012, was one of three counties statewide on track for a 10% increase in current collections for Federal Fiscal year 2013, and was recognized for highest percentage of collections of current child support in a large county for the month of November 2012. The agency continues to be one of the most cost-effective Child Support Enforcement Agencies in the State of Ohio, collecting \$13.67 per dollar spent.

THANK YOU FOR ALLOWING US TO SERVE YOU.

**For More Information, Please Visit:
www.co.warren.oh.us/prosecutor**