

2022

Annual Report





2022 ANNUAL REPORT

Contents

A Message from the Prosecuting Attorney.....	Page 3
Criminal Division.....	Page 4
Parole Watch.....	Page 11
Appeals.....	Page 13
Juvenile Division	Page 17
Civil Division.....	Page 18
Victim Witness Services Division	Page 19
Child Support Enforcement Agency.....	Page 21
Community Involvement.....	Page 22
Awards	Page 23



(Above) In April, members of the Office dressed in blue for Ohio Wears Blue week to raise awareness about child abuse prevention.



David P. Fornshell
WARREN COUNTY PROSECUTOR

A Message from the Prosecuting Attorney

Thank you for your interest in the Warren County Prosecutor's Office and for taking the time to read our Annual Report. I am honored to be completing my 12th year as Prosecuting Attorney, and I am so appreciative of the opportunity to serve in the community where I grew up.

Although the public frequently pays attention to cases that our office prosecutes, in 2022, perhaps the most noteworthy matters our office handled were two cases that our office reviewed, but declined to present to the grand jury.

On July 12, 2022, an officer-involved critical incident at the Baymont Inn in Mason that resulted in the death of Thomas Henry Cromwell. Cromwell, who had recently escaped from River City Correctional Center in Cincinnati, barricaded himself into a room on the third floor of the Baymont Inn and held a female victim hostage for almost 12 hours. During several conversations with law enforcement negotiators and the hostage herself, Cromwell threatened "suicide by cop," indicated that law enforcement officers would have to kill him to save the female hostage, and stated that he was going to "go out in a glorious death." Ultimately, members of the Warren County Tactical Response Unit decided to breach entry into the hotel room to save the hostage, at which point they discovered (and the hostage herself indicated) that Cromwell was holding a knife directly to the hostage's neck. Law enforcement then fired a single shot at Cromwell, striking Cromwell and causing him to fall to the ground, thereby releasing the hostage from Cromwell's grasp.

Later that very same day, yet another officer-involved critical incident occurred at a farm on North State Route 48 in Clearcreek Township which resulted in the death of Mark Evers and the critical injury of Clearcreek Township Police Department Officer Eric Ney. Officers were initially called to that location for a domestic dispute involving Evers and his wife. During the investigation, Evers unexpectedly fired multiple shots at the officers and struck Officer Ney before Sergeant Nicole Cordero was able to return fire, striking Evers. The Warren County Coroner's Office concluded that Evers' cause of death was "multiple gunshot wounds." However, the coroner's office was unable to determine Evers' precise manner of death because, in addition to multiple gunshot wounds inflicted by Sergeant Cordero, Evers also suffered a self-inflicted gunshot wound to the head.

In both cases, the Ohio Bureau of Criminal Investigation conducted a thorough investigation before presenting all evidence to the Warren County Prosecutor's Office for review. Ultimately, our office determined that in both incidents, the officers' use of deadly force was objectively reasonable under the circumstances and declined to present the matter to the grand jury.

The fact that both of these incidents occurred on the same day demonstrates the increasing challenges placed on our local law enforcement officers when confronting dangerous individuals. Warren County is very fortunate to have these brave women and men protecting our community, and they deserve our sincere gratitude for their efforts and sacrifice.

It has been a privilege to serve you this past year. If you have any comments or suggestions where you believe we can improve our service in any way, please contact me at 513-695-1325 or david.fornshell@warrencountyprosecutor.com.



DAVID P. FORNSHELL



2021 ANNUAL REPORT

Criminal Division

In 2022, the Criminal Division of the Warren County Prosecutor's Office continued its aggressive prosecution of violators of the laws of the State of Ohio, handling over 1,100 felony cases and 2,951 misdemeanor cases, including homicides, other violent felonies, thefts, sexual assaults, drug trafficking, domestic violence, driving under the influence, traffic offenses, and watercraft and fish and wildlife violations. The prosecutors in the Criminal Division represent the State of Ohio in the Warren County Common Pleas Court and Warren County Court. Some of the significant criminal cases prosecuted in 2022 are highlighted in this section.

Homicides

Hemilio Castro, 21, of Miamisburg, Ohio, was sentenced to an indefinite term of 14 to 16 1/2 years in prison after being convicted of involuntary manslaughter with a firearm specification and two counts of tampering with evidence. On June 5, 2021, Castro shot to death 22-year-old Joseph Kancy. Castro and Kancy were engaged in a drug sale at the time of the shooting. To conceal evidence of the crime from police, Castro discarded a cell phone belonging to Kancy and deleted data from his social media accounts. The Twelfth District Court of Appeals affirmed Castro's convictions and sentence on December 6, 2022.



Jeremy Penwell, 38, of Cincinnati, Ohio, was sentenced to an indefinite term of seven to ten years in prison after being convicted of two counts of aggravated vehicular homicide, one count of failure to stop after an accident, and one count of operating a motor vehicle while under the influence. On September 14, 2021, 38-year-old Aleksandre Begheluri was stopped in the road fixing an issue with his trailer when Penwell struck him with his vehicle and then fled the scene. Mr. Begheluri suffered fatal injuries from the collision.





2022 ANNUAL REPORT

Criminal Division

Violent Offenses



Bryon Finklea, 26, of Dayton, Ohio, was sentenced to an indefinite term of 18 to 20 years in prison after being convicted of two counts of kidnapping, one count of aggravated robbery with an attached fire-arm specification, one count of robbery, one count of failure to comply with an order or signal of a police officer, and one count of endangering children. On August 8, 2020, Finklea was involved in a motor vehicle pursuit with law enforcement on I-75, reaching speeds of up to 123 miles per hour. During his flight, Finklea stopped at an intersection in Monroe and stole a vehicle with two children inside before continuing to flee from police. After dropping one of the children off in Lebanon, Ohio, Finklea continued to flee in that vehicle with the remaining child still inside. He then crashed that vehicle and stole a second vehicle by threat of force to the driver and occupants before fleeing again.



Vance Little, 44, of Aberdeen, Ohio, was sentenced to an indefinite term of ten to 15 years in prison after being convicted of three counts of kidnapping, one count of aggravated burglary, one count of felonious assault, two counts of violation of a protection order, one count of domestic violence, one count of obstructing official business, and two counts of endangering children. On June 28, 2021, Little broke into the home of his ex-wife and children, assaulted his ex-wife, and trapped her in the bedroom of her home. When law enforcement arrived, Little refused to comply with their orders. Little's ex-wife had previously sought, and been granted, a protection order against Little. The Twelfth District Court of Appeals affirmed his convictions and sentence on November 28, 2022.



Da'Sean McCleskey, 22, of Dayton, Ohio, was sentenced to an indefinite term of nine to ten-and-a-half years in prison after being convicted of seven counts of aggravated robbery with firearm specifications. From December 12, 2021, through January 19, 2021, McCleskey entered seven separate Warren County and southern Montgomery County gas stations, held the clerks at gunpoint and demanded money.



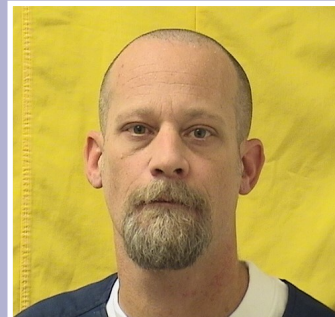
2022 ANNUAL REPORT

Criminal Division

Heather Reed, 33, of Lebanon, Ohio, was sentenced to an indefinite term of five to seven-and-a-half years in prison after being convicted of endangering children and felonious assault. On November 4, 2020, Reed caused serious physical harm to a child she was babysitting in her home. The child suffered numerous head injuries, including a brain bleed. Reed has appealed her convictions, and her case is currently pending before the Twelfth District Court of Appeals.



Carl Moore, Jr., 42, of Middletown, Ohio, was sentenced to an indefinite term of six to seven-and-a-half years in prison after being convicted of one count of felonious assault against a police officer with an attached firearm specification, one count of improperly handling firearms in a motor vehicle, and one count of operation of a vehicle while under the influence. On February 13, 2022, Moore was operating a motor vehicle erratically, making numerous traffic violations. When a state trooper attempted a traffic stop, Moore fired a shot at the trooper's vehicle from his vehicle. Moore was found to be under the influence after his vehicle was successfully stopped.



Joshua Taylor, 44, of Batavia, Ohio, was sentenced to six-and-a-half years in prison, consecutive to a sentence being served from Clermont County, after being convicted of abduction with a firearm specification and grand theft of a motor vehicle. On May 1, 2021, Taylor removed a former girlfriend by force and at gunpoint from the location where she was found. Later that morning, Taylor stole another person's truck.



Lefon Edwards, 35, of Cincinnati, Ohio, was sentenced to an indefinite term of three to four-and-a-half years in prison after being convicted of robbery and theft. On October 22, 2020, Edwards entered a Springboro hotel and demanded all the cash from the clerk. He left with approximately \$180 from the register. Edwards has appealed his convictions. His appeal is currently pending before the Twelfth District Court of Appeals.





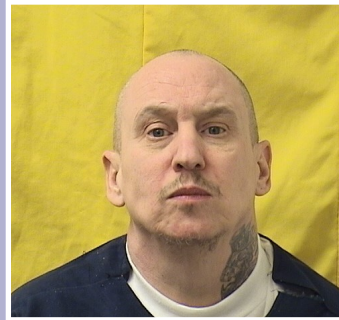
2022 ANNUAL REPORT

Criminal Division

Duane Jemison, 33, of Pittsburgh, Pennsylvania, was sentenced to an indefinite term of three years and nine months to five years and three months in prison after being convicted of two counts of felonious assault and one count of failure to comply with an order or signal of a police officer. On August 20, 2021, Jemison failed to stop his vehicle after state troopers attempted a traffic stop. During the high-speed pursuit, Jemison drove his vehicle into multiple law enforcement vehicles while the officers were still inside. The Twelfth District Court of Appeals affirmed Jemison's convictions on October 11, 2022.



Robert Randolph, 52, of Middletown, Ohio, was sentenced to 30 months in prison after being convicted of abduction. On February 9, 2022, Randolph dragged a co-worker out of their workplace and attempted to force her into a car.



John Lawson, 20, of Harveysburg, Ohio, was sentenced to 18 months in prison after being convicted of two counts of aggravated vehicular assault. On May 9, 2021, while operating a motor vehicle under the influence of alcohol and/or a drug of abuse, Lawson crashed his motor vehicle causing serious physical harm to two occupants of the car.



Danielle Breeden, 41, of Springboro, Ohio, was sentenced to 12 months in prison after being convicted of attempted endangering children. On February 5, 2021, Breeden was a care giver for a ten-month-old child who suffered serious physical harm while the child was in her care.

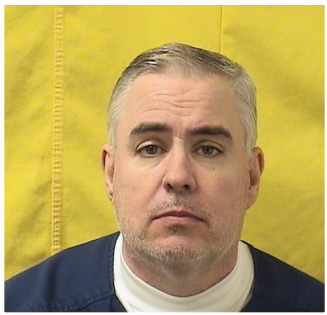




2022 ANNUAL REPORT

Criminal Division

Sex Offenses



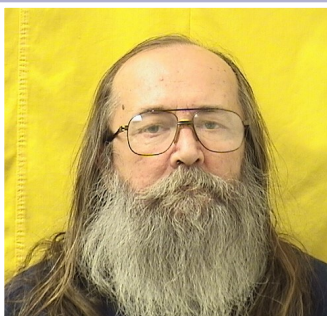
John Reynolds, 53, of Mason, Ohio, was sentenced to an indefinite term of 18 to 23 1/2 years in prison after being convicted of three counts of gross sexual imposition and one count of rape. Between 2016 and 2022, Reynolds engaged in sexual contact with victims who were under the age of 13 and engaged in forcible sexual conduct with a victim. He was designated a tier III sex offender.



Nathan Hill, 40, of Lebanon, Ohio, was sentenced to 15 years in prison after being convicted of four counts of gross sexual imposition. From March through June 2021, Hill engaged in sexual contact with an eight-year-old girl on multiple occasions. He was designated a Tier II sexual offender.



David Ridenour, 41, of Lebanon, Ohio, was sentenced to an indefinite term of ten to 15 years in prison after being convicted of rape with a repeat violent offender specification. On October 16, 2020, Ridenour by force compelled a woman he met earlier that evening to engage in sexual conduct. He was designated a Tier III sexual offender. Ridenour has appealed his conviction to the Twelfth District Court of Appeals, which is currently pending.



Richard Buckland, 61, of Lebanon, Ohio, was sentenced to 48 months in prison after being convicted of three counts of gross sexual imposition. Between September of 2011 and February of 2017, Buckland engaged in sexual conduct with a victim who was under the age of 13 at the time of the offense. He was designated a tier II sex offender. Buckland has appealed, and the Twelfth District Court of Appeals is currently considering his appeal.



2022 ANNUAL REPORT

Criminal Division

Drug Offenses



Derek Mott, 48, of Middletown, Ohio, was sentenced to an indefinite term of 14 to 19 1/2 years in prison after being convicted of one count of trafficking in a fentanyl related compound, one count of possession of a fentanyl related compound, one count of trafficking in heroin, one count of possession of heroin, three counts of aggravated trafficking in drugs, two counts of aggravated possession of drugs, one count of possession of cocaine, and four major drug offender specifications. On January 5, 2022, officers received a tip that drug transactions were occurring in a room at the Red Roof Inn in Middletown. After executing a search warrant, officers discovered large quantities of numerous drugs which Mott intended to sell. Mott has appealed his convictions, and the appeal is currently pending before the Twelfth District Court of Appeals.



Larry Gray, 46, of Lawrenceburg, Indiana, was sentenced to an indefinite term of eight to nine-and-a-half years in prison after a jury found him guilty of trafficking in marihuana and engaging in a pattern of corrupt activity. From July through October 2020, Gray engaged with others in a drug trafficking organization that included delivery of approximately fifty pounds of marihuana into Warren County. Gray has appealed his conviction to the Twelfth District Court of Appeals, which is pending.



John Ferguson, IV, 27, of Dayton, Ohio, was sentenced to an indefinite term of four to six years in prison after being convicted of trafficking in cocaine. On February 4, 2021, Ferguson delivered two ounces of cocaine to Warren County Drug Task Force agents. A subsequent search of Ferguson's residence recovered additional marihuana and drugs.



2022 ANNUAL REPORT

Criminal Division



Anne Powell, 39, of Wilmington, Ohio, was sentenced to an indefinite term of two to three years in prison after being convicted of aggravated trafficking in drugs. On October 28, 2021, Powell was found in possession of 72 grams of methamphetamine concealed on her person that was intended for sale by herself or another.

Financial Crime



Daniel Schroer, 54, of Germantown, Ohio, was sentenced to community control and forever disqualified from holding any public office, employment, or position of trust in the State of Ohio, after being convicted of tampering with records, theft in office, filing a false disclosure statement, and representation by a public official/employee. As Superintendent of Springboro School District, Schroer submitted and received travel reimbursement for travel he knew he had not actually taken on behalf of the school district, solicited and received personal loans from persons doing business with the school district, and failed to disclose this information on required ethics disclosure forms.

(Below) Prosecutor Fornshell and the Warren County Police Chiefs Association co-sponsored a community anti-theft training in September 2022, providing information about money handling systems, anti-theft procedures, and internal controls to community board members, officials, directors, and volunteers associated with non-profit, church, school, charitable, and other community organizations.





2022 ANNUAL REPORT

Parole Watch

GENIS MCGUIRE

Inmate A317-403

On the evening of January 5, 1995, McGuire met his co-defendant, Willie Ledford, at the Cottage Bar in Franklin, Ohio. Ledford showed McGuire a knife with a straight razor blade. McGuire and Ledford then left the Cottage Bar and went to a second and then a third bar. Sometime after midnight on January 6, 1995, they went to the Dairy Mart store located on East Second Street in Franklin, Ohio.

Upon arriving at the Dairy Mart, Ledford produced the knife and went into the store while McGuire waited in the car. Ledford attempted to take money out of the cash register and then grabbed the clerk on duty, Ellen New, by the hair and drug her out of the Dairy Mart into the waiting automobile. Ledford struck the victim several times and cut her with the knife. As they attempted to flee, Ledford continued to beat New. He grabbed her hair and stabbed her in the chest and cut her throat.

McGuire and Ledford went to a nearby country road and dumped her body. They then drove back to Franklin but ran out of gas near the north end of town. McGuire, using lighters stolen from the Dairy Mart, set the car on fire in an attempt to conceal evidence.

After being indicted, McGuire ultimately pled guilty to aggravated murder and was sentenced to life in prison with parole eligibility after twenty years. At the time of the offense, McGuire was 36 years old. He had already developed a significant criminal record which included the use of weapons as well as violent and assaultive behavior.

At the time of McGuire's parole hearing this year, he had completed approximately

27 years of his life sentence. The Warren County Prosecutor's Office received over 100 submissions from the community on the Warren County Prosecutor's Office Parole Watch website, opposing his release. The Office wrote a letter to the Parole Board, opposing his release on parole at this time because of the violent and horrific nature of this offense, as well as his prior criminal history.

The Parole Board denied McGuire's release, and he is not eligible for parole again until 2025.





2022 ANNUAL REPORT

Parole Watch



JAMES KERR
Inmate A186-512



KEVIN SMITH
Inmate A186-511

On the evening of April 9 and 10, 1985, James Kerr and Kevin Smith went to the Travel Lodge Hotel in Mason, Ohio intending to commit a robbery. During that time, 30-year-old Richard Dickson, Jr. was working the front desk. While one of the subjects tried to distract Mr. Dickson, the other took money out of the cash register. After committing the robbery, they took Mr. Dickson to the lobby bathroom where Mr. Dickson was stabbed in the heart and left to die on the bathroom floor.

In August of 1985, Kerr and Smith were both found guilty by a jury in the Warren County Common Pleas Court of aggravated murder, aggravated robbery, and kidnapping. They were both sentenced to life in prison on the aggravated murder counts; ten to twenty-five years on the aggravated robbery counts, with ten years minimum actual incarceration; and ten to twenty-five years on the kidnapping counts, with ten years minimum actual incarceration. The Court further ordered that the aggravated robbery and kidnapping counts were to run concurrent to one another but consecutive

to the aggravated murder counts for each defendant.

Kerr and Smith have been incarcerated since August 28, 1985. The Warren County Prosecutor's Office wrote to the Parole Board this year, arguing that Kerr and Smith should be required to serve the entirety of their sentences behind bars.

Both were denied parole at this time. They will each be eligible again for parole in 2025.



2022 ANNUAL REPORT

Appeals

In Warren County, most criminal appeals are heard by the Twelfth District Court of Appeals, which also hears appeals from the trial courts in Brown, Butler, Clermont, Clinton, Fayette, Madison, and Preble counties. The Supreme Court of Ohio hears cases appealed from the Twelfth District Court of Appeals, and death penalty cases are appealed directly to the Supreme Court of Ohio. In 2022, the Warren County Prosecutor's Office handled 40 cases at the Twelfth District Court of Appeals and ten cases at the Supreme Court of Ohio. Additionally, the United States Supreme Court declined to hear the appeal of one petitioner in a capital case. Notable appeals from 2022 included the following:

STATE OF OHIO V. AUSTIN MYERS

In January 2014, Myers and his co-defendant, Timothy Mosley, planned and then carried out their plan to murder Justin Back. Myers was convicted of aggravated murder, kidnapping, aggravated burglary, aggravated robbery, grand theft of a firearm, safecracking, tampering with evidence, and abuse of a corpse, and he was sentenced to death. His convictions and death sentence were affirmed by the Supreme Court of Ohio in 2018.

Myers attempted to petition the United States Supreme Court to hear his case, which it declined to do in a decision issued in January 2022. Meanwhile, Myers filed a petition for post-conviction relief in the Warren County Common Pleas Court, which the common pleas court dismissed. After appealing that decision to the Twelfth District Court of Appeals, three of Myer's post-conviction claims were remanded to the common pleas court for an additional evidentiary finding to be held later this year.

STATE OF OHIO V. TERRY FROMAN

Froman was convicted of aggravated murder and kidnapping and sentenced to death for his fatal shooting of his ex-girlfriend, Kimberly Thomas, and her 17-year-old son. The Supreme Court of Ohio affirmed his convictions and death sentence in 2020.

Froman also challenged his convictions and death sentence through a petition for post-conviction relief filed in the Warren County Common Pleas Court. When the common pleas judge dismissed the petition in 2020, Froman appealed to the Twelfth District Court of Appeals. The court of appeals upheld the dismissal of the petition on August 8, 2022, and Froman appealed to the Ohio Supreme Court, which declined to consider that appeal on December 27, 2022.

Froman has recently started the habeas corpus process in federal district court.



2022 ANNUAL REPORT

Appeals

STATE OF OHIO V. JOEL DRAIN NKA VICTORIA DRAIN

While Drain was an inmate serving time for murder in the Warren Correctional Institution in 2019, she murdered a fellow inmate. Drain lured the victim into her prison cell and brutally beat, strangled, kicked, and stomped him to death. Drain pled no contest to two counts of aggravated murder, death penalty specifications, and possession of a deadly weapon while under detention. A three-judge panel of the Warren County Common Pleas Court found her guilty and sentenced her to death.

Drain's appeal of her convictions and death sentence were affirmed by the Supreme Court of Ohio on October 19, 2022. On December 27, 2022, the Supreme Court of Ohio declined Drain's request to reconsider its decision. Drain also currently has two post-conviction petitions pending before the Warren County Common Pleas Court.

STATE OF OHIO V. LANCE RUNION

In 2021, Warren County Sheriff's Office deputies responded to Runion's house to conduct a welfare check on him at the request of his brother. As one deputy stood on the doorstep waiting for Runion to answer the door, Runion responded from behind the door, "You're dead." He then opened the door, pointed a loaded handgun at the deputy on the porch, and pulled the trigger, firing a bullet at her head. The deputy instinctively ducked. Miraculously, the bullet missed hitting her.

Runion pled guilty to and was convicted of attempted aggravated murder, attempted murder, and felonious assault, with firearm specifications and specifications for discharging a firearm at a peace officer. He appealed to the Twelfth District Court of Appeals, which affirmed his convictions on July 18, 2022. Runion appealed that decision to the Supreme Court of Ohio, which declined to hear the case on November 8, 2022.

STATE OF OHIO V. KYLE MCCLENDON

While an inmate in Lebanon Correctional Institution, serving a life sentence for murder, McClendon and his accomplice brutally beat a fellow inmate for failing to pay back a debt. The victim died from his injuries, and McClendon was convicted of involuntary manslaughter and extortion. On appeal to the Twelfth District Court of Appeals, he challenged his sentence under the Reagan Tokes Act. The Court of Appeals upheld his sentence and affirmed his convictions on August 15, 2022.



2022 ANNUAL REPORT

Appeals

STATE OF OHIO V. TOMMY EUGENE ABNER

While driving with a suspended license and under the influence of methamphetamine and amphetamine, Abner went left of center and struck another car, killing the driver, 51-year-old Jeri Beth Murray. Abner pled no contest and was convicted of aggravated vehicular homicide and operating a vehicle under the influence of a drug of abuse.

On appeal, he challenged his sentence under the Reagan Tokes Act. The Twelfth District Court of Appeals upheld his sentence and affirmed his convictions in 2021. On April 26, 2022, the Supreme Court of Ohio declined to consider his appeal from that decision.

STATE OF OHIO V. TIMOTHY HALL

Hall is serving a life sentence for multiple counts of forcible rape and sexual battery involving a child. The Twelfth District Court of Appeals affirmed his convictions on April 4, 2022. His appeal from that decision to the Supreme Court of Ohio was also unsuccessful in August 2022. Hall also pursued a post-conviction action in the common pleas court. The judge dismissed his petition on August 30, 2022, and the court of appeals also dismissed his appeal from that decision on October 17, 2022.

STATE OF OHIO V. JAMES JEWELL

Jewell was convicted in 2021 of three counts of unlawful sexual conduct with a minor after he engaged in a sexual relationship with his teenage daughter's fifteen-year-old friend. The Twelfth District Court of Appeals affirmed his convictions on appeal on August 8, 2022. The Supreme Court declined to consider his appeal from that decision on December 13, 2022.

STATE OF OHIO V. ERIC RUGGLES

Ruggles is serving 15 years to life in prison for multiple counts of rape, gross sexual imposition, and sexual battery committed against two child victims. The Twelfth District Court of Appeals affirmed his convictions on May 11, 2020, and the Supreme Court of Ohio declined to consider his further appeal from that decision. Ruggles also pursued relief by way of a post-conviction petition, which the common pleas judge dismissed on March 2, 2021. The court of appeals affirmed the dismissal of the petition on May 31, 2022, and the Supreme Court of Ohio declined his appeal from that decision on September 27, 2022.



2022 ANNUAL REPORT

Appeals

STATE OF OHIO V. ERIC SCHMIDT

Schmidt was convicted in 2021 of gross sexual imposition involving a child and public indecency involving a second child. The Twelfth District Court of Appeals affirmed his conviction on November 21, 2022. Schmidt has appealed that decision, which is currently pending before the Supreme Court of Ohio on a jurisdictional motion.

STATE OF OHIO V. PAUL JOHNSTON

Johnston is serving a prison sentence of ten years to life in prison for multiple counts of rape and gross sexual imposition committed against two child victims. The Twelfth District Court of Appeals affirmed his convictions on June 21, 2022. The Supreme Court of Ohio declined to hear his appeal on October 25, 2022.

STATE OF OHIO V. DAVID BARRON

Barron was convicted in 2020 of multiple counts of trafficking in persons and promoting prostitution, unlawful restraint, abduction, and two counts of felonious assault. He forced his victim to prostitute for him by physically beating her and by making her dependent on him for money, food, drugs, and visits with her family. His appeal to the Twelfth District Court of Appeals was unsuccessful. The court of appeals affirmed his convictions on January 18, 2022. The Supreme Court of Ohio declined to hear his appeal from that decision on September 13, 2022. Barron also challenged his convictions by way of a petition for post-conviction relief filed in the court of common pleas. The judge dismissed his petition on May 10, 2022. His appeal from the dismissal is currently pending before the Twelfth District Court of Appeals.





2022 ANNUAL REPORT

Juvenile Division

The Juvenile Division works to ensure that minors who violate the law are punished and rehabilitated. The cases handled by this division range from truancy and traffic to school threats to rape and other violent felonies. The goal is to protect Warren County from juvenile delinquency, while at the same time preventing 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 on behalf of Warren County Children Services (WCCS) in situations where children must be removed from their parents because of abuse, neglect, or dependency, while WCCS works with the parents to reunify the child and parent in a safer home environment from which the child was removed. The juvenile division handled a number of notable cases in 2022.

A.J. (age 12), threatened to commit a shooting at Schenck Elementary School. A.J. not only named two classmates as his specific targets, but he also stated that he would shoot the police or anybody else who tried to stop him. A.J. devised a detailed plan, attempted to elicit help with carrying out his plan, and stole a gun magazine from a secured lockbox. Although A.J. was unsuccessful in also stealing a gun from the same secured lockbox, he had a backup plan for obtaining other weapons that he knew to be unsecured. A.J., who had a fascination with the Columbine shootings, disclosed that he would either carry out the shooting immediately or on the anniversary of the Columbine school shooting.

Ultimately, A.J. was stopped by school personnel, who upon learning of his plan immediately insisted on his removal from school grounds and medical intervention. As a result of his conduct, A.J. was adjudicated a delinquent child for the offenses of inducing panic, attempted theft of a firearm, two counts of aggravated menacing, and petty theft. He was ordered by the Juvenile Court to the Mary Haven Youth Center, with a suspended commitment

to the Department of Youth Services (DYS). Sadly, this case is further evidence of our current reality: school shootings occur much too frequently and the statistical age range of the offending youth runs from five to 18 years of age.

On June 20, 2022, **G.H.** (age 15) and **J.O.** (age 15), used Snapchat to lure the teenage son of a homeowner out of his home, so that G.H. and J.O. could break into the house and steal electronics in excess of \$1,000, a firearm, and ammunition. Several witnesses, neighborhood surveillance videos, a GPS tracking device on one of the juveniles from a monitored ankle bracelet, and recovered Snapchat messages helped law enforcement to place the two juveniles in the victims' home at the time of the break-in. The juveniles were adjudicated delinquent children for the offenses of burglary, breaking and entering, grand theft, theft of a firearm, and criminal trespass. J.O. was sentenced to the Mary Haven Youth Center with a suspended commitment to DHS. G.H., who had a prior aggravated robbery adjudication for his involvement in a 2020 shooting, was committed to DHS.

Unfortunately, we are seeing kids at younger and younger ages committing more serious crimes



2022 ANNUAL REPORT

Civil Division

The Civil Division provides legal advice and representation, in court and otherwise, to all County departments and other agencies which the Prosecutor is statutorily obligated to represent. This includes approximately 30 separate elected officials, departments, and agencies, as well as eight townships and five public libraries. County agencies include the Board of Developmental Disabilities, Board of Elections, County Commissioners, Judges, Sheriff, Human Services, and others. This representation includes providing legal advice on matters such as personnel issues, public records, open meetings, land use, and the review or drafting of hundreds of contracts. All contracts, performance bonds, and miscellaneous other documents must be approved by the Prosecutor's Office before the County Commissioners and Auditor will execute them. The Civil Division is also responsible for the collection of property tax, trailer tax, and hotel tax.

Throughout 2022, the Civil Division continued to advise county officials and town-

ships regarding expenditures of the State and Local Fiscal Recovery Funds provided by the American Rescue Plan Act. This was also a year marked by an uptick in litigation concerning sunshine law, employment, and land use matters.

The Civil Division also represents the Warren County Treasurer in delinquent tax collection. In 2022, The delinquent tax division collected a total of **\$10,106,205.28** in delinquent real estate and manufactured home taxes. This represents a 3.9 percent increase in collections over 2021 and is the largest total in approximately 11 years. The delinquency rate as of the close of the reporting year on November 1, 2022 was 1.7 percent of the total amount of real estate tax revenue to be collected, which is one of the lower rates in the State of Ohio.

Additionally, the Civil Division argued successfully with the Kings Local School Board a valuation case at the Ohio Board of Tax Appeals in which valuable precedent came from a case that the County had previously won at the Ohio Supreme Court.



(Left) **Keith Anderson** retired from the Warren County Prosecutor's Office in June 2022 after 31 years. He is pictured here (center) with the civil division.

Prosecutor Fornshell named **Adam Nice** (second from left) as the new First Assistant Prosecuting Attorney of the Civil Division. Nice began working as an Assistant Prosecutor in Warren County in 2008, and has been a member of the Civil Division since 2013.



2022 ANNUAL REPORT

Victim Witness Services Division

In 2022, the office served over 2,000 victims of crime.

The mission of the Victim Witness Services Division is to serve victims with compassion, while promoting the judicial process. This commitment to victim services is currently met through a staff of four full-time and two part-time victim and witness coordinators. Each victim coordinator is assigned to one of the Warren County courts to serve as a liaison between victims and the prosecutor. The Warren County Common Pleas Court, Warren County Court, Warren County Juvenile Court, Lebanon Municipal Court, Franklin Municipal Court, and Mason Municipal Court each has a Victim Coordinator assigned. The victim assistance efforts in Warren County are comprehensive and effective, ensuring victims' rights under Section 2930 of the Ohio Revised Code and Marsy's Law.

Criminal justice support and services were also made available to physically and sexually assaulted children at the Child Advocacy Center of Warren County.

The Victim Witness Services Division also provides victims whose offender is incarcerated VINE (Victim Information and Notification Everyday) information and works closely with Warren County Pretrial Services, Warren County Community Corrections, the Warren County Adult Probation Department, and the Ohio Parole Board regarding offender supervision status and restrictions.

The Warren County Prosecutor's Office and Victim Witness Services Division are actively involved in collaborative efforts to provide education, training, and support to coordinating agencies and disciplines, including: the Warren County Coordinating Council on Domestic Violence and Sexual Assault; the Victim Awareness Collaboration; and the Child Abuse Multi-Disciplinary Team.

During National Crime Victim's Rights Week this year, the Victim Witness Coordinator Division updated the division webpage with revised materials and updated victims' rights forms, which can be found at:

<https://www.warrencountyprosecutor.com/Divisions/Victim.aspx>



(Above) The Victim Witness Services Division dressed in blue to raise awareness about child abuse prevention on Ohio Wears Blue day in April 2022.



2022 ANNUAL REPORT

National Night Out

Every August, the Warren County Prosecutor's Office participates in National Night Out events held throughout Warren County. National Night Out is a national community-building campaign that promotes police and community partnerships to make our neighborhoods safer, more caring places to live. Millions of communities from all 50 states, U.S. territories, and military bases worldwide participate in on the first Tuesday of August every year. This year, six communities in Warren County held National Night Out events, and representatives from the Prosecutor's Office participated in each one.



City of Carlisle



Clearcreek Township



City of Franklin



Hamilton Township



City of Lebanon



Village of Morrow



2022 ANNUAL REPORT

Child Support Enforcement Agency (CSEA)

In 2022, the CSEA streamlined operations for efficiency purposes. The Agency managed more than 11,900 cases and served more than 17,400 children, providing the full range of child support services, including establishment of paternity and support orders; collection and enforcement of support orders; location of parents; and modification and termination of support orders. The CSEA collected more than **\$37.6 million dollars**, including more than \$3.2 million to recoup public assistance money, and nearly \$10.6 million collected for over 3,200 children of lower income working families at risk of going on cash public assistance. The CSEA also collected \$189,000 to reimburse IV-E foster care costs.

The CSEA was again recognized by the Ohio Department of Job and Family Services for performance. The CSEA won awards for Best Performance in Paternity Establish-

ment; Support Order Establishment; Collections on Current Support; and Total Disbursement amongst large counties. The CSEA continues to be one of the most cost effective CSEAs in the State, collecting over \$12.97 per dollar spent, which is more than twice the State average.

For enforcement, multiple obligors were indicted for felony non-support after the CSEA had exhausted all other remedies for collection. **Jeffrey Hall** (right) was tried and convicted for felony non-support in January. Also, the CSEA collected over \$47,000.00 from a different felony non-support obligor.



Prior to indicting obligors for failing to support their children, the CSEA has a program called “Squared Away”. In 2022, over \$56,000.00 was collected from obligors in the program. One obligor paid over \$23,000.00 to pay off his past due support.

The CSEA pursues multiple avenues for collection, including intercepting jail funds from incarcerated obligors. The CSEA collected over \$8,600 in 2022 from jail funds alone. Other collection highlights: collected over \$89,000.00 through a lien on an obligor’s property; collected over \$20,000.00 from an obligor’s personal injury settlement.



(Above) The Child Support Enforcement Agency dressed in blue to raise awareness about child abuse prevention on Ohio Wears Blue day in April 2022.



2022 ANNUAL REPORT

Community Involvement

In 2022, members of the Prosecutor's Office continued to participate in community outreach activities, including 5k walk/run benefit events. In October after the office annual retreat, members of the Prosecutor's Office participated in the Sgt. Brian Dulle memorial 5k, this year marking the eleventh anniversary of when Sgt. Dulle was killed in the line of duty (bottom of page). Also in October, members of the Prosecutor's Office dressed up to hand out candy at the Warren County Children Services' Trunk-or-Treat event for foster children and children of the community (top right). In July, Officer Eric Ney of Clearcreek Township Police Department sustained a critical injury after being shot in the line of duty. The Office was scheduled to do its own 5k to benefit a local charitable cause. Because the incident involving Officer Ney occurred just two days prior to the 5k, the office decided to contribute donations to assist the family of Officer Ney while he remained in critical condition at that time (Right).





2022 ANNUAL REPORT

Awards

Outstanding Team Members

This year, **Erika Bouelle** and **Tommy Howard** recently received the “Outstanding Team Member Award,” based on nominations from members of the Warren County Prosecutor’s Office. The award is given to the employee who exhibits outstanding commitment to their colleagues while carrying out the ideas and principles of the Prosecutor’s Office. This year, two employees received equal nominations from their colleagues and both were recipients of the award.



Erika has worked for the Prosecutor’s Office since March 2017, and she currently serves as the Director of the Victim Witness Services Division. Erika’s coworkers included some of the following comments about her in their nominations:

“Erika is always very helpful and understanding when last minute situations pop up and schedules need to be adjusted. She is always willing to help cover or to find some way to work it out so that court or cases do get covered.”

“Erika’s door is always open to others and is always quick to lend a helping hand with whatever the situation is. When she senses that people have their hands full or are juggling a lot, she always offers to assist in whatever way possible. She has a genuine concern for others and is a pleasure to work with.”

“Erika is the whole package. She works hard and she is one of the most pleasant people with whom you could ever work. Erika is constantly jumping from one meeting to another handling different cases with different victims, witnesses, attorneys, and judges. She is able to relate so well to anyone that walks into the door of the Prosecutor’s Office. She is not only supportive of victims and witnesses but is also supportive of those of us in the office. Many times, she also acts as a sounding board/psychologist for those in the office who have such a need. It helps that she is one of the most pleasant people with whom you could ever care to speak. She is always attentive with whomever she speaks and truly seems to care about whatever they say. With all she does, you would think she would have down days, but I cannot recall her not being ‘perky’ and supportive. It is not a surprise the number of people that are seen sitting in her office speaking to her throughout the day. I truly appreciate everything she has done and continues to do for the office.”



2022 ANNUAL REPORT

Awards

Tommy Howard has worked for the Warren County Child Support Enforcement Agency since July 2018, and currently serves as its Director. Tommy's coworkers included some of the following comments about him in their nominations:

"I have frequently joked this year in terms of my supervisory role in the Office that I ask myself, 'What would Tommy do?' I respect Tommy's ability to analyze an issue and make sound recommendations and decisions. He has been a good mentor for some of our newer assistant prosecutors joining the Office. He has also built strong professional relationships and is respected by his peers. Tommy has stepped in for coverage during multiple vacancies in his division. He remains positive and flexible through each change in staff or process. Tommy has been a pleasure to work with and I enjoy our conversations. I think he represents the Office well and we are lucky to have him."



"Tommy has been the advocate for a lot of good in the Child Support Enforcement Agency since he has taken over as Director. When the agency lost older employees with knowledge and experience, Tommy was able to find and hire more than adequate replacements and to provide for proper training in the position which they filled. There has been change in the structure of the agency, new positions created, and old positions rendered obsolete. Each change has minimized something superfluous without compromising the productivity of the agency. Tommy trains new attorneys on how to be good prosecutors and also purposefully makes them feel valued by asking for input and listening thoughtfully to what is said. Tommy is an excellent motivator and a thoughtful supervisor. He makes sure to be invested in every employee, both agency worker and attorney."



Thank you for allowing us to serve you.

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