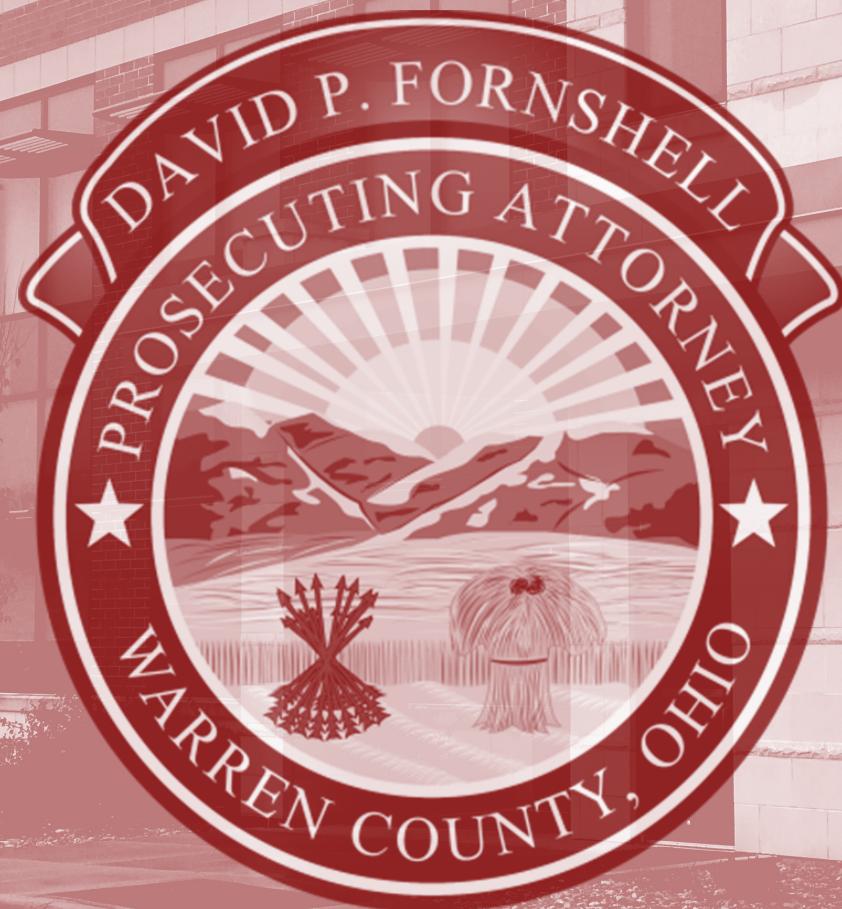
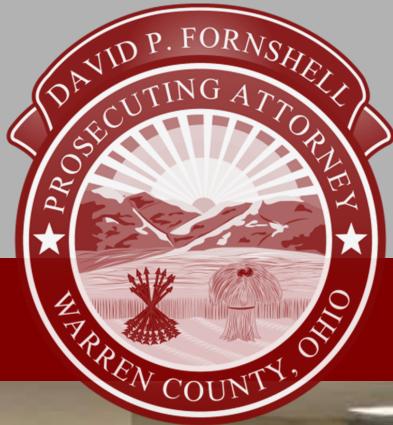


# 2021

# Annual Report





# 2021 ANNUAL REPORT

## Contents



A Message from the Prosecuting Attorney .....	Page 3
Criminal Division .....	Page 4
Parole Watch .....	Page 12
Appeals .....	Page 14
Juvenile Division .....	Page 18
Civil Division .....	Page 20
Victim Witness Services Division .....	Page 21
Child Support Enforcement Agency .....	Page 23
Community Involvement .....	Page 24
Awards .....	Page 25
Retirement .....	Page 26



On January 4, 2021, Prosecutor Fornshell administered the oath of office to Assistant Prosecuting Attorneys in connection with his new term of office, which began in January 2021.



# *David P. Fornshell* WARREN COUNTY PROSECUTOR

## *A Message from the Prosecuting Attorney*

**T**hank 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 eleventh year as Prosecuting Attorney and continue to be grateful for the opportunity to serve this wonderful community.

The Criminal Division of the Warren County Prosecutor's Office prosecuted several noteworthy cases in 2021, some of which are highlighted in this Annual Report. Unfortunately, we have also continued to see a trend of young people committing serious crimes at younger and younger ages, which has challenged both our Juvenile Division, and the Warren County Juvenile Court.

Another trend that we have seen over the past two years is an exponential increase in the number of suspects fleeing from police when law enforcement attempts to enact a stop. While each law enforcement agency in Warren County follows very specific policies on when its officers may pursue a fleeing suspect, in many instances, the suspects continue to flee even when a pursuit is terminated. While historically, we may have seen these types of cases once a month, more recently, it is a more-than-weekly occurrence, with suspects traveling well in excess of 100 m.p.h. -- oftentimes on surface streets – running red lights, passing other vehicles in restricted zones, and traveling in the wrong lane of travel. Because public safety is substantially compromised the minute these suspects begin to flee, our Office is requesting the judges impose a minimum two-year prison term in these types of cases to try to curb this dangerous trend.

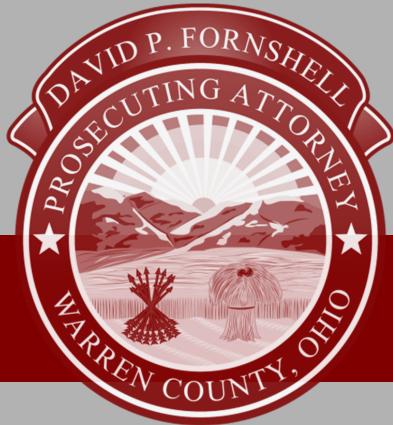
In addition to highlighting the activities of the Criminal and Juvenile Divisions, this Annual Report also provides insight into the 2021 activities of the Office's Victim Witness Services Division, Civil Division, and Child Support Enforcement Agency. Although the media and public tend to focus on cases where our office is prosecuting adults and juveniles for crimes, the members of the Victim Witness Services Division, Civil Division, and Child Support Enforcement Agency serve an invaluable and critical role for our Office, but rarely get the recognition that they so very much deserve.

Finally, on a personal level in 2021, I was honored to be elected by my fellow county prosecutors in Ohio to serve as an officer for the Ohio Prosecuting Attorney's Association, an organization whose members include all 88 county prosecutor's offices in Ohio. OPAA serves a critical function in advocating for policies that promote public safety and strengthen prosecuting attorneys' ability to obtain justice for victims of crime. I am grateful for the trust my fellow county prosecutors have placed in me, and look forward to working with Ohio's executive, legislative, and judicial branches to enact legislation and policies to continue to keep Warren County residents safe.

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](mailto:david.fornshell@warrencountyprosecutor.com).



DAVID P. FORNSHELL



# 2021 ANNUAL REPORT

## Criminal Division

In 2021 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 2,756 misdemeanor and over 1,100 felony 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 2021 are highlighted in this section.

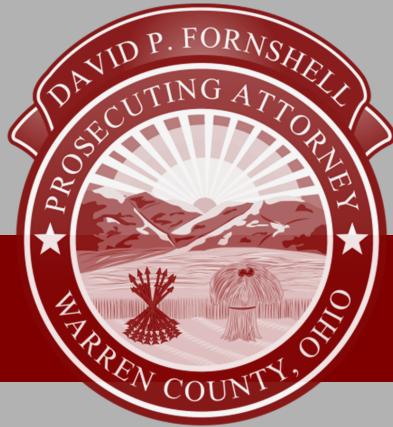
### Homicides

**Stormy Delehanty**, 29, of Loveland, Ohio, was sentenced to an indefinite term of 18 years to life in prison after a jury found her guilty of murder, felonious assault, and tampering with evidence. Between July 4th and July 5th of 2020, Delehanty stabbed to death her husband, Roman Roshchupkin, inside of their apartment. After murdering her husband, Delehanty purchased a saw and hedge trimmers to cut up and dispose of his body, but she instead fled to Las Vegas. Law enforcement ultimately apprehended her on July 11, 2020.



**Joseph Collins, Jr.**, 34, and **Kyle McClendon**, 35, both inmates at Lebanon Correctional Institution, were each sentenced to an indefinite term of 11 to 16 1/2 years in prison after they were both convicted of involuntary manslaughter and extortion. On April 10, 2020, Collins and McClendon entered inmate Paul Thebeau's cell to confront him over debts they claimed he owed. During the confrontation, Collins and McClendon assaulted Thebeau, resulting in Thebeau suffering blunt force trauma and other head injuries, which ultimately caused his death.





# 2021 ANNUAL REPORT

## Criminal Division

**Tommy Abner**, 49, of Wilmington, Ohio, was sentenced to an indefinite term of 11 to 16 1/2 years in prison after being convicted of aggravated vehicular homicide, operating a vehicle while under the influence. He was then sentenced to an additional year after being convicted of escape. On June 18, 2020, Abner was operating a motor vehicle while under the influence of various drugs, and he went left of center on State Route 73, crashing head on into a vehicle driven by Jeri Murray, 53, who was killed instantly. While on a medical furlough from jail while awaiting trial, Abner cut off his monitor and escaped. Abner was ultimately captured in Kentucky and returned to Ohio.



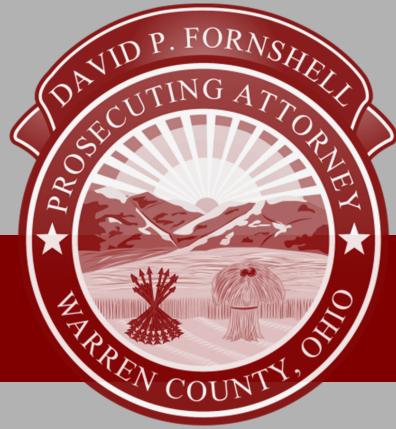
## Violent Offenses



**Cameron Henderson**, 22, of Mason, Ohio, was sentenced to an indefinite term of 14 to 17 years in prison after being convicted of attempted murder with firearm specification, and five counts of felonious assault. On July 22, 2020, Henderson and his 13-year-old brother set up a drug transaction with the purpose of robbing their supplier. During the transaction, Henderson fired multiple shots into the back of the supplier's motor vehicle, striking one of the occupants in the head. (See page 20 for a description of the Juvenile Division's handling of Henderson's younger brother and codefendant).



**Lance Runion**, 57, of Mason, Ohio, was sentenced to an indefinite term of 17 to 22 years in prison after being convicted of attempted aggravated murder with an attached firearm specification. On February 15, 2021, Warren County Sheriff's Office deputies responded to a residence in Deerfield Township to perform a welfare check. When deputies attempted to make contact with the occupant, Runion opened the front door and fired one shot directly at Deputy Sara Vaught on his doorstep. Deputy Vaught avoided being shot by dropping to the ground and returning fire, striking Runion multiple times.



# 2021 ANNUAL REPORT

## Criminal Division



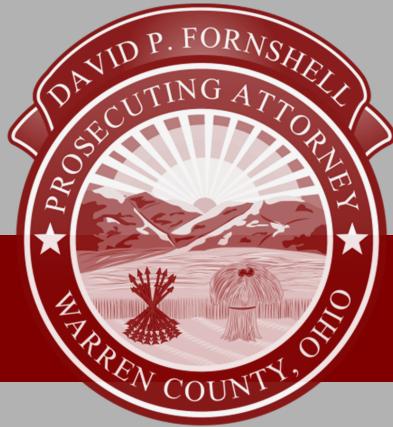
**Mason Roberson**, 21, and **Kamico Evans**, 21, both of Cincinnati, Ohio, were each sentenced to prison after both individuals were convicted of aggravated robbery with an attached firearm specification. Roberson was sentenced to an indefinite term of nine to 12 years, and Evans was sentenced to an indefinite term of eight to ten and one-half years. On May 30, 2020, Roberson and Evans went to the Days Inn in Middletown, Ohio and pointed a firearm at the clerk, demanding cash before fleeing with approximately \$140.



**Michael Sayre**, 50, of Liberty Township, Ohio, was sentenced to an indefinite term of four to five and one-half years in prison after being convicted of felonious assault and failure to comply with the order or signal of a police officer. On May 30, 2020, after observing numerous traffic violations, officers attempted to make a traffic stop on Sayre's vehicle. Sayre fled from officers in a high speed chase, reaching speeds in excess of 100 m.p.h. down Main Street in Lebanon, a 35 m.p.h. zone. Sayre continued to drive erratically before slamming on his brakes, causing the officer directly behind him to collide with the back of Sayre's truck at a high rate of speed, and causing injuries to the officer.



**Austin Miracle**, 22, of Dayton, Ohio, was sentenced to an indefinite prison term of seven to nine years in prison after being convicted of aggravated burglary with an attached firearm specification, and felonious assault. On October 23, 2020, Miracle and two unknown accomplices forced their way into a residence in Carlisle with the intention of robbing the occupants of the home. Miracle and his accomplices had firearms and one of the accomplices assaulted the homeowner and fired a shot at him during the incident.



# 2021 ANNUAL REPORT

## Criminal Division



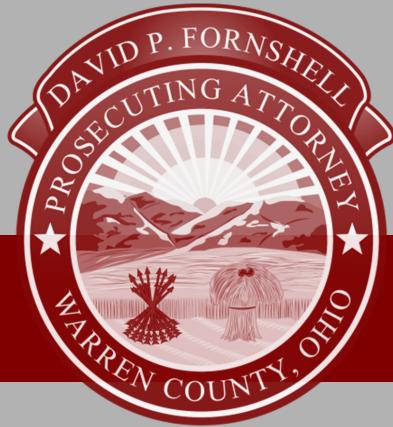
**Donnie Clontz II**, 31, of Batavia, Ohio, was sentenced to an indefinite term of imprisonment of five to seven and one-half years in prison after being convicted of two counts of robbery. On March 11, 2021, Clontz entered the First Financial Bank on Landon Drive in Deerfield Township and passed a note to the teller demanding money. Clontz fled with \$3,180. On March 22, 2021, Clontz entered the Fifth Third Bank on Fields Ertel Road in Deerfield Township and again passed a note to the teller demanding money, and collecting \$1,520.



**Ladante Gooden**, 20, of Symmes Township, Ohio, was sentenced to four years in prison after being convicted of attempted kidnapping with an attached firearm specification. On February 2, 2021, Gooden followed the victim to her home after briefly speaking with her earlier at a gas station. Once at her residence, Gooden attempted to remove the victim from her car at gunpoint and physically assaulted her.



**Harry Garlough**, 57, of Leetonia, Ohio, was sentenced to 60 months in prison after being convicted of four counts of abduction, three counts of assault, and one count of unlawful restraint. Between June 2017 through April 2018, Garlough forcibly restrained and physically assaulted his wife on numerous occasions, causing injuries.

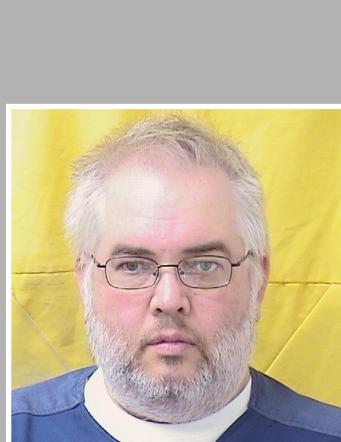


# 2021 ANNUAL REPORT

## Criminal Division

### Sex Offenses

**Paul Johnston**, 42, of Franklin, Ohio, was sentenced to an indefinite term of ten years to life in prison after being convicted at trial of two counts of rape and seven counts of gross sexual imposition. He was designated a Tier III sexual offender. From 2011 through 2015, Johnston sexually assaulted two young boys on multiple occasions.



**James Jewell**, 40, of Morrow, Ohio, was sentenced to twelve years in prison after a jury found him guilty of three counts of unlawful sexual conduct with a minor. In addition, Jewell was designated as a Tier II sexual offender. From December 2019 to March 2020, Jewell engaged in sexual conduct with a fifteen-year-old girl on numerous occasions.

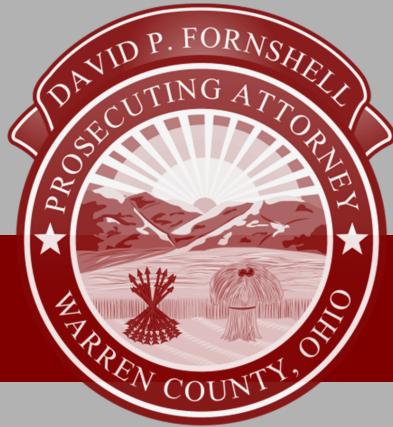


**Shane Burns**, 42, of Miamisburg, Ohio, was sentenced to eight years in prison after being convicted of three counts of gross sexual imposition. He was designated as a Tier II sexual offender. From 2015 through 2019, Burns sexually abused two young females on multiple occasions.



**John Davis II**, 41, of Middletown, Ohio, was sentenced to five years in prison after being convicted of gross sexual imposition. He was designated a Tier II sexual offender. During October 2019, Davis engaged in sexual contact with a six-year-old child.





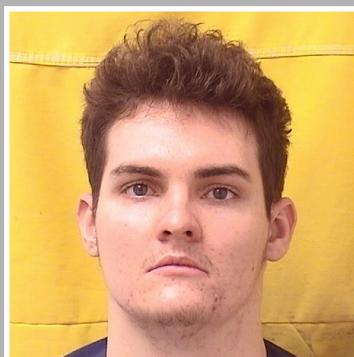
# 2021 ANNUAL REPORT

## Criminal Division

**David Tabelman, Jr.**, 41, of Mason, Ohio, was sentenced to five years in prison after being convicted of two counts of gross sexual imposition. He was designated as a Tier II sexual offender. From 2009 through 2014, Tabelman sexually abused a child under ten years of age.



**Noah Jacon-Duffy**, 23, of Pleasant Plain, Ohio, was sentenced to three years in prison after being convicted of sexual battery and unlawful sexual conduct with a minor. He was designated as a Tier III sexual offender. On February 15, 2020, Jacon-Duffy picked up a thirteen-year-old female who he had befriended on Snapchat. Jacon-Duffy lied to the victim about his age and provided her with marijuana. After the victim was impaired, Jacon-Duffy engaged in sexual conduct with her inside his vehicle in a Menard's parking lot.

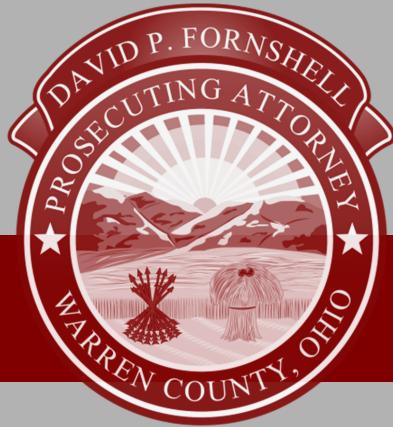


**Eric Schmidt**, 43, of Mason, Ohio, was sentenced to 42 months in prison after being convicted of gross sexual imposition and public indecency. In addition, Schmidt was designated as a Tier II sexual offender. On September 7, 2019, Schmidt, a youth football coach, sexually assaulted a twelve-year-old female during a party involving the football team. Separately, on April 17, 2015, Schmidt exposed himself to a different twelve-year-old girl.



**Lennie Jones**, 60, of Springboro, Ohio, was sentenced to eighteen months in prison after a jury found him guilty of sexual battery. He was designated a Tier III sexual offender. On March 18, 2019, Jones drugged a female acquaintance by putting Trazadone in her drink and sexually assaulted her after she blacked out.





# 2021 ANNUAL REPORT

## Criminal Division

### Drug and OVI Offenses



**Wallace Hailey**, 24, and **Elaija'na Rutledge**, 20, both of Dayton, Ohio, were sentenced to prison for their involvement in trafficking narcotics. Hailey was sentenced to an indefinite term of six to nine years after being convicted of aggravated trafficking in drugs and trafficking in a fentanyl-related compound. Rutledge was

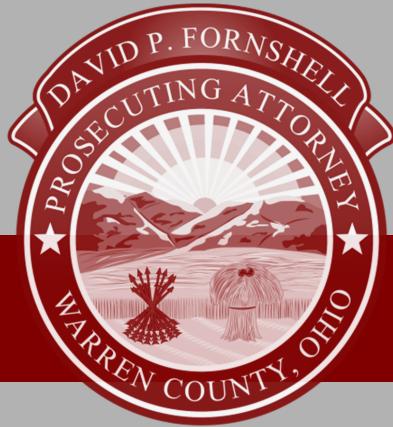
sentenced to an indefinite term of two to three years after being convicted of aggravated possession of drugs. On February 24, 2020, Hailey arranged to sell two pounds of methamphetamines and one pound of fentanyl to a confidential informant. When Hailey and Rutledge arrived to make the transaction, they were both immediately arrested and the drugs were seized.



**Jeromy Johnson**, 47, of Springboro, Ohio, was sentenced to an indefinite term of five to seven years in prison after being convicted of trafficking in cocaine with an attached firearm specification and endangering children. In addition, Johnson was ordered to forfeit \$3,130 and pay a mandatory fine of \$10,000. On May 20, 2020, the Warren County Drug Task Force executed a search warrant at Johnson's Springboro residence and recovered over 91 grams of cocaine, as well as two firearms and approximately \$3,130 in U.S. currency, which was proceeds from drug trafficking. Johnson's two teenage sons were home at the time.

**Deeion Sandlin**, 23, of Franklin, Ohio, was sentenced to an indefinite term of five to seven years in prison after being convicted of aggravated trafficking in drugs and trafficking in LSD, both charges carrying attached firearm specifications. On October 23, 2020, Sandlin arranged with her boyfriend, Joseph Lawter, to pick up five pounds of marijuana, but she was subsequently arrested by the Warren County Drug Task Force. Members of the drug task force conducted a search of Sandlin's residence, which resulted in the seizure of psilocyn, cocaine, LSD, and other drugs. Lawter's case is pending sentencing.





# 2021 ANNUAL REPORT

## Criminal Division



**Brandon Hensley**, 41, of Morrow, Ohio, was sentenced to seven and one-half years in prison after being convicted of operating a motor vehicle while under the influence with an attached repeat offender specification and failure to stop after an accident. In addition, Hensley's license was suspended for a period of ten years. On September 25, 2020, Hensley operated a motor vehicle while under the influence of alcohol, crashed into another vehicle, and then fled the scene on foot before eventually being apprehended. At the time of the incident, Hensley had seven prior convictions for operating a motor vehicle while under the influence, including one prior felony conviction.



**Danny Eckler**, 33, of Haroldsburg, Kentucky, was sentenced to an indefinite term of three to four and one-half years in prison after being convicted of aggravated trafficking in drugs, trafficking in cocaine, and operating a vehicle while under the influence. On August 21, 2020, Eckler was found behind the wheel of a crashed vehicle on the entrance ramp from State Route 122 to Interstate 75. In addition to being under the influence, Eckler was found to be transporting over 170 grams of methamphetamine, as well as cocaine and other drugs. He was transporting the drugs from Kentucky to Detroit, Michigan.



**Bryan Negrete-Villalpando**, 22, of Lebanon, Ohio, was sentenced to an indefinite term of three to four years in prison after being convicted to trafficking in a fentanyl-related compound with an attached firearm specification, improperly handling a firearm in a motor vehicle, and operating a vehicle while under the influence. On November 27, 2020, officers responded to a suspected intoxicated driver. Officers located Negrete-Villalpando slumped over the steering wheel of his car and in possession of over 26 grams of fentanyl intended for sale and a Glock pistol.



# 2021 ANNUAL REPORT

## Parole Watch

**EUGENE GALL**  
Inmate A416-846



Eugene Gall is a serial rapist and killer. In October 1970, he raped a woman in Franklin Township, Warren County, Ohio. Before he was indicted on that charge, he

was convicted of armed robbery and abduction for immoral purposes in Butler County. He was found guilty of the rape in Warren County, and sentenced to serve three to twenty years in the Ohio State Reformatory.

In 1977, after serving five years in the penitentiary and nineteen months in the Lima State Mental Hospital, he was released on parole. Almost immediately, he kidnapped, raped, and murdered a young woman in Montgomery County. Then, he committed an aggravated robbery, rape, and attempted rape of a child in Greene County.

In April 1979, he abducted a 12-year-old girl in the Cincinnati area, who he subsequently murdered in Northern Kentucky. Shortly thereafter, he robbed a store in Kentucky and became involved with a shootout with Kentucky police officers, resulting in the serious wounding of a state trooper.

In 2000, the Sixth Circuit United States Court of Appeals reversed his Kentucky convictions. Gall was then transferred to Ohio to serve his Ohio sentences resulting from his convictions in Warren, Butler, Montgomery, and Greene counties.

In August 2021, the Warren County Prosecutor's Office wrote to the Parole Board opposing Gall's release, arguing that he is one of those few individuals in our society who should *never* be released from prison. His parole was denied, and his next parole hearing will be in July 2031.

**HUMBERTO MOTA**  
Inmate A549-885



On August 26, 2006 at the Mason Pub in Mason, Ohio, Kevin Barnhill was hanging out with his friend, Josh Morel. While at the bar, Barnhill

and Morel got into an altercation with Mota and several others that eventually turned physical. According to witnesses, Barnhill was last seen running behind the pub yelling "help me" as he was being pursued by four individuals, one of whom was Humberto Mota.

Police officers were dispatched to the Mason Pub and located Barnhill lying on the ground behind the pub with his shirt covered in blood, suffering from numerous wounds and lacerations. According to the Coroner, the victim ultimately died as a result of sustaining multiple stab wounds. Officers at the scene were able to use a canine to track Mota to a residence nearby, where they located two T-shirts stuffed into the sump pump in the basement. Blood on the T-shirts was tested and matched Barnhill's blood.

In May 2007, Mota was convicted of murder following a jury trial for his role in killing Kevin Barnhill. He was sentenced to an indefinite period of fifteen years to life in prison.

In May 2021, Mota came up for parole, his first parole hearing since his conviction and sentence in 2007. The Warren County Prosecutor's Office wrote to the Parole Board opposing his release. Mota's parole was denied, and his next parole hearing is in May of 2026.



# 2021 ANNUAL REPORT

## Parole Watch

### GARY STEVEN HEATH

Inmate A317-727



In 1979 and again in 1982, Gary Steven Heath went to prison on felony convictions. Both times, he was paroled, violated his parole, and was returned to prison

to serve the remainder of his sentence.

In 1994, Heath was convicted of aggravated burglary, attempted murder, burglary, and felonious assault in Hamilton County. Then, in 1996, he was convicted of murder in Warren County, Ohio. These convictions were as a result of criminal acts of violence that occurred over a ten year period.

First, in 1985, Heath was living in Mason, Ohio with Vendetta Cox. On October 22, 1985, Ms. Cox failed to report to work and was reported missing. On October 30, 1985, Ms. Cox's partially-clothed body was discovered in a field. She had been strangled to death five to ten days before her body was discovered. Heath denied any knowledge of the murder. But in 1994, Heath was indicted for the murder after he made a statement in which he admitted that he had choked Ms. Cox to death following a fight. He then took her body to the field, pulled down her pants, and ripped her blouse to make it look like she had been sexually assaulted. On April 18, 1996, he was convicted of murder and sentenced to fifteen years to life in prison.

Meanwhile in 1992, Heath married Deanna Lauderback. In early 1994, Ms. Lauderback filed for divorce and for a protection order. On May 19, 1994, Heath called Ms. Lauderback at work and told her that she should not go home. Ms. Lauderback took police officers with her when she went home, and they found that the house had been broken into and vandalized. They found a note in the kitchen, signed by Heath, threatening to "get her."

On the morning of May 23, 1994, Ms. Lauderback arrived to work at the bar she owned in Colerain Township. Heath had followed her into the bar. He robbed her of several thousand dollars and

shot her in the head. When her body was discovered, she was nearly dead, but she was able to identify Heath as the person who shot her.

In Hamilton County, Heath received consecutive sentences totaling 28 to 65 years in prison, plus a three-year firearm specification. Ms. Lauderback was paralyzed by her injuries.

In July 2021, the Warren County Prosecutor's Office wrote to the Parole Board opposing Heath's release. His parole was denied, and his next parole hearing is in June 2031.

### KEVIN DARRAH

Inmate A529-840

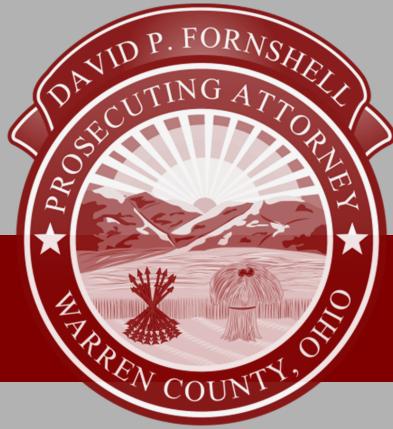


On September 12, 2006, a jury found Kevin Darrah guilty of rape, a felony of the first degree, and a specification that the victim was under the age of ten at the time of the offense. Darrah was sentenced to life in prison and he was designated a sexually oriented offender.

The minor victim was only five years old at the time of the offense. The victim's mother was acquainted with Darrah through work. The victim and her mother were moving to a new home, and Darrah offered to help. On February 25, 2005, after moving furniture, Darrah ordered a pizza to be delivered to the house. The victim's mother had additional items to retrieve from her old home, but the victim was hungry and wanted to wait for the pizza. Darrah agreed to stay with the victim and wait for the pizza while the victim's mother went to retrieve the items from her home. While her mother was gone, Darrah sexually assaulted the victim.

Darrah has never accepted responsibility for his actions, nor shown any remorse for the severe psychological damage he caused to an innocent five-year-old child.

In July 2021, the Warren County Prosecutor's Office wrote to the Parole Board opposing Darrah's release. His parole was denied, and his next parole hearing will be in June of 2026.



# 2021 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 2021, the Warren County Prosecutor's Office handled 51 cases at the Twelfth District Court of Appeals; seven cases at the Supreme Court of Ohio; and two cases at the United States Supreme Court. Notable appeals from 2021 included the following:

### **STATE OF OHIO v. AUSTIN MYERS**



Over the course of two days in January 2014, Myers and his co-defendant, Timothy Mosley, planned and then carried out their plan to murder Myers' childhood friend, Justin Back. Myers was convicted in Warren County of aggravated murder, with death penalty specifications, 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.

At the same time that his appeal was being considered, Myers challenged his convictions and death sentence in a petition for post-conviction relief in the Warren County Common Pleas Court where he was originally convicted and sentenced. When the judge dismissed his petition in 2019, Myers appealed that decision to the Twelfth District Court of Appeals. The Court of Appeals upheld the judge's dismissal of the petition in March 2021. Myers then attempted to get his case heard by both the Supreme Court of Ohio and the United States Supreme Court. Both courts declined to consider his case.

### **STATE OF OHIO v. TERRY FROMAN**



Froman was convicted in Warren County 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. In 2021, Froman petitioned the United States Supreme Court of Ohio to accept his appeal. The U.S. Supreme Court declined to consider his appeal in June, 2021.

At the same time that Froman's appeals were pending, Froman also attacked his convictions and death sentence in a petition for post-conviction relief in the Warren County Common Pleas Court. When the judge dismissed the petition in 2020, Froman appealed the decision to the Twelfth District Court of Appeals. The case was argued before a three-judge panel in December 2021, and the decision is forthcoming.



# 2021 ANNUAL REPORT

## Appeals

### STATE OF OHIO v. JOEL DRAIN



While serving time for murder in the Warren Correctional Institution in 2019, Drain murdered a fellow inmate. He pled no contest to aggravated murder and the death penalty specifications. A three-judge panel of the Warren County Common Pleas Court found him guilty and sentenced him to death in May, 2020. Drain's appeal of his convictions and death sentence is pending before the Supreme Court of Ohio. Oral argument on his case is scheduled for March 7, 2022.

### STATE OF OHIO v. LADARIUS HAWKINS



Hawkins was under the influence of alcohol when he ran a red light and collided with a car occupied by Roger and Norma Jean Lohman. Mr. Lohman was killed instantly. Mrs. Lohman suffered traumatic brain injury, which has affected the quality of her life. Data retrieved from Hawkins' vehicle indicated that, just prior to the crash, Hawkins was driving 65 m.p.h. and did not deploy the brakes until one second before impact. Hawkins was convicted in the Warren County Common Pleas Court of aggravated vehicular homicide, aggravated vehicular assault, and OVI. He was sentenced to 15 to 20 years in prison. The Twelfth District Court of Appeals affirmed his convictions on September 7, 2021, but remanded the case to the Court of Common Pleas for re-sentencing so that the court could make required findings to support imposition of consecutive sentences. Hawkins appealed to the Supreme Court of Ohio. The Supreme Court recently declined to hear his case.

### STATE OF OHIO v. TOMMY EUGENE ABNER

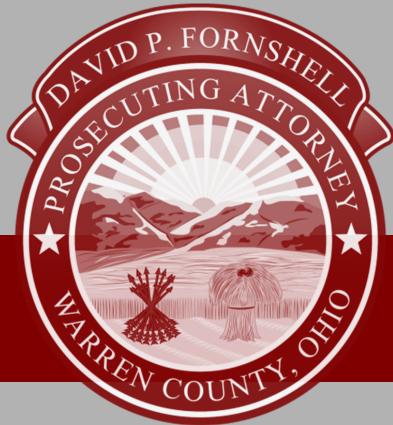


Abner was under the influence of methamphetamine and amphetamines when he drove left of center and struck Jeri Beth Murray's car, killing her. He pled no contest to aggravated vehicular homicide and OVI. He was sentenced to 11 to 16 ½ years in prison. His convictions and sentence were affirmed on December 27, 2021.

### STATE OF OHIO v. MASON ROBERSON



Roberson and two co-defendants robbed the Days Inn in Middletown while armed with an assault rifle and a handgun. Roberson was convicted of aggravated robbery with a firearm specification and sentenced to 9 to 12 years in prison. The Twelfth District Court of Appeals affirmed his convictions on October 18, 2021, but remanded the case to the Common Pleas Court for re-sentencing for the court to provide sentencing notifications under the Reagan Tokes Act.



# 2021 ANNUAL REPORT

## Appeals

### STATE OF OHIO v. JESSE DAVID JIVIDEN



Jividen went on a crime spree in January 2020, which culminated with his armed robbery of an Uber driver. He was found guilty of aggravated robbery with a firearm specification and theft. He was sentenced to 10 to 13 ½ years in prison. His convictions and sentence were affirmed on August 9, 2021.

### STATE OF OHIO v. MICHAEL ROBERTS AND LAURA GILLESPIE



Roberts and his girlfriend, Gillespie, used a ruse to enter the victim's home and beat him repeatedly in the face and head with the butt of a revolver while demanding money. They were convicted of aggravated robbery and felonious assault, with firearm specifications. Roberts received a sentence of ten years in prison. Gillespie was sentenced to nine years in prison. The Twelfth District Court of Appeals affirmed both of their convictions.

### STATE OF OHIO v. JUSTIN FANNIN

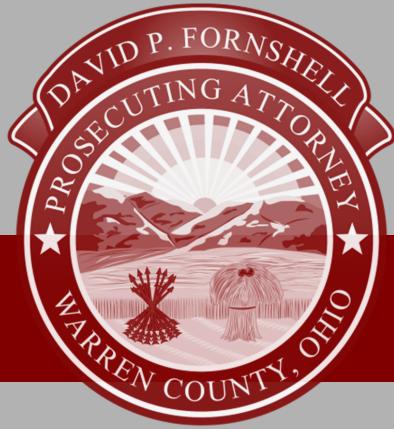


Fannin was convicted of three counts of rape and gross sexual imposition of a child under the age of ten. He received a sentence of 33 years to life in prison and was designated a Tier III sexual offender. His convictions and sentence were affirmed on July 19, 2021. The Supreme Court of Ohio declined to accept his appeal.

### STATE OF OHIO v. DALVIR SINGH



Singh entered the victim's running car while it was stopped in front of Atrium Medical Center's emergency room entrance when the victim momentarily stepped out of the car to tend to her ill daughter. When Singh got in the car, he saw the victim's two young grandchildren sitting in the backseat of the car, but he still drove off with the children inside the car. While the car was in motion, the children jumped out of the car to safety. Singh was convicted of two counts of kidnapping and robbery and was sentenced to 10 to 11 ½ years in prison. The Twelfth District Court of Appeals affirmed his convictions and sentence on June 28, 2021. Singh appealed to the Supreme Court of Ohio. The Supreme Court accepted his appeal, involving the issue of the constitutionality of the indefinite sentencing scheme enacted as part of the Reagan Tokes Act. That issue is already before the Supreme Court out of another case from Lucas County, Ohio.



# 2021 ANNUAL REPORT

## Appeals

### STATE OF OHIO v. LUCAS REEDIJK



Reedijk was convicted of multiple counts of aggravated trafficking and aggravated possession of several different types of drugs. He was sentenced to three to four-and-one-half years in prison. His convictions were affirmed on appeal on August 23, 2021. The Supreme Court of Ohio declined to hear his case.

### STATE OF OHIO v. ARNOLD SATTERWHITE



Satterwhite sold fentanyl-laced narcotics to the victim, and the victim overdosed and died. Satterwhite pled guilty to involuntary manslaughter and tampering with evidence and was sentenced to five years in prison. The Twelfth District Court of Appeals affirmed his convictions on August 23, 2021.



(Left) The second Wednesday of April each year, members of the Warren County Prosecutor's Office wear blue to raise awareness during Child Abuse Prevention Month when "Ohio Wears Blue."



# 2021 ANNUAL REPORT

## Juvenile Division

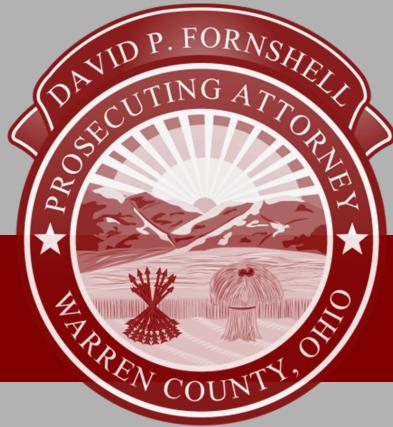
The Juvenile Division works to ensure that minors who violate the law are punished and rehabilitated. The cases handled by this division range from truancy and traffic to school threats to rape and other violent felonies. The goal in these cases is to protect Warren County from juvenile delinquency, 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. These cases involve 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 environment from which the child was removed.

The juvenile division handled a number of notable cases in 2021. On November 11, 2020, **Patrick Greene** (age 16), along with three other juveniles, came to Warren County in a stolen vehicle. Greene observed an Uber Eats driver leave his keys in his vehicle while making a food delivery. Greene ran to the vehicle to steal it just as the driver was returning to the car. When the driver approached and attempted to stop the theft, Greene pulled out a firearm and pointed it at him. Greene then led the police on a high speed chase, which resulted in Greene crashing the vehicle on Interstate 75, then fleeing on foot. With the assistance of drones and a canine unit, Greene was apprehended and taken into custody. He was charged with aggravated robbery, a felony of the first degree, with a firearm specification, failure to comply with an order or signal of a police officer, a felony of the third degree, improper handling of a firearm in a motor vehicle, a felony of the fourth degree, receiving stolen property, a felony of the fifth degree, and obstructing official business, a second degree misdemeanor. Greene was bound over to be tried as an adult. He was convicted, and on April 28, 2021, he was sentenced to six years in prison.



(Above) In March 2021, Prosecutor Fornshell delivered a presentation to grades 6-12 at Wayne Local Schools entitled "Juvenile Decisions—Grown Up Consequences."



# 2021 ANNUAL REPORT

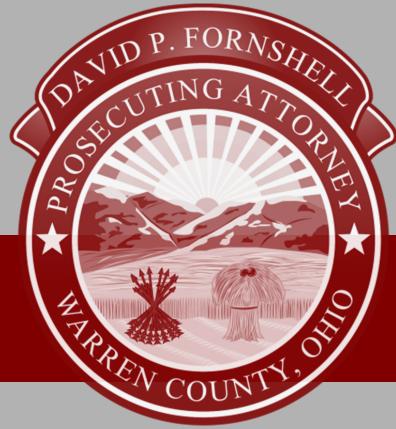
## Juvenile Division

On July 22, 2020, a **13-year-old** juvenile and his 20-year-old brother, Cameron Henderson, set up a drug transaction at Cottell Park in Deerfield Township with the intention of robbing the supplier. The arranged deal was for an ounce of marijuana for \$35. The supplier arrived with a car full of occupants, including an eight-year-old child and a seven-month-old baby. The brothers were armed, and displayed their weapons. Henderson discharged his weapon, shooting into the supplier's car and striking one of the occupants. Henderson's younger brother was charged in Warren County Juvenile Court with aggravated robbery, a felony of the first degree, with a firearm specification. He was adjudicated a delinquent child for the offense, and on September 9, 2021, he was committed to the Mary Haven Youth Center with a suspended commitment to the Department of Youth Services.

Also in the summer of 2020, a **14-year-old** juvenile surreptitiously took nude photographs of the victim, her best friend, while she was changing her clothes. The juvenile then used Snapchat to send one of those photographs to another **14-year-old** juvenile, who then further distributed the photograph to his friends on the school football team. Both defendants were charged and adjudicated delinquent children for illegal use of a minor in nudity-oriented material or performance, a felony of the fifth degree. Both were sentenced to the Juvenile Detention Center, and one served 90 days for betraying her friend's trust. The other juvenile appealed his adjudication and disposition, and the Twelfth District Court of Appeals upheld the Juvenile Court's decision.

(Right) Assistant Prosecutor Adam Kadich participates in Youth Court, a program organized by the Warren County Juvenile Court where the community's youth, some of whom are pictured here, participate in the disposition (sentencing) process in real cases involving certain youth who have already admitted to and been adjudicated for committing misdemeanor offenses.





# 2021 ANNUAL REPORT

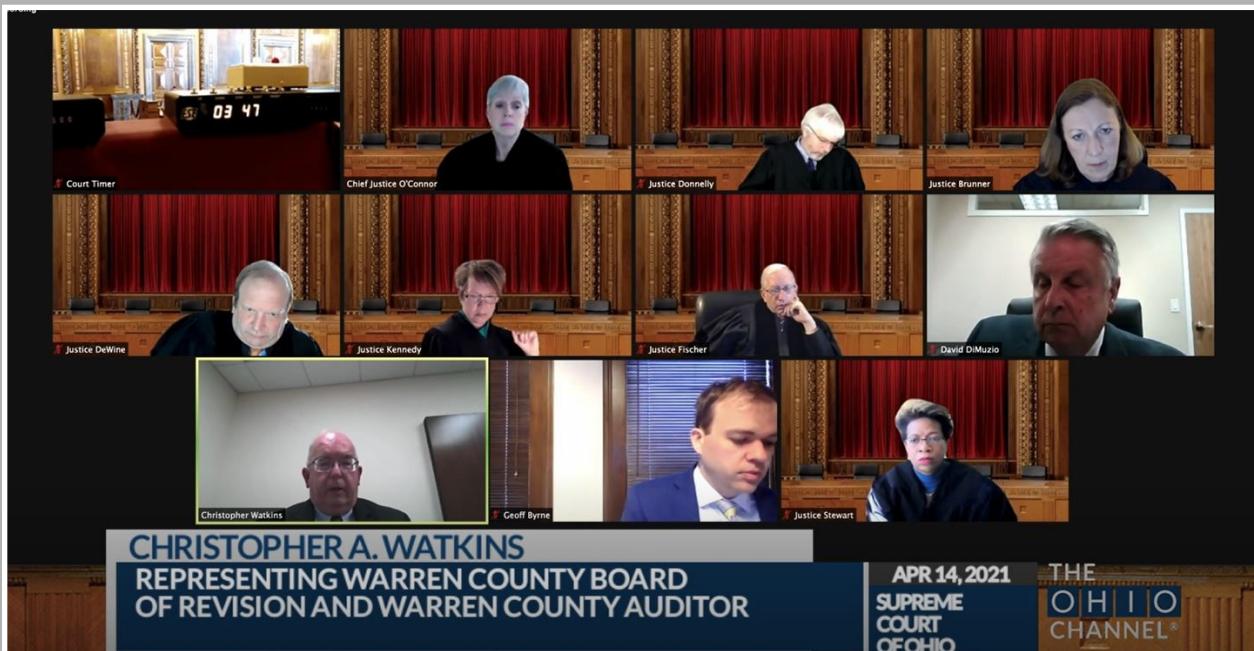
## Civil Division

The Civil Division serves as the county's in-house law firm, providing legal services to county officials, the courts, and to the county's many departments, agencies, boards, and commissions. The Civil Division also provides legal services to eight townships and five public libraries. The Civil Division provides legal services related to litigation, employment issues, zoning and land use planning matters, contract negotiations, and public records law.

Throughout 2021, the Civil Division advised various county officials and boards to interpret the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), as well as the State and Local Fiscal Recovery (SLFR) program under the American Rescue Plan Act (ARPA), and provided guidance on legal requirements for expenditures of those funds.

The Civil Division also represents the Warren County Treasurer in delinquent tax collection. In 2021, the delinquent tax division collected \$9.73 million in delinquent real estate and manufactured home tax. This represents \$1.17 million increase over the previous year's collection. The percentage of delinquent taxes and assessments outstanding owed to Warren County compared to the total amount of taxes and assessments to be collected is 0.6 percent, which is among the lowest rates in the State of Ohio.

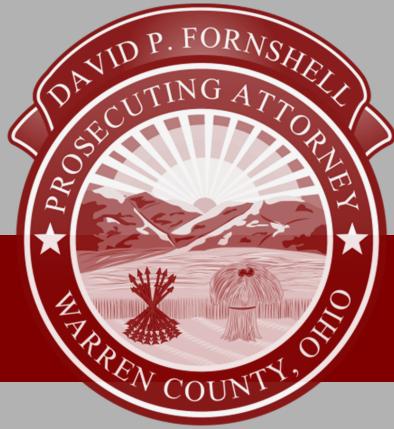
Assistant Prosecutor Chris Watkins, representing the Warren County Board of Revision, argued an important tax valuation case at the Ohio Supreme Court in April 2021. *Rancho Cincinnati Rivers, LLC v. Warren County Board of Revision* involved the valuation of the Lowe's Home Improvement store in South Lebanon, Ohio. In a unanimous decision, the Court affirmed the County's valuation, creating precedent for valuation of "big box" retail stores in the State of Ohio.



**CHRISTOPHER A. WATKINS**  
REPRESENTING WARREN COUNTY BOARD  
OF REVISION AND WARREN COUNTY AUDITOR

APR 14, 2021  
SUPREME  
COURT  
OF OHIO

THE  
OHIO  
CHANNEL®



# 2021 ANNUAL REPORT

## Victim Witness Services Division

The mission of the Victim Witness Services Division is to serve victims with compassion, while promoting the judicial process. In 2021, this division served over 1,800 victims of crime. Warren County Common Pleas Court, Warren County Court, Warren County Juvenile Court, Lebanon Municipal Court, Franklin Municipal Court, and Mason Municipal Court each have a Victim Coordinator assigned to the scheduled docket who serves as a liaison between a victim and the prosecutor. Criminal justice support and services were also made available to physically and sexually assaulted children at the Child Advocacy Center of Warren County.

This commitment to victim services is currently met through a staff of four full-time and two part-time victim and witness coordinators. 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.

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.

Each year, the Victim Witness Services Division coordinates the Office's participation in Nation Crime Victim's Rights Week. This year, the division released a series of informational posts on social media about the division, Marsy's Law, and resources for victims of crime.

**Child Advocacy Center of Warren County**  
An advocacy center for child victims of abuse and neglect.  
Services offered include:  
A safe, child-friendly environment  
A multi-disciplinary team response  
Forensic interviews for child victims and witnesses  
Comprehensive support services  
Medical exams  
Trauma-based therapy  
Victim advocacy  
Support for non-offending family members  
Referrals to other care providers  
Community education and outreach  
For more information, call 513-695-3100

**Criminal Court Process**  
This is the initial hearing during which the charges are read aloud to the defendant will then enter a plea of guilty or not guilty. The judge will then determine if the defendant will be held in jail or released on bail. If the defendant is held in jail, they will be held until trial. If the defendant is released on bail, they will be required to appear in court on a specific date. A preliminary hearing is held to determine if there is enough evidence to proceed with the case. If there is enough evidence, the case will proceed to trial. If there is not enough evidence, the case will be dismissed.

**Marsy's Law for Ohio**  
Marsy's Law is a law that protects victims of crime. It gives victims the right to be informed about the criminal justice process, to be heard in court, and to receive compensation for their losses. Marsy's Law also protects victims from being re-victimized by the criminal justice system.

**CRIMINAL COURT PROTECTION ORDERS**  
**Temporary Protection Order**  
Granted by the judge presiding over the criminal case - requested by victim or the prosecutor at the defendant's arraignment.  
• Will be in effect until the criminal case is resolved, if the defendant is sentenced or if found not guilty.  
• Protects the victim of the alleged criminal offense.  
**No Contact Order**  
Granted by the judge presiding over the criminal case as a condition of bond or probation - requested by victim or the prosecutor.  
• Will be in effect until the criminal case is resolved or until the defendant has completed probation.  
• Protects the victim of the alleged criminal offense.

**CIVIL COURT PROTECTION ORDERS**  
**Civil Protection Order**  
Two types of civil protection orders in domestic relations court:  
• Civil Stalking/Sexual Oriented Protection Order  
• Domestic Violence Civil Protection Order  
• Granted by a civil magistrate  
• Can be granted for up to 5 years  
• Victim will need to apply for order in domestic relations court (applying for protection from adult), or juvenile court (if applying for protection from a juvenile)  
• Victim can reach out to Warren County Abuse and Rape Crisis Shelter - Legal Advocates for assistance with Civil Protection Orders (513-695-1896)

**Adult Protective Services (APS)**  
APS provides services for those older adults who are 60 years of age or older and are at risk of neglect, exploitation, and sexual, physical, or emotional abuse.  
When making a referral to Adult Protective Services, please provide the following information:  
o The person's full name  
o The date of birth  
o The person's full address  
o The person's concerns with as much detail as possible  
o Medical and legal information  
o Medical care  
o Legal advice



# 2021 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, five communities in Warren County held National Night Out events, and representatives from the Prosecutor's Office participated in each one.



**City of Franklin**



**Clearcreek Township**



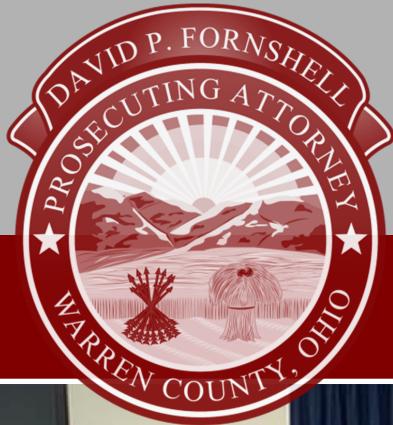
**City of Carlisle**



**Hamilton Township**



**City of Lebanon**



# 2021 ANNUAL REPORT

## Child Support Enforcement Agency (CSEA)



The CSEA handled over 12,700 cases and served over 16,100 children in 2021, providing the full range of child support services, including paternity establishment; parent location services; and support order establishment, collection, modification, enforcement, and termination.. The CSEA collected over \$40.3 million, including more than \$3.9 million to recoup public assistance, and nearly \$11.2 million collected for 2,900 children of families at risk of going on cash public assistance. The CSEA also collected \$224,000 to reimburse IV-E foster care costs. The CSEA was again recognized by the Ohio Department of Job and Family Services for performance, winning awards for Best Performance in Paternity Establishment; Support Order Establishment; Collections on Current Support; and Total Disbursement among large counties. The CSEA continues to be one of the most cost effective CSEAs in the State, collecting over \$13.04 per dollar spent, which is over double the State average.

Multiple obligors were indicted for felony nonsupport this year, after the CSEA exhausted all other avenues for collection, including intercepting jail funds from incarcerated obligors. The CSEA collected over \$9,500 in 2021 from jail funds alone.

In June, Prosecutor Fornshell named Tommy Howard Director of the Warren County CSEA. Howard most recently served as Deputy Director of the CSEA. "Over the past several years, Tommy Howard has demonstrated his considerable knowledge of child support enforcement. He has earned not only my respect and trust, but also the respect and trust of his fellow colleagues in Warren County CSEA, and colleagues around the state and country. Tommy and I both understand that while Warren County has consistently received statewide recognition for our performance in collecting child support, we cannot be satisfied with these awards. There is always room for improvement. Each day, we must find ways to do better for the children of Warren County," said Fornshell.





# 2021 ANNUAL REPORT

## Community Involvement

In 2021, members of the Prosecutor's Office continued to participate in community outreach activities, including 5k walk/run benefit events. In May, the Office walked and ran for Building Blocks for Kids (BB4K), an organization that seeks to bridge the funding gap for products and services that help improve the quality of life for children with physical, emotional, and developmental challenges and their families. (Right). In June, the office participated in the 2021 Law Enforcement Torch Run to benefit the Special Olympics. (Middle of Page). And in October, the Office participated in the Sgt. Brian Dulle memorial 5k, this year marking the tenth anniversary of when Sgt. Dulle was killed in the line of duty.





# 2021 ANNUAL REPORT

## Awards

### Veteran's Court

In May 2021, Judge Timothy N. Tepe of the Warren County Common Pleas Court awarded Prosecutor Fornshell a Certificate of Recognition for Outstanding Support of the Warren County Veteran's Intervention Court. Judge Tepe presides over this specialized docket for offenders who are veteran or active duty service members of the United States Military. The goal of the Veteran's Intervention Court is to enhance public safety by preventing recidivism while assisting participants in securing resources, but also in taking responsibility for their behavioral health issues by use of evidence-based interventions and treatments in a holistic, accountability-based, and community-supported approach.



### Outstanding Team Member

First Assistant Prosecutor Keith W. Anderson received the "Outstanding Team Member Award" from Prosecutor Fornshell. The award is based on nominations from members of the Prosecutor's Office, and is given to the employee who exhibits outstanding commitment to his or her colleagues while carrying out the ideals and principles of the Prosecutor's Office. Assistant Prosecutor Anderson has worked for the Prosecutor's Office since September 1990, and he currently serves as the First Assistant Prosecuting Attorney for the Civil Division.

In nominating Assistant Prosecutor Anderson, his coworkers said, among other similar comments:

"Keith is one of the most selfless members of our team. Keith is known to always have his door open to all of his co-workers across all divisions to provide sage advice. When you have worries outside the norm, when there's a fear that someone has personal risk, an ethical issue, or an entity is risking its public reputation, Keith provides the advice. Keith has always been a team player willing to pinch run in any courtroom or represent any client."





# 2021 ANNUAL REPORT

## Retirement



At the beginning of 2021, the Warren County Prosecutor's Office congratulated Chief Investigator Scott Male on his retirement after 31 years with the office.

Investigator Male started working as an investigator for the Prosecutor's Office on February 1, 1990 under Prosecuting Attorney Timothy A. Oliver. In January 2006, Prosecutor Rachel A. Hutzel promoted Male to Chief Investigator, and he continued in that same capacity under Prosecutor Fornshell.

During his time as Chief Investigator, Male was involved in every major case handled by the office over several decades of his service. Warren County is a safer place because of his efforts.



Thank you for allowing us to serve you.

520 Justice Drive · Lebanon, Ohio 45036 · Phone: (513) 695-1325

