



Warren County Prosecutor's Office



# 2017 ANNUAL REPORT



**DAVID P. FORNSHELL**

Prosecuting Attorney  
Warren County, Ohio



## A Message from the Prosecuting Attorney

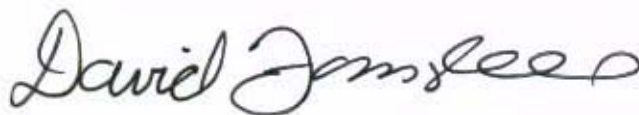
In the six years that I have served as Warren County Prosecutor, 2016 was the most eventful in both case volume and complexity. The Warren County Prosecutor's Office handled 1,089 felonies in 2016 – a 24% increase since 2011. Notably, our office handled 13 homicide cases in 2016, which is believed to be the highest number in the history of the Warren County Prosecutor's Office.

Several cases our office prosecuted in 2016 received significant local and national publicity. Working closely with the Warren County Sheriff's Office, our office obtained a cold-case conviction against Sam Perone for his 1992 killing of Richard Woods, a Columbus-area furniture salesman, at the Just Living Rooms store in Lebanon. The successful prosecution of the Perone case was particularly satisfying because it represented the culmination of years of hard work by numerous law enforcement officers including former Prosecutor's Office Investigator Mark Duvelius. Mark was the original Sheriff's Office detective who investigated the homicide in 1992 before coming to work for the Prosecutor's Office as an investigator. Though retired and suffering through health issues, Mark was still actively assisting our office with the prosecution of the case when he unexpectedly passed away in February of 2016. The Perone conviction is a testament to the persistence of Mark and numerous other law enforcement personnel who committed themselves to bringing justice to a family that had been awaiting it for 24 years.

Our office also saw a huge spike in 2016 of "school threat" cases. We prosecuted 19 cases involving actual threats against schools (verbal, writings on walls, social media), threats made against specific teachers, and weapons on school grounds. In response to these threats, and as a preventative measure, our office developed additional programming for both junior high school and high school students and their parents about the consequences of making such threats.

Despite all of these challenges our office faced in 2016, or perhaps even because of them, I continue to believe that I am fortunate to serve in the best position in local government. Each day, I get the opportunity to serve the community where I grew up, and where I have chosen to raise my children. I'm so very proud of the men and women of the Warren County Prosecutor's Office who work hard every day to make Warren County the safest place to work, play, and raise a family. It is an honor for each of us to serve you.

Sincerely,

A handwritten signature in black ink that reads "David P. Fornshell". The signature is written in a cursive, flowing style.

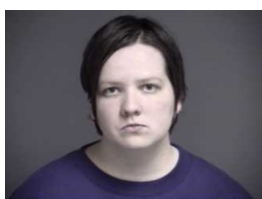
David P. Fornshell  
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Warren County, Ohio

## Criminal Division

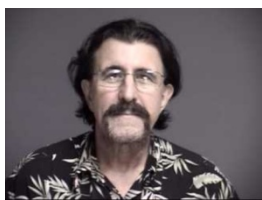
In 2016, the Criminal Division continued its aggressive prosecution of violators of the laws of the State of Ohio, handling 1,089 felony cases and 5,487 misdemeanor cases. These cases included violent felonies, thefts, sexual assaults, domestic violence, driving under the influence, traffic offenses, and watercraft and fish and wild life violations. The prosecutors of the Criminal Division represent the State of Ohio in Common Pleas Court and Warren County Court.

Some of the significant criminal cases prosecuted in 2016 are listed below:

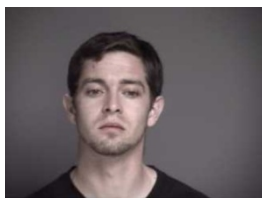
### Violent Crimes



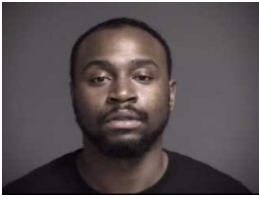
**Anna Marie Ritchie**, 25, of Franklin, Ohio, was convicted in the 2016 scalding death of her four year old stepson Austin Cooper. Ritchie pled guilty to all counts including murder, involuntary manslaughter, felonious assault, and endangering children. Ritchie admitted to law enforcement that she was frustrated with the child because he did not like to take baths, so she intentionally ran his bath water hotter than normal as a form of punishment. Ritchie also acknowledged that Austin struggled with her, but she held him in the bath tub for approximately 20-25 minutes, by which time skin was falling off his body and his feet were bleeding. Ritchie placed pajamas on the boy and socks on his feet so that he would not bleed all over his comforter and mattress, and put him to bed before 5:00 p.m. Over 16 hours elapsed before anyone checked on Austin, at which point the boy's father, Robert Ritchie, discovered him dead in his crib. Had Austin received medical treatment, consisting primarily of IV fluids, burn experts indicated he would have had a 99.1% chance of surviving the scald injuries. Ritchie was sentenced to the maximum possible sentence of 18 years to life in prison.



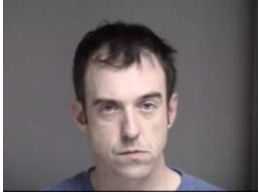
**Sam Perone**, 68, of Desert Hills, Arizona, was sentenced to 11 years in prison after pleading guilty in October 2016 to voluntary manslaughter and gross abuse of a corpse. On October 8, 1992, Richard Woods had an appointment at Just Living Rooms, located in the City of Lebanon, to discuss business with the owner, Sam Perone. During the meeting, Mr. Woods and Perone got into an argument, and Perone shot Mr. Woods two times in the back of the head, killing Mr. Woods. Perone then discarded Mr. Woods' body in a weeded area off of Middleboro Road where it remained undiscovered until November 9, 1992.



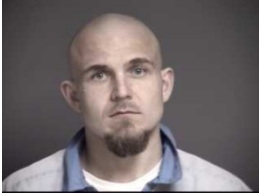
**Tyler Nalder**, 26, of Mason, Ohio, was sentenced to six years in prison after pleading guilty to aggravated arson, child endangering, and domestic violence. In April 2016, Nalder went to his ex-girlfriend's residence in Lebanon, Ohio, where he got into an altercation with a male friend of hers. After leaving the house, Nalder sent several threatening text messages to both victims. Later in the early morning hours, Nalder returned to the victim's house after filling up a bottle with gasoline at a nearby gas station. When Nalder got to the house, he poured the gasoline along the back of the house and lit a rag to start the fire. The house caught fire and Nalder fled the scene before the police and fire department arrived. The victims were inside the house at the time, as well as the victim's small children, one of whom is the son of Nalder. After seeing orange flames and the smell of smoke, they all exited to safety.



**Vernell Brent**, 28, of Middletown, Ohio, pled guilty to endangering children and was sentenced to the maximum possible sentence of eight years in prison. In March 2016, Brent was responsible for watching his girlfriend's 14 month old son. During that time, Brent admitted to throwing the child and dropping him on his head. The child suffered a subdural hematoma and continues to be developmentally delayed as a result of the injuries sustained by Brent.



**Seth Kafoure**, 36, of New Albany, Ohio, pled guilty to robbery and was sentenced to five years in prison. In June 2016, Kafoure robbed the Fifth Third Bank in Deerfield Township. Kafoure displayed a note to the teller demanding money and stole approximately \$1,200 in cash. Kafoure was also involved in several other bank robberies in surrounding counties for which he still has pending charges.



**James Shell**, 29, of Germantown, Ohio, pled guilty to two counts of robbery and two counts of kidnapping. In June 2016, Shell and his co-defendant entered a Verizon store in Germantown and brandished a toy gun. They then assaulted the clerk, tied him up in the rear bathroom, and stole 30 cell phones, iPads, and other electronic equipment. Subsequently, in July 2016, the pair robbed a Verizon store in Deerfield Township, again brandishing a toy gun, assaulting the clerk, tying him up with a power cord in the rear bathroom, and stealing cash, 14 cell phones, and other electronic devices. Shell was identified from video surveillance at the stores and confessed to the crimes. Shell was sentenced to serve 15 years in prison and pay over \$20,000 in restitution to the stores.



**Darryl Hignite**, 35, was found guilty of robbery and sentenced to 30 months in prison consecutive to a separate prison sentence Hignite is currently serving for robbery. In August 2014, Hignite robbed the U.S. Bank in Loveland, Ohio. Hignite displayed a note to the teller demanding money and absconded with almost \$4,000 in cash before eventually being apprehended.



Matthew E. Hoker



Thomas Reddy



Roger Lee Cook



Chip Allen Mills



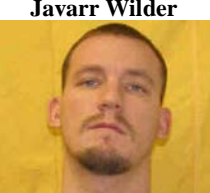
Juran J. Smith



Donald E. Morgan



Javarr Wilder



Glenn Joseph Chasteen

The Warren County Grand Jury returned indictments against 11 inmates who participated in a riot occurring at the Warren Correctional Institution on July 22, 2015. According to investigations from the Ohio State Highway Patrol, a group of inmates who were in the dayroom area of their cell block argued over the use of telephones in the dayroom area. This escalated to a large scale fight involving a number of inmates, many of whom were affiliated with two prison gangs, the Aryan Brotherhood and Cincinnati Wild Boys. Each of the following inmates pled guilty to aggravated riot and were sentenced to nine months in prison, consecutive to the current sentences they are serving:

- **Matthew E. Hoker**, 23, who is serving a sentence for aggravated vehicular homicide from Greene County, Ohio;
- **Thomas Reddy**, 22, who is serving a sentence for failure to comply and receiving stolen property from Hamilton County, Ohio;
- **Roger Lee Cook**, 25, who is serving a sentence for trafficking in drugs from Brown County, Ohio;
- **Chip Allen Mills**, 23, who is serving sentences for burglary, receiving stolen property, and breaking and entering from Miami County, Ohio;
- **Juran J. Smith**, 29, who is serving sentences for burglary, forgery, and theft from Muskingum County, Ohio;
- **Donald E. Morgan**, 34, who is serving a sentence for burglary and theft from Warren County, Ohio;
- **Javarr Wilder**, 18, who is serving a sentence for aggravated robbery from Montgomery County, Ohio;
- **Glenn Joseph Chasteen**, 27, who is serving a sentence for carrying a concealed weapon, receiving stolen property, robbery, and weapons under disability from Butler County, Ohio;
- **Adam Fowler**, 27, who is serving a sentence for breaking and entering and theft from Butler County, Ohio;
- **Bryan Puckett**, 30, who is serving a sentence for felonious assault from Butler County, Ohio; and
- **Conrad B. Iles**, 23, who is serving a sentence for burglary and breaking and entering from Hamilton County, Ohio.



Adam Fowler

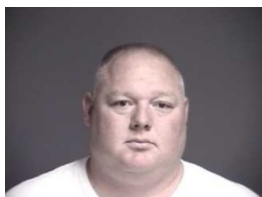


Bryan Puckett



Conrad B. Iles

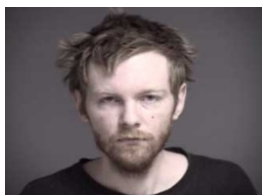
## Sex Offenses



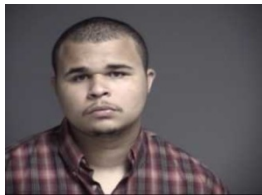
**Brian Thoma**, 42, of Carlisle, Ohio, was found guilty of eight counts of sexual battery and seven counts of gross sexual imposition and sentenced to 28 years in prison. In April 2016, the minor victim disclosed to her friend at school that Thoma had been molesting her since September 2015. This was reported to a teacher and principal who called law enforcement. The victim disclosed to law enforcement that the sexual assault would occur on a weekly basis. Detectives responded to Thoma's home where he was arrested and later admitted to inappropriately touching the victim.



**Juan Carlos Alvarez-Chavez**, 24, of Chicago, Illinois, pled guilty to one count of sexual battery and was sentenced to 24 months in prison. In August 2015, Warren County Sheriff's deputies responded to the Mason Inn in Deerfield Township, Ohio, and were notified by the victim's boyfriend that she was missing. Deputies walked the area and found the victim lying nearby on the ground, crying, and partially unclothed. She reported that she was sexually assaulted. Alvarez-Chavez was located in the nearby woods with the victim's panties in his pocket. Alvarez-Chavez is expected to be deported back to Mexico after serving his prison sentence.



**Jonathan Schneider**, 29, of Lebanon, Ohio, pled guilty to one count of attempted rape and one count of gross sexual imposition involving a child under the age of 13 and was sentenced to ten years in prison. Schneider had sexual conduct with the child victim beginning in December 2015. He will also have to register as a Tier III sex offender when he is released from prison. He must register every 90 days for life.



**Devon Cardwell**, 21, of Mason, Ohio, was sentenced on two counts of unlawful sexual conduct with a minor, trafficking in marijuana, possession of criminal tools, theft, and criminal simulation. Warren County Common Pleas Judge Robert Peeler suspended 18 months in prison and sentenced Cardwell to successfully complete a community-based corrections facility program. Cardwell was also placed on community control for three years and must register as a Tier II sex offender, which requires him to report to the sheriff's office every six months for the next 25 years and follow strict sex offender guidelines. In December 2015, Cardwell passed counterfeit money to a LaRosa's delivery driver. A search warrant was conducted at the home where he was staying. During the search, marijuana packaged for sale and three firearms were found in the room where Cardwell kept his belongings. Detectives also discovered two videos showing Cardwell with the counterfeit money and guns. When Cardwell was arrested, jail calls uncovered a sexual relationship with an underage female.

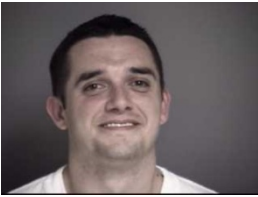


**Partosh Kumar**, 65, of India, was found guilty of gross sexual imposition, importuning, attempted gross sexual imposition, and public indecency. In June and July 2016, three children, all under the age of 13, reported to their parents that Kumar had followed them around to several different areas of their Mason apartment complex including into a gazebo. Kumar would say things to the children like, "Are you ready?" and "I want to have sex with you." Kumar also touched the children in their genital, breast, and thigh regions, and exposed himself to them. Kumar was visiting family in the United States and was scheduled to return to India in August. Kumar was sentenced to 48 months in prison and deemed a Tier II sex offender.



**Jason Keith**, 42, of Franklin, Ohio, pled guilty to two counts of gross sexual imposition and was sentenced to ten years in prison. On two separate occasions, Keith had sexual contact with a minor under the age of 13. In March 2016, while the victim was asleep, Keith started touching her breasts. The victim moved to get him to stop. In May 2016, while the victim was sitting in a chair, Keith began putting his hands up her shorts. Keith later admitted to law enforcement that he touched the victim's vagina over her underwear and that he touched her breasts skin to skin. In late May, the victim disclosed to a friend that Keith had been molesting her. Keith was classified a Tier II sex offender, requiring him to register with the local sheriff's office every 180 days for 25 years.

## Drug Offenses



**Austin Wells**, 26, of Cincinnati, Ohio, was convicted of involuntary manslaughter and corrupting another with drugs and sentenced to ten years in prison. The Warren County Prosecutor's Office obtained its first ever conviction for involuntary manslaughter against a defendant who furnished illegal drugs to a local man that died of a drug overdose. In January 2015, Wells provided what he believed was heroin to Ryan Patrick. Patrick injected the drug and immediately overdosed. Toxicology reports later confirmed that Patrick died of a multi-drug intoxication of fentanyl and cocaine.



**Steven Lay**, 35, of Lebanon, Ohio, was sentenced to seven years in prison for causing the death of his girlfriend, Shawna Mitchell. Lay pled guilty to involuntary manslaughter, corrupting another with drugs, tampering with evidence, and child endangering. In April 2016, Lay purchased heroin for \$65 from a drug dealer in Middletown. He later admitted to Lebanon police detectives that he knew the heroin was fentanyl. Toxicology reports later confirmed the dosage contained only fentanyl. Once home, he and Mitchell went to the bedroom to snort the drugs, leaving the couple's one year old child and Mitchell's ten year old autistic child in the family room. After the two were finished using the drugs, Lay went to the bathroom and passed out. When he awoke, he discovered Mitchell's unconscious body slumped over in the hallway. Lay administered CPR for 10-15 minutes, unsuccessfully. He then disposed of the remaining drugs in the toilet and hid the paraphernalia under the mattress before calling 911. Lebanon Fire Department and Lebanon Police Department personnel arrived but were unable to revive Mitchell. She was declared dead at the scene.

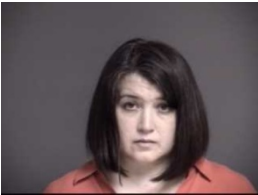


**Jimmy Oakes**, 52, of Morrow, Ohio, pled guilty to cultivation of marijuana, trafficking in marijuana, possession of marijuana, child endangering, and possessing criminal tools. In May 2014, Warren County Drug Task Force detectives executed a search warrant and found an active marijuana grow in a room in Oakes' basement. A total of 6,202.7 grams of marijuana was recovered from the home. While Oakes had the marijuana grow and trafficked marijuana in his home, his girlfriend's two minor children resided in the home. Oakes was sentenced to two years in prison.



**Travis Caudill**, 36, of Lebanon, Ohio, pled guilty to one count of conveying prohibited items into a detention facility and was sentenced to a mandatory prison term of nine months. In April 2016, Caudill, a corrections officer, entered the grounds of the Warren Correctional Institution with a package of marijuana wrapped in duct tape. Staff conducted a random search of employees as they were entering work that day, and Caudill removed the package from his bag and dropped it on the ground. Other employees witnessed this and reported it. Caudill told investigators that he was transporting the marijuana to an inmate in exchange for money.

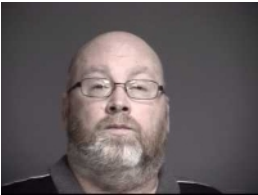
### Other Notable Crimes



**Sara Arseneau**, 53, of Goshen, Ohio, pled guilty to grand theft and tampering with records. Arseneau stole over \$20,000 from her employer, the Lebanon Chamber of Commerce, by issuing herself 13 additional payroll checks from November 2012 through June 2015. Arseneau was employed as the Executive Director of the Chamber of Commerce. Her duties included writing checks and releasing documents for tax purposes. She was sentenced to 60 days in jail and ordered to pay \$20,849.22 in restitution and complete 200 hours of community service.

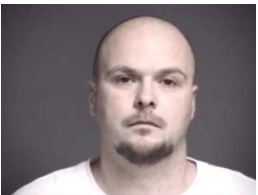


**Charles Cantrell**



**Randall Cantrell**

**Charles Cantrell**, 73, and **Randall Cantrell**, 52, both of Fairborn, Ohio, were found guilty by a Warren County jury of a total of six counts of receiving stolen property. Each were sentenced to three years community control and restitution. The father and son duo were vendors at Traders World in Monroe, Ohio, and were selling items they thought were stolen from local Kroger stores. In early 2015, Kroger contacted the Warren County Sheriff’s Office to report a significant rise in thefts. The sheriff’s office began to investigate by sending undercover officers to Traders World acting as though they had health and beauty products and household products, specifically Tide Pods, for sale at a very low price. The undercover officers made it clear to the vendors that the items were stolen by using terminology such as “been taken off the truck before they reached the store” and “truck load of hot (expletive).” Charles and Randall Cantrell agreed to purchase merchandise on four occasions from the undercover officers.



**Jacob Plummer**, 32, of West Carrollton, Ohio, was convicted by a Warren County jury of violation of protection order and sentenced to ten months in prison. On February 3, 2015, the Warren County Domestic Relations Court granted a civil protection order ordering that Plummer have no contact with the victim by any means, including text messages. Plummer was served with the order on February 9, and on the following two days, Plummer sent the victim several text messages. The victim reported the contact to the City of Franklin Police Department.



**Kristina Dotson**, 20, of Butler, Ohio, was sentenced to three years in prison after entering a guilty plea to intimidation and telephone harassment. In April 2015, Dotson sent numerous email and phone messages to the victims who are husband and wife. The wife is a former teacher of Dotson and first began receiving the troublesome emails on her work email in 2012. When she changed school districts, Dotson found out where her new employment was and began sending her emails at her new employment. Dotson also began sending emails to the husband in 2015. Dotson was warned by law enforcement to stop contacting the victims or risk arrest for harassment. Dotson continued to send threatening emails, one of which threatened the husband’s life.





**Thuy Thu Do**, 35, of Batavia, Ohio, pled guilty to receiving stolen property and possession of criminal tools and was sentenced to 30 days in jail and restitution to The Kroger Company. Over a period of time, Do purchased large amounts of stolen baby formula and shipped the product to Vietnam. Do's contacts in Vietnam would then sell the product and transmit the proceeds back to Do. On six different occasions, Do set up buys for stolen baby formula with undercover law enforcement officers. The Kroger Company provided the baby formula for use in the investigation, which the undercover officers then represented to Do as having been stolen. During these transactions, Do bought \$14,025 worth of baby formula from the undercover officers for approximately one-quarter of the retail value. Do's conviction was made possible through a public-private partnership between law enforcement and The Kroger Company investigating organized retail crime.

## **Parole Watch**

In addition to prosecuting current cases and appeals, our office is advised by the Ohio Parole Board when convicted felons are eligible for parole. In 2016, the Prosecutor's Office responded to 36 such notifications. Under current statutes, only the most serious offenses are eligible for parole. In other cases, offenders were convicted of serious offenses some years ago, but are still serving life sentences or very lengthy prison sentences. Our office routinely reviews these cases and opposes the release of violent felons.

The public can follow the status of these cases by accessing the "Parole Watch" function on the Prosecutor's website: [www.warrencountyprosecutor.com](http://www.warrencountyprosecutor.com). This function also allows the public to directly communicate its views regarding parole to the Ohio Parole Board. Users can also share Parole Watch information directly to their social media contacts. In our experience, a demonstration of public concern is frequently the factor that keeps these dangerous criminals behind bars.

In 2016, we continued to review and oppose cases where inmates were being considered for parole. Among the worst of those cases are the following:

### **Dennis McFadden, Inmate A162638 – Aggravated Murder**

In 1981, McFadden was convicted of aggravated murder and aggravated robbery for the shooting death of Dorsey Worthington. On January 21, 1981, Mr. Worthington arrived at the Holiday Inn in Mason, Ohio, with his business companion, Elaine Smith. Ms. Smith discovered that she had left her glasses in the car, and Mr. Worthington went out to retrieve them. When Mr. Worthington went out to the vehicle, McFadden shot him in the head and stole his vehicle. Less than an hour later, McFadden was arrested in Northern Kentucky with airline tickets belonging to the victim, as well as a .22 caliber revolver. During the autopsy, it was discovered that Mr. Worthington died as a result of a single gunshot wound from a .22 caliber revolver, consistent with the type of weapon found on McFadden. McFadden was sentenced to life in prison for the aggravated murder and an additional term of five to twenty-five years for the aggravated robbery to be served consecutively to one another.

Our Victim Witness Services Division initiated community outreach to encourage the public to write the Parole Board on our Parole Watch site. McFadden's parole was denied in 2016. His next parole hearing is scheduled for March 2019.

**Douglas Tirey, Inmate A260057 – Rape**

In 1992, Tirey was convicted of seven counts of rape following a jury trial and sentenced to life in prison on one count and eight to twenty-five years on the remaining counts. These offenses came to light in 1991 when Tirey's daughter reported that Tirey had sexually molested both she and her sister. The victims, at the time the abuse was reported, were 15 and 12 years of age. Upon being interviewed at the Springboro Police Department, Tirey admitted to engaging in sexual intercourse with both of his daughters. At trial, the older daughter testified that Tirey threatened to harm her mother, threatened to harm her boyfriend, and threatened to place her in an orphanage if she told anyone about the abuse.

Our Victim Witness Services Division assisted the victims in opposing Tirey's release, as well as initiated community outreach to encourage the public to write the Parole Board on our Parole Watch site. Tirey's parole was denied in 2016. His next parole hearing is scheduled for March 2021.

**Kevin Darrah, Inmate A529840 – Rape**

In September 2006, Darrah was found guilty of rape with a specification that the victim was under the age of ten following a jury trial. Darrah was a friend of the victim's mother and helped the family move into a new home. While Darrah was home alone with the five year old victim, he sexually assaulted her. As a result of Darrah's conviction, he was sentenced to life in prison and designated a sexually oriented offender.

Our Victim Witness Services Division assisted the victim's family in opposing Darrah's release, as well as initiated community outreach to encourage the public to write the Parole Board on our Parole Watch site. Darrah's parole was denied in 2016. His next parole hearing is scheduled for August 2021.

**Kenneth Winkle, Inmate A236090 – Rape**

In 1990, Winkle was convicted of two counts of rape, one count of gross sexual imposition, and one count of assault involving an eight year old victim. He was also convicted of gross sexual imposition for an offense involving a separate eight year old child. This matter was originally brought to the attention of law enforcement by the treating physician of one of the children after the doctor found a rectal scar consistent with anal rape. Further investigation revealed that Winkle orally raped the victim and sexually and physically assaulted him as well. In the case of the second victim, Winkle touched him between his legs with his penis. Winkle was sentenced to life in prison for these offenses. Winkle was also convicted of rape in Preble County for similar conduct.

Our Victim Witness Services Division initiated community outreach to encourage the public to write the Parole Board on our Parole Watch site. Winkle's parole was denied in 2016. His next parole hearing is scheduled for August 2020.

**Kenneth Ferris, Inmate A245280 – Rape**

In 1987, Ferris was convicted of attempted rape and gross sexual imposition for sexually assaulting a five year old girl and her four year old brother. In 1991, Ferris was convicted of rape for an offense involving an eight year old child. Ferris was then sentenced to a prison term of seven to twenty-five years on the rape to be served consecutively to a three to fifteen year sentence imposed as a result of his earlier conviction for attempted rape. At a subsequent hearing, Ferris was determined to be a sexual predator. During the sexual predator hearing, medical records established that he had been diagnosed with "pedophilia, severe, not exclusive type."

Our Victim Witness Services Division initiated community outreach to encourage the public to write the Parole Board on our Parole Watch site. Ferris' parole was denied in 2016. His next parole hearing is scheduled for August 2018.

## **Appellate Division**

The Appellate Division is responsible for researching and writing all appeals in criminal and civil cases handled by the Prosecutor's Office. The Appellate Division also assists with briefing at the trial court level, and argues cases before the Twelfth District Court of Appeals and the Ohio Supreme Court. In 2016, assistant prosecutors handled more than 50 appeals filed with the Twelfth District Court of Appeals and the Ohio Supreme Court.

The 2016 highlight for the Appellate Division was Assistant Prosecutor Kathryn Horvath's successful argument of *State v. Shalash*, where the Ohio Supreme Court upheld the conviction and sentence of Hamza Shalash for possessing and selling synthetic drugs, namely spice and K2, in late 2011 and early 2012 from a Marathon gas station across from the Warren County Fairgrounds in Lebanon that Shalash owned with his brother. The substances he sold were manufactured to circumvent definitions of identified controlled substances outlined in the Revised Code, but the Lebanon Police Department and the Warren County Drug Task Force had advised Shalash on multiple occasions the substances were illegal and that he must stop selling them.

The Ohio Supreme Court rejected Shalash's argument that the language in the Revised Code relating to controlled substance analogs did not make his actions illegal, instead holding that analogs, or variations of controlled substances, were criminalized at the time Shalash was selling them.

## **Juvenile Division**

In 2016, the Juvenile Division worked to ensure that minors who violated the law were punished, rehabilitated, and that they understood the consequences of their illegal actions. The cases handled within the Juvenile Division range from truancy and traffic to rape and homicide charges.

This past year brought an increase in serious offenses handled by the Juvenile Division. Early in the year, a 17 year old teenager, who committed a drug-fueled attack on his neighbors, was adjudicated a delinquent child for the offenses of aggravated burglary, attempted aggravated burglary, attempted rape, assault on a police officer, and public indecency. Likewise, another 17 year old teenager was adjudicated a delinquent child for the offenses of aggravated vehicular homicide, aggravated vehicular assault, and reckless operation of a motor vehicle for her role in a high speed automobile crash that resulted in the death of one of her passengers. Both of these teens were sentenced and committed to the Ohio Department of Youth Services.

Our office also dealt with a large volume of cases throughout the school year involving juveniles making threats against their schools. These threats were made towards the school facilities themselves, the teachers, and fellow students. The threats came in various forms including verbal, notes, writings on restroom walls, social media postings, and actual possession of weapons on school grounds. Families deserve to know that their children will be safe in our schools, and thus, this office took these cases very seriously, recommending charges of inducing panic and illegal conveyance of weapons, both felony level offenses.

The goal in these cases and all others is to protect Warren County from juvenile delinquency, while at the same time preventing the juvenile offenders from becoming the next generation of defendants in the criminal system. While advocating on behalf of the victims is our primary goal, our office is also of the belief that many youth have the potential to avoid this fate with the right support and rehabilitation. Our office works with the courts to recommend rehabilitative sentences, such as community services, mental health services, and drug treatment, whenever it is appropriate to do so.

Additionally, the Juvenile Division is responsible for handling child protection cases and providing legal representation to Warren County Children Services, as well as handling Adult Protective Services cases.

## **Investigative Division**

The Investigative Division consists of three Investigators, all of which are certified peace officers. They operate as a close link between law enforcement agencies and the Prosecutor's Office. The Investigative team provides assistance to law enforcement and valuable information to the Prosecuting Attorney from investigation to arrest to trial.

In 2016, the Investigators were responsible for the intake of over 950 cases. This includes follow-up investigation, serving subpoenas, and working with prosecutors to ensure successful prosecutions.

## **Victim Witness Services Division**

The Mission of the Victim Witness Services Division is to serve victims with compassion while promoting the judicial process. Our Victim Witness Coordinators provided services to over 2,600 victims in 2016. This division served victims of crime in Common Pleas Court, Warren County Court, Juvenile Court, Lebanon Municipal Court, Franklin Municipal Court, and Mason Municipal Court. 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 is currently met through a staff of four full-time and two part-time Victim Witness Coordinators. The victim assistance efforts in Warren County are comprehensive and effective, ensuring victim's rights under Section 2930 of the Ohio Revised Code.

Our team ensures that victims are educated on their statutory and constitutional rights as a crime victim in the State of Ohio. The Victim Witness Program also provides victims, whose offender is incarcerated, VINE 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 is actively involved in the following collaborations to provide education, training, and support to coordinating agencies and disciplines: Warren County Coordinating Council on Domestic Violence and Sexual Assault, Victim Awareness Collaboration, Sexual Assault Response Team, and Child Abuse Multi-Disciplinary Team.

Victim Witness Coordinators offer services to all victims of crime. Some of the services our program offers are:

- 24-hour response to law enforcement requests for intervention and assistance
- Court advocacy, escort, and notification during all stages of the criminal justice process
- Assistance in completing a Victim Impact Statement
- Assistance with VINE registration/State Victim Notification Program
- Referrals to appropriate social service agencies
- Notification and explanation of all court proceedings
- Victims of Crime Compensation application assistance
- Provision of information regarding the Ohio Parole Board

## **Civil Division and Delinquent Tax Division**

The Civil Division represents Warren County in legal matters and litigation where the County is a party. The Civil Division is 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 on litigation, employment issues, zoning and land use planning matters, and contract negotiations.

In 2016, the Civil Division assisted and provided legal advice to several agencies in the required changes to their operations. For example, the Warren County Combined Health District completely overhauled its housing and premises regulations. The Board of Developmental Disabilities is undergoing a statutorily required privatization of a major portion of its operations. We also continue to advise and assist Wayne Township in the revision of its zoning code. There continues to be private development and government expansion projects that require the legal advice of the office.

The Delinquent Tax Collection Division represented the Warren County Treasurer and collected over \$9.7 million in delinquent taxes and assessments on real property, manufactured and mobile homes, and personal property. Through the efforts of the Delinquent Tax Collection Division, the rate of delinquent taxes and assessments is one of the lowest in the State of Ohio.

## **Child Support Enforcement Division**

The Child Support Division handled over 12,300 cases and served 16,140 children in 2016 and provided the full range of Child Support Enforcement Agency (CSEA) services, including collection and enforcement of support orders, establishment of paternity and child support orders, location of parents, and modification and termination of orders. In 2016, the Child Support Division collected over \$44 million dollars. CSEA collections included over \$3.7 million to recoup public assistance money, and nearly \$8.8 million was collected for 2,500 children of lower-income working families in danger of going on cash assistance. The division also collected \$136,383.81 to reimburse IV-E foster care costs, which is an increase of almost 19% over 2015. The Warren County CSEA was again recognized by the Ohio Department of Job and Family Services in three performance categories: Best Performance for Paternity Establishment in the Large Caseload Division, Best Performance in Support Order Establishment in the Large Caseload Division, and Best Performance in Total Disbursements per Total Full-Time Equivalent in the Large Caseload Division. The agency continues to be one of the most cost-effective Child Support Enforcement Agencies in the State of Ohio, collecting over \$13 per dollar spent.

# Community Involvement

## **Bowl for Kids' Sake**

In March 2016, our office participated in Bowl for Kids' Sake, the largest annual fundraiser to benefit Big Brothers Big Sisters. Big Brothers Big Sisters matches at-risk youth with caring adults so they can become confident, competent, and caring individuals.



## **Ohio Wears Blue**

Ohio Wears Blue is a statewide awareness campaign that takes place on the second Wednesday of every April, Child Abuse Prevention Month. Ohioans are encouraged to wear blue to work, to school, to a community event – to show support for preventing child abuse and neglect. Warren County Prosecutor's Office employees showed their support by wearing blue on April 13, 2016.



## **Victim Awareness Event**

The Warren County Prosecutor's Office, along with other local county agencies, held its annual event on May 13, 2016, to help raise awareness of National Crime Victims' Rights Week. Each year, the Office for Victims of Crime leads communities throughout the country in their annual observances of National Crime Victims' Rights Week (NCVRW) by promoting victims' rights and honoring crime victims and those who advocate on their behalf. This year's theme was "Burnout, Compassion Fatigue, and Self-Care." The Warren County event included speakers Detective Brandi Carter, Warren County Sheriff's Office—Crimes Against Children Division, who discussed her childhood trauma and how it has shaped her life and her work with abused children on a daily basis; Sgt. Jim Rudnick, Montgomery County, Maryland Police Department, who discussed two suicide by cop scenarios in which he was involved, the events and aftermath of which are compelling and critical to understanding the long-term effects of trauma; and Cindy Kuhr, Victim Specialist/Consultant for the Ohio Bureau of Criminal Investigation, who discussed vicarious trauma, compassion fatigue, and stress management. This event was partially funded by a grant awarded by the Ohio Attorney General's Office.



**Pictured from left: Sgt. Jim Rudnick, Cindy Kuhr, Det. Brandi Carter, and Prosecutor Fornshell**

## **Ohio Law Enforcement Torch Run**

In June 2016, employees of the Warren County Prosecutor's Office participated in the Warren County leg of the Ohio Law Enforcement Torch Run to benefit Special Olympics. In Ohio, Torch Run participants run one of six planned routes covering the state which lead to the Opening Ceremonies of the Special Olympics Ohio State Summer Games. The Law Enforcement Torch Run is the single largest year-round fundraising event benefiting Special Olympics Ohio.



## National Night Out

Our office once again participated in National Night Out events held in Clearcreek Township and Lebanon, Ohio. The introduction of National Night Out in 1984 began an effort to promote involvement in crime prevention activities, police-community partnerships, neighborhood camaraderie and send a message to criminals that neighborhoods are organized and fighting back. This event is held annually on the first Tuesday in August. National Night Out now involves over 38 million people and over 16,000 communities from all 50 states, U.S. territories, Canadian cities, and military bases worldwide.



Clearcreek Township



Lebanon

## Warriors BackPack Program

Members of our staff participated in the Warriors BackPack program. This program provides weekend food/snacks to underprivileged children in the Lebanon City School District. The program currently feeds 300-400 students on a weekly basis during the school year. The cost of the program is fully funded by donations from various sources, including local businesses, churches, organizations, and citizens.





## 9<sup>th</sup> Annual Blue Ribbon Nite Gala

The 9<sup>th</sup> Annual Blue Ribbon Nite Gala to benefit the Child Advocacy Center of Warren County was held at the Great Wolf Lodge in Mason, Ohio, on November 12, 2016, and included a cocktail hour, special dinner, silent auctions, and basket raffles. The live auction this year focused solely on children’s handmade artwork, which is always a big hit with the audience. The evening also included a “Dancing for the Blue Ribbon” competition featuring five dance groups – Kings Local Schools teachers, who were selected first place winners by the judges; Springboro Police Department, chosen as the crowd favorite; Warren County Children Services, who collected the most money from the audience; Turtlecreek Fire Department; and Atrium Medical Center nurses. Several of the Prosecutor’s Office employees who attended the event are pictured below.



# **Financial Report**

One of the primary missions of the Warren County Prosecutor's Office is to provide excellent and efficient service to the citizens of Warren County and our governmental clients. Since assuming office at the beginning of 2011, Warren County Prosecutor David P. Fornshell has emphasized fiscal responsibility in managing the Prosecutor's Office's budget.

Under the 2016 General Fund budget, the Prosecutor's Office expended \$2,700,627.03 and "returned" \$82,299.97, or 3% of its appropriated budget, back to the Warren County Auditor's Office as unused funds.

Because of an anomaly that occurs every 11 years for employers utilizing bi-weekly pay schedules, 2016 actually had 27 pay periods (as opposed to the normal 26 bi-weekly pay periods) fall during the calendar year. As a result, all county offices experienced a one-time increase of 3.85% in the salary line items of their budget to cover the 27<sup>th</sup> pay period.

But for this anomaly, the Prosecutor's Office 2016 expenditures would have totaled \$2,623,677.34. By comparison, the Prosecutor's Office General Fund budget for 2010, the year before Prosecutor Fornshell assumed office, was \$2,641,179.01. Thus, the Prosecutor's Office has effectively maintained a budget below 2010 levels for six consecutive years. This, despite a 24% increase in the Prosecutor's Office's felony caseload since 2011.

## **Outstanding Team Member Award**

Jaelyn Zaczek recently received the "Outstanding Team Member Award" from Prosecutor Fornshell. The annual award is based on nominations from members of the Prosecutor's Office and is given to the employee who exhibits outstanding commitment to their colleagues while carrying out the ideals and principles of the Prosecutor's Office. Employees nominated 14 different individuals for the award, with Zaczek receiving three times the number of nominations of any other employee.

Zaczek has been with the Prosecutor's Office since 2014 and serves as a Legal Assistant in the Criminal Division and Juvenile Division. In her nominations, Zaczek's colleagues noted: "Jackie exhibits a strong work ethic, brings a positive attitude to the office, and can always be counted on to help out where needed. Jackie is invested not only in doing her job well, but also in improving procedures to create a better work flow and to make it easier for everyone else to do their jobs well, too. She is the very definition of team player and her contributions to the Warren County Prosecutor's Office make it a better place for all."



Jaelyn Zaczek and Prosecutor Fornshell

## **Retirement**

Assistant Prosecutor Roger Sorey retired from the Warren County Prosecutor's Office in August 2016. Sorey joined the office in 2011. At his retirement ceremony, Prosecutor Fornshell presented Sorey with a plaque in appreciation for his years of service and outstanding efforts to promote effective and efficient operations throughout Warren County government, and Warren County Commissioner Pat South read a proclamation from the Board of Commissioners declaring August 31, 2016 "Roger Sorey Day" in Warren County.



**Pictured from left: Commissioner Pat South, Roger Sorey, and Prosecutor Fornshell**

***THANK YOU FOR ALLOWING US TO SERVE YOU.***

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