



Ohio Prosecuting Attorneys Association



OPAA FALL TRAINING SEMINAR – SEPTEMBER 23 & 24, 2021

CROWNE PLAZA CLEVELAND AT PLAYHOUSE SQUARE

We are back in person for the OPAA Fall Training seminar! Presentations will include: venue; diversity and inclusion; ghost guns; *Giglio* and *Brady*; using surface, deep, and dark web to conduct illicit transactions; and an Ohio criminal law update. We will also offer 2.5 hours of professional conduct. We hope you will join us!

Thursday, September 23rd

8:00 – 9:00

Registration and Continental Breakfast

9:00 - 10:00

Top Seven Things to Know on Venue

Beware the issue of venue. Proving that the crime or an element thereof occurred in your jurisdiction is not an “element”, but it still must be established beyond a reasonable doubt and can result in a Crim.R. 29 “acquittal” if venue is not sufficiently shown. This presentation will discuss a “top seven” list of things to know about venue, including how the multi-county “course of conduct” provision operates, and including ways to fix a venue problem if you realize after the close of your case-in-chief that venue might not be satisfied.

Steven L. Taylor

Legal Research and Staff Counsel

Ohio Prosecuting Attorneys Association

10:00 - 10:15

Break

10:15 - 11:15

Ghost Guns -- The In's and Out's of this Recent Phenomenon

Off-the-books, untraceable “ghost guns” can now be manufactured at home, easily, and in large numbers and can contribute to firearm violence. The Bureau of Alcohol, Tobacco, Firearms and Explosives estimates that in 2019 alone, law enforcement agencies recovered more than 10,000 of these ghost guns. This presentation will look at the latest usage trends, legislation, and applicable current law surrounding ghost guns.

John J. Flynn, District Attorney

Erie County New York

President-elect, National District Attorneys Association

11:15 - 12:15

Diversity and Inclusion: Finding the Value in People, Not in Numbers

This presentation will look at the careful attention needed in hiring practices, allowing opportunities in the workplace which create the foundation for prosecutors to further their goals of building public confidence in the criminal justice system, providing opportunities for the best qualified applicants to serve the public, and working with law enforcement to keep our communities safe.

***John Belton, District Attorney
Lincoln and Union Parishes, Louisiana***

12:15 - 1:15

Lunch

1:15 - 2:15

Giglio 2021

This presentation will examine the prosecutor's obligations under *Giglio v. United States*, 405 U.S. 150 (1972); the difference between "Brady" material pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963), and material required to be disclosed under *Giglio*; will examine how potential impeachment material is identified and disclosed; and presenters will discuss examples of potential impeachment material considered by the Cuyahoga County Prosecutor's Office *Giglio* Committee.

***Lisa Reitz Williamson, First Assistant Prosecutor and
Kristin Sobieski, Appeals Unit Supervisor
Both of Cuyahoga County Prosecutor's Office***

2:15 - 2:30

Break

2:30 - 5:00

Dark Web Investigations

Criminals are increasingly utilizing the dark web to conduct their illicit activities ranging from narcotic trafficking, contract murders and weapons smuggling to fraudulent scams, various child crimes, and contract hackers. Prosecutors should have a basic understanding of the different types of the web to include the surface web, deep web, and the dark web. This presentation will include detailed information on popular "Market Places" where most criminal activity occurs. Class participants will learn various ways to access the dark web with an emphasis on operational security.

Cryptocurrency is utilized as a method of payment on the dark web. Bitcoin and Monero are preferred payment types on many marketplaces. Class participants will learn the fundamentals of cryptocurrency, blockchain technology, and cryptocurrency wallets. Following the cryptocurrency trail and the utilization of "De-Anonymization" can help law enforcement officials positively identify targets of their investigations. Various tracking techniques will be presented to demonstrate methods to identify criminals using cryptocurrency on the dark web. A live demonstration on a darknet marketplace will be provided.

***Ohio High Intensity Drug Trafficking Area (HIDTA)
Sergeant David Barrick, Franklin County SO, Special Investigations
Special Agent Gregory Libow, Homeland Security Investigations
Detective Andrew Wuertz, Upper Arlington Police Department***

Friday, September 24th

8:00 – 9:00

Registration and Continental Breakfast

9:00 - 10:30

Why the Browns are going to the Super Bowl and how Prosecutors can stay out of Ethical Problems to watch it. (Professional Conduct)

Each year we watch prosecutors get into ethical trouble although they do not personally benefit from their conduct. Instead, they believe that their conduct is proper in order to obtain a conviction. In this presentation we will examine the most recent cases where prosecutors were disciplined for ethical misconduct and determine how we can prevent future ethical misconduct. We will also examine rules of professional conduct regarding ex-parte communications, speaking to individuals represented by counsel and deception by attorneys. Finally, we will examine professionalism in the legal profession.

Philip Bogdanoff

Retired Career Prosecutor

10:30 - 10:45

Break

10:45 - 11:45

Understanding Mental Health Diagnoses (Professional Conduct)

This presentation will assist participants in gaining greater understanding of several major mental health diagnoses. The presentation will explain the process of diagnosis and explore current research and accepted knowledge about the causes and treatment of the most common diagnoses.

Dr. Cecile Brennan, Ph.D., LPCC-S

Moore Counseling & Mediation Services, Inc.

11:45 - 12:45

Lunch

12:45 - 1:45

Criminal Law Update for Ohio Prosecutors

This session will focus on recent legislative enactments and proposed enactments that will impact prosecutors. Prosecutors will need to know these changes to make sure current laws are followed and the record they make in cases will be protected on review. This will include a brief recap on where the Reagan Tokes Law challenges stand and possible amendments to that law being considered by the legislature. The session will also deal with recent criminal case decisions from both the Supreme Court of Ohio and appellate districts that prosecutors need to know. In addition, this session will touch on some of the current issues being played out in Ohio courtrooms that will impact prosecutors in cases going forward. Lastly, the session will outline some of the tools and formats in the works to help make plea and sentencing procedures easier to understand and reduce errors.

Judge Sean C. Gallagher

Ohio Court of Appeals, Eighth District

We have requested approval for 10 hours of CLE, including 2.5 professional conduct hours, from the Supreme Court of Ohio Commission on Continuing Legal Education.

Guest rooms at the Crowne Plaza are \$148.00 single or double occupancy. Reservations can be made by calling Crowne Plaza central reservations at 1-888-211-9874. Be sure to use Group Code OPA to receive this rate. Cutoff date is Friday, August 20th. Check-in time is 3:00 p.m., and check-out time is 12:00 noon. Early check-in or late check-out are on a case-by-case basis. **Cancellation policy:** 24 hours in advance of arrival time. **Payments to Hotel:** The Crowne Plaza accepts major charge and credit cards at check in. **If paying by personal or company /office check, the check must be provided 14 business days prior to arrival.** In the event a credit card is not approved or credit approval changes prior to the event, full prepayment of all estimated charges by a hotel approved payment method must be received three (3) days prior to arrival. **Parking:** valet parking, \$37.00/night; self parking, \$15.00/night (1-1/2 blocks from the hotel).

The registration fee for OPAA MEMBERS IS \$250.00 IF ATTENDING BOTH DAYS, AND \$125.00 IF ATTENDING ONE DAY ONLY. For non members the fee is \$500.00 for both days, and \$250.00 for one day. These fees cover all handout materials, continental breakfast and lunch both days, and refreshments at breaks. To help defray the cost of food guarantees, cancellations after Friday, September 17th will be assessed a penalty of \$110.00 if scheduled to attend both days, and an \$85.00 penalty if scheduled for one day only.

<p>NOTE: If any registrant has special dietary needs, please contact Delores at 614-221-1266, so that advance arrangements can be made with the venue. OPAA will accommodate requests as long as they can be supplied by the venue without additional cost. <u>Any additional cost must be borne by the registrant and they will be notified in advance.</u></p>
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Ohio Prosecuting Attorneys Association



REGISTRATION FORM

OPAA 2021 FALL TRAINING

Email this form or the information by September 17th to: delores@ohiopa.org, fax 614-221-0753, or via mail to:

Ohio Prosecuting Attorneys Association
196 East State Street, Suite 200
Columbus, OH 43215

Please register the following persons to attend the 2021 OPAA Fall Training at the Crowne Plaza Cleveland at Playhouse Square on Thursday, September 23rd and Friday, September 24th:

NAME	TITLE	EMAIL ADDRESS	THU &FRI (\$250)	THU ONLY (\$125)	FRI ONLY (\$125)
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

The registration fee for non-members is \$500 for both days, \$250 for a single day. Check number _____ for \$_____ is enclosed or will be sent.

County

Prosecuting Attorney

NOTE: If any registrant has special dietary needs, please contact Delores at 614-221-1266, so that advance arrangements can be made with the venue. OPAA will accommodate requests as long as they can be supplied by the venue without additional cost.
Any additional cost must be borne by the registrant and they will be notified in advance.

