



THE OHIO PROSECUTOR

October 2019

In This Issue

At the Statehouse

Membership Services

- Community Outreach
- OPAA App

New and Noteworthy

- Annual Meeting venue changes for 2019
- Last Minute CLE
- AG Opinions

Training

- OPAA Fall Training
- OPAA Juvenile Prosecutor Training
- 2020 Training Dates

OPAA On the Road

- Cleveland Press Conference
- Cincinnati Luncheon

Contact Us

www.ohiopa.org



From your President...



Victor V. Viglucci
Portage County

Fellow Ohio Prosecutors:

With the return of our State Legislators from their summer break, we continue our efforts to express our views on several important pieces of pending legislation. H.B. 136 (Death penalty and "serious mental illness"), Senate Bill 3 (Drug offense charging and sentencing "reform") and H.B. 381 (Self-defense and "stand your ground") legislation remain the major focus of our efforts. Several of us have testified before Legislative Committees, met with individual Legislative leaders, and held press conferences and private meetings to advocate for the OPAA's positions on these Bills. If you have not already, please familiarize yourselves with the details and serious flaws contained in these proposals and speak out to your local media and legislators. Our Executive Director, Lou Tobin's, bi-monthly Legislative Newsletters are a good source of information which I hope you will thoroughly review. The time to act is NOW or forever hold your peace if these proposals become law.

Our staff and membership have recently completed two very successful trainings, the September Fall Training in Cleveland and the October Juvenile Training in Columbus. Both were well presented and well attended. Thanks to Lou, Steve, Delores, Diana, and our Training Committee for a job well done. I know that all of them are now working hard to prepare for our Annual Meeting on December 12-13 which will also include our Annual Awards Ceremony and Banquet, installation of our 2020 slate of Officers, and some novel and interesting presentations. I hope you will attend and participate in what will be a new and exciting experience and our first time at the Hilton Easton Hotel for the Annual Meeting. I look forward to seeing you all there.

As Prosecutors and Assistant Prosecutors, we are called upon to be leaders in our communities, and the voices of reason and fairness. Sometimes this means that we are the lone voice speaking out against a popular trend or issue, or in favor of an unpopular one. That is part of our unique role as an attorney, law enforcement officer, and minister of justice. It's not an easy job, but one which we are lucky to have.

Vic

From your Executive Director...



Louis Tobin
OPAA Executive
Director

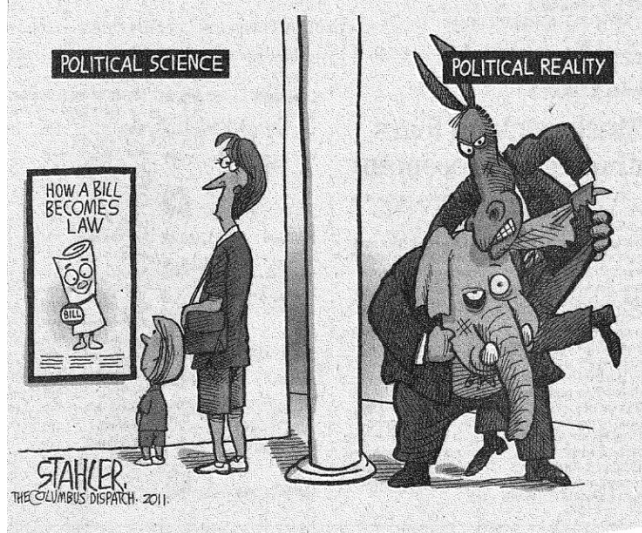
Dear OPAA –

Since the July edition of *The Ohio Prosecutor* a lot of the discussion in Columbus has centered on firearms. As we all know, Dayton experienced a tragic mass shooting at the beginning of August and calls for reform began almost immediately. Since the beginning of August, sixteen bills have been introduced in the General Assembly calling for changes like raising the minimum age for firearms purchases to 21, requiring universal background checks, restoring local authority to enact firearms regulations, and creating an extreme risk protection order (otherwise known as a red flag law). Probably the two most substantial proposals, and those with the best chance of being enacted, are Senate Bill 221, which is the embodiment of the STRONG Ohio proposal developed by Governor DeWine, and House Bill 354. Without getting into too much detail, both proposals are intended to give law enforcement and the courts better tools to keep firearms out of the hands of people who are subject to a weapons disability and those who are found to be a danger to themselves or others due mental health or substance abuse problems. Additionally, House Bill 381, introduced just two weeks ago, is another attempt to repeal Ohio's duty to retreat, otherwise known as a stand your ground law. This bill also contains provisions that would allow for someone claiming self-defense to file a pretrial motion for immunity. The filing of the motion would establish a prima facie claim of self-defense that the prosecution would have to disprove by clear and convincing evidence.

Three other hot topics are the death penalty, opiate litigation, and drug law reform. The OPAA has continued to fight legislation (House Bill 136 and Senate Bill 54) to exclude individuals who are diagnosed with one of four mental illnesses from a death sentence. It has been our position that the bill is a functional repeal of the death penalty in Ohio. One of the more troubling aspects of the legislation, and there are many, is that it would permit everyone currently on death row to file a motion for post-conviction relief based on a claim of serious mental illness. We also recently battled legislation that would have given the Attorney General exclusive authority to pursue the opiate litigation, a takeover of cases from our counties and other local governments. Our Executive Committee voted unanimously in September to oppose any effort that would give any Attorney General compulsory and exclusive rights to represent the citizens of Ohio. While this legislation seems to have taken a back seat to other discussions, the debate may not be over. Finally, we have continued to oppose Senate Bill 3 to reduce F4/F5 drug possession offenses to unclassified misdemeanors. The Senate is likely to take action on this legislation in some shape or form before the end of the year.

To reiterate something Vic said, the time to act is now. Please contact your legislators to express your opposition.

Lou



At the Statehouse

Below is a current list of priority legislation along with the OPAA's position. For a full list of bills that we are tracking visit www.ohiopa.org. If you have any questions about the work of the legislature or the status of any legislation please let us know!

HB1 INTERVENTION IN LIEU OF CONVICTION (PLUMMER P, HICKS-HUDSON P) To modify the requirements for intervention in lieu of conviction and for sealing records of conviction.

Current Status: 9/25/2019 - Senate Judiciary, (First Hearing)

Position: Support

State Bill Page:

<https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-HB-1>

HB3 AISHA'S LAW - DOMESTIC VIOLENCE (BOYD J, CARRUTHERS S) To add domestic violence circumstances to the offenses of aggravated murder and endangering children, to establish local domestic violence high risk teams, and to require law enforcement officers to utilize a qualified lethality assessment screening tool to refer high risk victims to a local team.

Current Status: 6/13/2019 - SUBSTITUTE BILL ACCEPTED, House Criminal Justice, (Third Hearing)

Position: Amend

State Bill Page:

<https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-HB-3>

HB136 DEATH PENALTY-MENTALLY ILL (HILLYER B) To prohibit imposing the death penalty for aggravated murder when the offender had a serious mental illness at the time of the offense.

Current Status: 10/9/2019 - Senate Judiciary, (Third Hearing)

Position: Oppose

State Bill Page:

<https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-HB-136>

HB178 CONCEALED WEAPONS REFORM (HOOD R) To modify the Weapons Law by renaming a concealed handgun license as a concealed weapons license, allowing a concealed weapons licensee to carry concealed all deadly weapons not otherwise prohibited by law, repealing a notice requirement applicable to licensees stopped for a law enforcement purpose, authorizing expungement of convictions of a violation of that requirement, and allowing a person age 21 or older and not prohibited by federal law from firearm possession to carry a concealed deadly weapon without needing a license subject to the same carrying laws as a licensee.

Current Status: 6/30/2019 - Re-Referred to Committee

Position: Oppose

State Bill Page:

<https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-HB-178>

HB215 REAGAN TOKES-REENTRY (BOGGS K, CARFAGNA R) To modify the Corrections Law regarding a Department of Rehabilitation and Correction reentry program for certain offenders, maximum workload and caseload standards for parole and field officers, GPS monitoring of offenders released from prison, and entry into LEADS of specified information about GPS-monitored offenders, and to require the Ohio Criminal Sentencing Commission to appoint an Offender Supervision Study Committee.

Current Status: 6/27/2019 - House Criminal Justice, (Second Hearing)

Position: Support

State Bill Page:

<https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-HB-215>

HB277 FILMING CUSTODIAL INTERROGATION (PLUMMER P) To revise the law governing the electronic recording of custodial interrogations.

Current Status: 11/7/2019 - House Criminal Justice, (Third Hearing)

Position: Amend

State Bill Page:

<https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-HB-277>

<p>HB311 COUNTY INSPECTOR GENERAL (GREENSPAN D) To authorize counties to request and obtain a county inspector general to investigate wrongful acts or omissions in county and other political subdivision government. Current Status: 10/23/2019 - House State and Local Government, (First Hearing) Position: Oppose State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-HB-311</p>	<p>Current Status: 6/27/2019 - BILL AMENDED, Senate Judiciary, (Seventh Hearing) Position: Amend State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-3</p>
<p>HB337 CHILD ADVOCATES-COMMUNICATION (STEIN D, GALONSKI T) To provide generally a privilege for communications between a qualified advocate rendering advocacy services and a victim of certain crimes, to exempt the nondisclosure of that privileged communication from the offense of failure to report a crime, and to generally require a qualified advocate to report child abuse or neglect of the victim. Current Status: 9/24/2019 - Referred to Committee House Criminal Justice Position: Oppose State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-HB-337</p>	<p>SB5 PROMOTING PROSTITUTION PENALTIES (KUNZE S, DOLAN M) To amend the penalties for promoting prostitution. Current Status: 10/30/2019 - Informally Passed Position: Support State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-5</p>
<p>HB354 WEAPONS DISABILITY DATA PORTAL (PLUMMER P, SWEARINGEN D) To require the juvenile court to expunge all records sealed pursuant to the juvenile sealing law upon the person's twenty-eighth birthday, to expand the circumstances under which a person has a weapon under disability, to specify that moderate or severe substance use disorder is a mental illness for purposes of the law governing civil commitments, to require the Director of Public Safety to create and maintain the weapons disability data portal, to impose certain consequences on specified entities that fail to comply with data submission requirements, and to make an appropriation. Current Status: 10/16/2019 - House Finance, (Fifth Hearing) Position: Undetermined State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-HB-354</p>	<p>SB13 HUMAN TRAFFICKING-JUVENILES (FEDOR T) To require a juvenile court to hold a delinquency complaint in abeyance in certain cases related to prostitution or human trafficking and to provide that the same elements for the offense of trafficking in persons that apply to a victim under the age of sixteen also apply to a victim who is age sixteen or seventeen. Current Status: 11/7/2019 - House Criminal Justice, (First Hearing) Position: Support State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-13</p>
<p>HB381 STAND YOUR GROUND (KELLER C, HOOD R) To enact the Ohio Stand Your Ground Act to modify the law regarding self-defense. Current Status: 10/23/2019 – Introduced Position: Oppose State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-HB-381</p>	<p>SB28 PROTECTION ORDER VIOLATION PENALTIES (HOTTINGER J) To increase the penalty that applies to the offense of violating a protection order under certain circumstances. Current Status: 9/24/2019 - Referred to Committee House Criminal Justice Position: Support State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-28</p>
<p>SB3 DRUG SENTENCING REFORM (EKLUND J, O'BRIEN S) To modify the controlled substance possession and trafficking prohibitions and penalties and the drug and alcohol abuse civil commitment mechanism.</p>	<p>SB48 SPEEDY TRIAL RULES (EKLUND J) To narrow the scope of speedy trial rules. Current Status: 5/16/2019 - House Criminal Justice, (Third Hearing) Position: Support State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-48</p>
<p>SB54 PROHIBIT DEATH PENALTY-MENTAL ILLNESS (EKLUND J, WILLIAMS S) To prohibit imposing the death penalty for aggravated murder when the offender had a serious mental illness at the time of the offense. Current Status: 7/17/2019 - SUBSTITUTE BILL ACCEPTED, Senate Judiciary, (Third Hearing) Position: Oppose</p>	<p>SB54 PROHIBIT DEATH PENALTY-MENTAL ILLNESS (EKLUND J, WILLIAMS S) To prohibit imposing the death penalty for aggravated murder when the offender had a serious mental illness at the time of the offense. Current Status: 7/17/2019 - SUBSTITUTE BILL ACCEPTED, Senate Judiciary, (Third Hearing) Position: Oppose</p>

<p>State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-54</p> <p>SB55 ENHANCE PENALTIES-DRUG TRAFFICKING (GAVARONE T) To enhance penalties for certain drug trafficking offenses committed in the vicinity of a community addiction services provider and to name the act's provisions the "Relapse Reduction Act." Current Status: 10/31/2019 - REPORTED OUT, House Criminal Justice, (Fourth Hearing) Position: Support State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-55</p> <p>SB133 MANAGEMENT OF RELEASED OFFENDERS (O'BRIEN S) To modify the Corrections Law regarding a Department of Rehabilitation and Correction reentry program for certain offenders, maximum workload and caseload standards for parole and field officers, GPS monitoring of offenders released from prison, and entry into LEADS of specified information about GPS-monitored offenders, and to require the Ohio Criminal Sentencing Commission to appoint an Offender Supervision Study Committee. Current Status: 11/6/2019 - Senate Judiciary, (Third Hearing) Position: Support State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-133</p> <p>SB146 DOMESTIC VIOLENCE-CHOKING (KUNZE S, ANTONIO N) To expand the offense of domestic violence to also prohibit a person from knowingly impeding the normal breathing or circulation of the blood of a family or household member by applying pressure to the family or household member's throat or neck or blocking the family or household member's nose or mouth. Current Status: 10/2/2019 - Senate Judiciary, (Third Hearing) Position: Support State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-146</p> <p>SB160 RECORDS EXPUNGEMENT (O'BRIEN S, RULLI M) To provide a mechanism for the expungement of records of most convictions that, depending on the category of the offense, are at least 10 years old, 15 years old, or 20 years old, and to eliminate the waiting period for sealing a record related to a no bill. Current Status: 9/25/2019 - Senate Judiciary, (Second Hearing) Position: Oppose State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-160</p>	<p>SB179 REQUIRE TWO LICENSE PLATES (UECKER J, HOTTINGER J) To retain and continue current law requiring the display of two license plates for most motor vehicles. Current Status: 9/11/2019 - Referred to Committee Senate Transportation, Commerce and Workforce Position: Support State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-179</p> <p>SB196 TESTIMONIAL PRIVILEGE-SEX CRIMES (EKLUND J) To provide generally a testimonial privilege for communications between a qualified advocate rendering advocacy services and a victim of domestic violence, human trafficking, menacing by stalking, or sexual violence, to exempt the nondisclosure of that privileged communication from the offense of failure to report a crime, to require a qualified advocate to report knowledge or reasonable suspicion of child abuse or neglect of the victim except for privileged communications, and to specify circumstances in which the victim is considered to have waived the privilege. Current Status: 11/6/2019 - Senate Judiciary, (Second Hearing) Position: Oppose State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-196</p> <p>SB205 ANIMAL CRUELTY (HOTTINGER J, O'BRIEN S) To increase the penalties for serious acts of cruelty towards or the killing of a companion animal. Current Status: 10/23/2019 - Senate Judiciary, (First Hearing) Position: Undetermined State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-205</p> <p>SB221 FIREARMS REGULATIONS (DOLAN M) To provide for the issuance in specified circumstances of a Safety Protection Order to apply regarding a person who a court determines is under a drug dependency, chronic alcoholic, or mental health-related firearms disability; to specify LEADS and NCIC reporting and removal procedures for current types of protection orders; to require the submission to the Attorney General for inclusion in LEADS of findings of IST or NGRI; to modify some of the prohibitions under the offense of "unlawful transactions in weapons" and add new prohibitions and exemptions under the offense, including a new exemption if a state background check mechanism the bill enacts is used and does not indicate that the prospective transferee is barred from firearms possession; to provide in specified circumstances for the issuance of a seller's protection certificate under the new state background check mechanism; to increase the penalty for certain firearms-related offenses in specified circumstances; to modify the law governing the entry of arrest warrants into LEADS as extradition warrants; to expand the law regarding the provision of drug and alcohol test results to law enforcement personnel; and to provide a new</p>
---	---

exception to the testimonial privilege for specified medical and dental personnel regarding certain probate court proceedings.

Current Status: 11/5/2019 - Senate Government Oversight and Reform, (First Hearing)

Position: Undetermined

State Bill Page:

<https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-SB-221>

Legislative information provided by actionTRACK - Hannah News Service, Inc.

Join us at the Statehouse!

Whether you are in town to testify or just spending time away from your county, let us show you around the Statehouse. Call Lou or Steve at the office and we'll work out the details.

Membership Services

Community Outreach

Highland County Programs

The Highland County Prosecutor's Office, along with their Victim/Witness assistance program, has put together several successful community outreach programs. Here are a few:

Sweats for Survivors

They collect new sweat pants and sweat shirts and distribute them to the area hospitals. The hospital then provides them to victims of sexual assault when the victim is forced to turn their clothing over to law enforcement. It requires very little funding as most of the sweats have been donated by the public or were purchased with money donated by the public. Staff time is also minimal - whatever person is available takes the sweats to the hospitals as they are needed. The area hospitals have been very appreciative as well as the victims.

Comfort Critters

For this program they collect new and gently used stuffed animals from the public. They provided containers to each first responder in Highland County to hold the Comfort Critters. The stuffed animals get passed out to first responders and when a first responder is dealing with a child, they can give that child a stuffed animal. Resupply to the first responders is as needed. Like the Sweats for Survivors program, very little funding is needed thanks to donations by the public. Ditto for the staff time needed - whatever person is available takes Comfort Critters to first responders as they are needed or the first responders comes to the office to pick up Comfort Critters. This has been a very successful program. Many children have carried that stuffed animal with them throughout the legal process.

For Highland County Kids

Highland County has also established a non-profit totally ran by the office. The nonprofit collects money throughout the year and at Christmas, they purchase gifts and two meals for families in need. These are families that have not been taken care of by the other local organizations, usually because they are larger families (5 or more children). They have bought gifts and meals for as many as 60 kids. A lot of funding is needed but most is accomplished through donations from the public. The defense bar is also very generous to our organization. This is a full office staff undertaking. They shop for the gifts, wrap the gifts, and deliver the gifts. An assistant prosecutor even dresses as Santa for the delivery! Family pictures are also taken and delivered to the families after. It has been very successful. Highland County has been doing this for 6 years and it is something the entire community gets behind.

If you would like more information on these and other Highland County outreach programs, contact Prosecutor Anneka P. Collins at 937-393-1851 or acollins@co.highland.oh.us

Thank you to Highland County for providing this information. If your county would like a community outreach program featured please email the information to Steve or Lou.

OPAA App

We have released the OPAA app! While the app offers similar content to the OPAA website, there are a few key added benefits:

- Push notifications: We believe the ability to send push notifications of upcoming events and newly available content is key for the Association. We intend to use push notifications through the app as an additional means of communicating important information.
- Contacts integration: the app allows users to add prosecutors and expert assistants to their personal Contacts (using the plus sign beside each contact). This feature is unique to the mobile application. Also, much like the website, while on the roster page you can touch on the name to pull up a picture of the prosecutor.
- OPAA Alerts: An app only feature is the ability to share updates and announcements through the "Alerts" feature. The alerts inside the app, combined with "Push" notifications, give us the ability to communicate with members in a new, more efficient manner.

We are currently going back and forth with Apple about inclusion in their "App Store." We will continue those conversations but in the meantime iOS users can contact steve@ohiopa.org to get download instructions. Android users can simply download the app via the GooglePlay store. Search "OPAA mobile" We hope you will find the OPAA app useful. Please share this information with everyone in your office. We encourage all feedback.

New and Noteworthy

2019 OPAA Annual Meeting

The 2019 OPAA Annual Meeting will change venues this year. We will be at the Hilton Columbus at **Easton**, rather than downtown. We look forward to the venue, increased food and shopping opportunities, as well as local attractions.

Last Minute CLE

We will be offering a “last minute” professional conduct webinar December 22, 2019, for those that might need that extra hour of CLE for 2019!

Reports Due

November 1, (on the first day of November), the prosecuting attorney shall file with the clerk of the court of common pleas a certified report of all costs collected by him, or that are in the process of collection, in felony cases. The report shall state the amount received in each case, the date received, and when the amount was paid to the county treasurer. At the same time, the prosecuting attorney shall file a like report of all costs and fines that are collected by him in misdemeanors and that he is required to pay into the county treasury. ORC 2335.27

November 30 (prior to the first day of December), the county treasurer and the prosecuting attorney each shall submit a report to the board of county commissioners regarding the use of the moneys appropriated from their respective delinquent tax and assessment collection funds. Each report shall specify the amount appropriated from the fund during the current calendar year, an estimate of the amount so appropriated that will be expended by the end of the year, a summary of how the amount appropriated has been expended in connection with delinquent tax collection activities or land reutilization, and an estimate of the amount that will be credited to the fund during the ensuing calendar year.

Prior to the second Monday in January, the prosecuting attorney must file with the clerk of the board of county commissioners and the county auditor an inventory of all materials, machinery, tools, and other county supplies under the prosecuting attorney’s jurisdiction. ORC 305.18

January 10, Each state agency and each agency of each political subdivision that investigates violations of section 2905.32 of the Revised Code or acts of human trafficking shall collect and submit to the bureau of criminal identification and investigation. ORC 109.66

In January of each year, the prosecutor must report to the administrative office of the United States Courts and to the

Ohio Attorney General information required to be reported by 18 USC 2519, ORC Section 2933.60(B), which includes all wiretap information pursuant to court orders issued under the Ohio wire tap statute.

Prior to January 31, the prosecutor must file a Law Enforcement Trust Fund (LETf) annual report with the county auditor of expenditures made during the previous calendar year verifying that the proceeds and forfeited monies were expended only for the purposes authorized by ORC 2981.13(C) and specifying the amounts expended for each authorized purpose. (copy to county commissioners)

On or before March 1, the cumulative annual report of a prosecutor approved control substance sell by a peace office to be filed with the Attorney General, ORC 3719.141(F)(1) with all applicable Ohio laws and regulations, including Ohio’s Prevailing Wage Law and competitive bidding requirements.

Ohio Attorney General Opinions

2019 Opinions (provided by the Ohio Attorney General’s website - <https://www.ohioattorneygeneral.gov/Files/Legal/Opinions>) since our last newsletter

2019-032 Requested by: Department of Administrative Services
Medical, dental, and vision benefits provided to a death benefit fund recipient under R.C. 124.824 are not subject to federal, state, or local income taxation, regardless of whether a recipient is a survivor of a state or local fallen public safety officer.

2019-031 Requested by: Mahoning County Prosecuting Attorney
This opinion evaluates a non-charter county’s responsibility to provide certain benefits to employees on uniformed-services leave under R.C. 5923.05 and the Uniformed Services Employment and Reemployment Rights Act (USERRA).

2019-030 Requested by: Fulton County Prosecuting Attorney
Under R.C. 517.11, a board of township trustees may, by majority vote, purchase a columbarium for any cemetery under the jurisdiction of the township. Under R.C. 505.262, a board of township trustees may contract for the construction of a columbarium for a cemetery under the jurisdiction of the township, but only by the unanimous vote of the board.

2019-029 Requested by: Columbiana County Prosecuting Attorney
Under R.C. 6119.06, a board of township trustees cannot require a water district established under R.C. Chapter 6119 to obtain a permit before the water district commences excavation on a township road. In the reasonable exercise of its discretion, a board of township trustees may temporarily close a township road to public access and use when the board deems the road to be impassable or dangerous to the traveling public, and its closure necessary to protect the public.

2019-028 Requested by: Seneca County Prosecuting Attorney
A regional council of governments is not empowered to contract

for construction services under the authority of R.C. 9.48 or R.C. 167.081. When entering into a per unit contract under R.C. 167.081, a regional council of governments is required to comply

2019-027 Requested by: Department of Commerce, Board of Building Standards
“Financing has been secured” under R.C. 3781.1010 does not require the demonstration that all funds needed for a construction project are on hand, but only that arrangements for the provision of the funding have been completed and the funding will be available.

2019-026 Requested by: Vinton County Prosecuting Attorney
The opinion indicates that a board of county commissioners has no authority to reimburse county officers and employees for premiums incurred by them for securing health insurance coverage from a source other than the county, but that the board may establish a Section 125 cafeteria plan (R.C. 305.171[F]), or an opt-out payment plan as to health insurance coverage (R.C. 305.171[G]).

2019-025 Requested by: Guernsey County Prosecuting Attorney
In situations of jail overcrowding, a county sheriff is required to transport excess prisoners to another county jail, and the transporting county must pay the receiving county for the costs of housing such prisoners in accordance with R.C. 341.12-14.

2019-024 Requested by: Putnam County Prosecuting Attorney
This opinion answers several questions about the authority of a political subdivision to spend moneys generated from payments in lieu of taxes under R.C. 5727.75 on public improvement projects.

OPAA Training

Fall Training

Once again the OPAA ventured to the Cleveland Crown Plaza at Playhouse Square for the 2019 OPAA Fall Training. We had 229 attendees representing 60 counties. Thanks to Cuyahoga County for hosting and sending several of their staff. CLE was submitted in October. Attendees should have it showing on their credit forms at this time.

Juvenile Training

In October we held the OPAA Juvenile Training at the Sheraton Capitol Square in Columbus. This on-day training had 89 attendees from 53 counties. Those CLE hours will be submitted to the Supreme Court by December 22nd.

October Webinar

Also in October we hosted the “Evidentiary Issues for Trial Prosecutors”. The 1-hour credit for this CLE will also be submitted by December 22nd.

Plan to join us for our 2020 trainings!

More information including dates will be sent as available.

2020 Spring Training

April 23 and 24, 2020, Sheraton at Capitol Square

Summer Workshop

Date TBD, but we anticipate that it will be June 26 and 27, 2020
Breakers Hotel Cedar Point

Fall Training

Date TBD, typically mid-September
Cleveland Crowne Plaza on Playhouse Square

Administrative Professionals Training

Date TBD, typically mid-October
Sheraton at Capitol Square

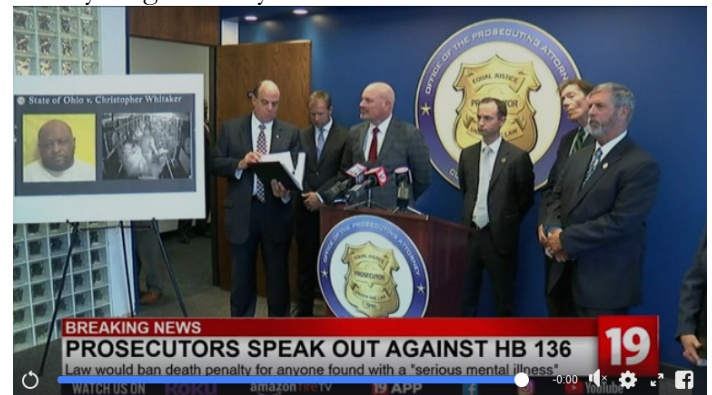
Annual Meeting

December 10 and 11, 2020, Hilton Columbus Easton

The OPAA will also be continuing webinars throughout 2020. These 1 hour, CLE approved trainings will feature Phil Bogdanoff presenting on a variety of topics, typically during the lunch hour. We will send out details prior to each.

OPAA On the Road

In Cuyahoga County...



Prior to the 2019 OPAA Fall Training members met with Cuyahoga County Prosecutor Mike O'Malley and OPAA President Vic Viglucci for a press conference outlining our opposition about HB 136, the “serious mental illness” legislation currently being considered in the Ohio Legislature. Those show above L-R are Portage County Prosecutor Victor Viglucci, Warren County Prosecutor David Fornshell, Cuyahoga County Prosecutor Michael O'Malley, OPAA Executive Director Lou Tobin, Franklin County Prosecutor Ron O'Brien, and Allen County Prosecutor Juergen Waldick. Not pictured, Lucas County Prosecutor Julia Bates and Carol O'Brien, Deputy Attorney General for Law Enforcement for Attorney General David Yost's office. The news clip can be viewed at <http://tinyurl.com/y5wkxzgq>

OPAA Professionalism Project on the Road in Hamilton County!

Over the past year the OPAA has been involved in a collaboration with the Supreme Court of Ohio - Commission on Professionalism and the Ohio Association of Criminal Defense Attorneys to provide a program designed to bring together criminal law practitioners to meet over lunch for a candid discussion of issues affecting the administration of justice in the court system. The discussion is intended to foster a professional working relationship among the participants and an improvement in the administration of justice. Our October stop was in Hamilton County where we had over 70 participants. We were pleased to have Mark Piepmeier, Hamilton County Chief Assistant Prosecutor, be the panelist for the prosecutors.



(Pictured L to R, Hamilton County Assistant Prosecutor Mark Piepmeier, Justice Patrick F. Fischer, and Hamilton County Public Defender Raymond T. Faller)



Your 2019 OPAA Officers



Victor V. Viglucci
Portage County
President



Juergen A. Waldick
Allen County
President-Elect



Daniel R. Lutz
Wayne County
Vice President



Michael C. O'Malley
Cuyahoga County
Treasurer



Jane Hanlin
Jefferson County
Secretary