



Ohio Prosecuting Attorneys Association



2022 OPAA Annual Meeting

Hilton Columbus at Easton

December 8th and 9th, 2022

The 2022 OPAA Annual Meeting will include both civil and criminal prosecutor training tracks along with complete professional conduct hours to satisfy the full reporting requirements. On the criminal side, we have a case study on Ariel Castro out of Cuyahoga County; an update on the opioid epidemic; a “year in review” of the latest Ohio Supreme Court decisions of interest to prosecutors; E-Warrants; and an overview of taking a proactive approach to parole hearings. The civil side will explore dealing with the EPA; the latest in employment law; another look at how counties are spending ARPA funds; an overview of civil forfeiture and the *Timbs v. State of Indiana* case; dealing with difficult people; and junkyard laws including inspections, zoning, and other items counties need to know! Our professional conduct hours will include presentations on gender bias and the do’s and don’ts for prosecutors. NOTE: Like last year, we will have an extensive reception with heavy appetizers in place of a sit-down dinner. We hope to see you there!

Thursday, December 8th Criminal Track

8:00 - 9:00

Registration and Continental Breakfast

9:00 – 10:30

A Case Study: Survivors, Sociopath and Seymore Avenue- A Cleveland Miracle A Decade in the Making

Former school bus driver, Ariel Castro, kidnapped and held captive three women in his house for over a decade. Drawing on facts, materials and lessons learned from the actual case, veteran prosecutor Saleh Awadallah, will review several issues that trial prosecutors will encounter in handling high profile cases including multi-agency coordination, charging decisions, protecting victims, dealing with the media and more. Saleh will also discuss the direct impact that the Castro case had on the solving of several unrelated cold case homicides.

*Saleh Awadallah, Supervisor
Homicide Investigations/Cold Case
Cuyahoga County*

10:30 - 10:45

Break

10:45 – 12:15 **A Case Study: Survivors, Sociopath and Seymore Avenue- A Cleveland Miracle A Decade in the Making continues...**

12:15 – 1:45 **Awards Luncheon**

1:45 – 2:45 **Updates on the Ohio Opioid Epidemic**

During the COVID-19 pandemic, Ohio has had to confront a drug overdose problem associated with the pandemic. The opioid overdose rate in the second quarter of 2020 was a new all-time peak in the state of Ohio. In this session, we will discuss the patterns and trends seen in the opioid overdose rates in the United States and Ohio, examine the supply chain of the synthetic fentanyl most often attributed to these overdoses and review general drug trends in Ohio.

Jon E. Sprague, RPh, PhD

Director of Science & Research

Office of Ohio Attorney General Dave Yost &

The Bureau of Criminal Investigation (BCI) Eminent Scholar

Bowling Green State University

2:45 – 3:00 **Break**

3:00 – 4:00 **2022 Supreme Court Review**

This presentation will provide an overview of the significant criminal-law decisions of this year from the Ohio Supreme Court as it comes to the end of its 2022 term.

Steven L. Taylor, Legal Research and Staff Counsel

Ohio Prosecuting Attorneys Association

5:00 – 7:00 **Reception**

Civil Track

8:00 - 9:00 **Registration and Continental Breakfast**

9:00 – 10:00 **What County Prosecutors Need to know about Ohio EPA Initiatives to Force Counties to build Centralized Sewers and other issues related to old, leaky sewers**

This seminar will review the statutory authority under the Clean Water Act and R.C. 6111 that Ohio EPA has to investigate failing septic systems, order the construction of new sewage disposal systems, the county's ability to levy an assessment to help pay for improvements, along with other items that may appear before the county prosecutor. This seminar will also discuss Ohio EPA's statutory authority to issue a fine of \$10,000 per day per violation, and the importance of negotiating a schedule that gives the county sufficient time to build new infrastructure, and the requirement to follow the Section 208 Plan, under the Clean Water Act. Finally, this seminar will review recent orders issued by Ohio EPA against counties in Ohio.

Frank J. Reed, Jr., Member

Government Services and Environmental Practice groups

Frost, Brown, Todd, LLC

Columbus, Ohio

10:00 – 10:15

Break

10:15 – 12:15

Emerging from the Covid Fog and Other Trends & Cases in Employment and Labor Law

Covid presents new applications of existing employment and labor laws. This session will also highlight the trends through the lawsuits and decisions. This session also will review the possible change in social media/freedom of speech based on the SCOTUS decision on prayer at a football game.

***Jonathan J. Downes
Zashin and Rich
Columbus, Ohio***

12:15 – 1:45

Awards Luncheon

1:45 – 2:45

ARPA Redux: What's in that Final Rule for Counties & Townships? (The Director's Cut)

Bricker will provide 'additional footage and audio material' to augment its 2021 ARPA 'release,' providing an overview of the U.S. Treasury's Final Rule issued in 2022. This enhanced director's cut will review the updated guidance to underscore ARPA items of importance for counties and townships, as prosecutors' statutory clients. As with this tongue-in-cheek title and description, we'll have some fun with this topic, as we did at last year's session.

***Jeffry D. Harris, Of Counsel
Public Finance Attorney
Bricker & Eckler
Columbus, Ohio***

2:45 – 3:00

Break

3:00 – 4:00

Civil Forfeiture in Ohio: Reform and *Timbs*

This session will look at civil forfeiture post 2016 changes and dig into *Tyson Timbs v. State of Indiana* and how it may apply to counties in Ohio.

***Leigh S. Prugh
Assistant Prosecuting Attorney, Civil Division
Lorain County***

5:00 – 7:00

Reception

Friday, December 9th

Combined Sessions

8:00 - 9:00

Registration and Continental Breakfast

9:00 - 10:30

Identifying and Combatting Gender Bias: Examining the Roles of Women Attorneys in Movies and TV (Professional Conduct)

Every attorney regardless of gender must have an equal opportunity to advance their career in the legal profession. However, the legal profession has a history of gender bias against women and recent surveys and statistical studies indicate there is still

gender bias in our profession. In this presentation, attorneys will learn to identify both implicit and explicit gender bias in the legal profession by reviewing how Hollywood depicts women attorneys on television and at the movies. The presentation will also offer attendees' suggestions to recognize and combat their own implicit biases.

Philip Bogdanoff
Retired Career Prosecutor

10:30 - 10:45

Break

10:45 - 11:45

Professionalism Dos and Don'ts for Prosecutors (Professional Conduct)

Recognizing that the integrity of our criminal justice system depends, in large part, upon the professionalism of the lawyers who prosecute criminal matters on behalf of the state and the defense attorneys who defend the accused, the Supreme Court of Ohio Commission on Professionalism has published a list of "dos and don'ts" intended to guide criminal law practitioners. Through this discussion we will explore the practical application of these standards, identifying behaviors that exemplify the high professionalism standards set for prosecutors, behaviors that fall below the bar, and how those actions bolster or undermine the public's confidence in Ohio's criminal justice system.

Charles H. Rose III
Dean and Professor of Law
Ohio Northern University

11:45 - 1:15

Lunch and Business Meeting

Criminal Track

1:15 – 2:15

E-Warrants – Developing a Local Electronic Search Warrant System

A change in Crim. R. 41, effective July 1, 2021, provided the opportunity for local criminal justice stakeholders to utilize technology in authorizing search warrants. The rule change permits a judge to issue a search warrant by reliable electronic means, including the remote execution of the affidavit by a law enforcement officer. To that end, local stakeholders around Ohio have developed or are planning for the practices and procedures for the implementation of search warrant procedures utilizing reliable electronic means. This program will discuss the why, authority, caselaw, and how of developing a local electronic search warrant system.

Hon. Mary Katherine Huffman, Judge
Montgomery County Common Pleas Court
General Division

2:15 – 2:30

Break

2:30 – 3:30

Taking a Proactive Approach in Parole Proceedings

This session will look at the role of a prosecutor's office in the parole process and how a proactive approach to proceedings may lead to better outcomes relating to inmate release.

Jennifer A. McGee, Assistant Prosecuting Attorney
Lake County Prosecutor's Office

Civil Track

1:15 – 2:30

Playing Nice in the Sandbox: Dealing with Difficult People in the Workplace

In today's workplace, it is inevitable that conflict will arise between employees. As a result, it is imperative that employers have a general understanding regarding how to resolve conflict between employees and successfully issue discipline to correct any inappropriate behaviors. Further, it is important to recognize what policies and legal guidelines may be implicated when employees do not get along.

Benjamin Albrecht, Partner

Fishel, Downey, Albrecht, and Riepenhoff, LLP

2:30 – 2:45

Break

2:45 – 3:30

Operation of Junkyards: More than Harboring Junk

Everything you ever wanted to know about junkyards but were afraid to ask. Inspections, compliance, zoning, warrantless searches and obligations, or lack thereof, to third parties. Don't know a salvage yard from a junkyard? This is the session for you.

Benjamin Albrecht, Partner

Fishel, Downey, Albrecht, and Riepenhoff, LLP

We have requested approval of 9.50 total CLE hours which includes 7.0 general hours and 2.5 professional conduct hours from the Supreme Court of Ohio Commission on Continuing Legal Education.

Room rates at the Hilton Columbus at Easton are \$199.00 (single and double). Cutoff date for our block is Monday, November 7th. Check in time is 4:00 PM and check out time is 12:00 PM. Reservations can be made by calling 614-414-5000 or via <https://tinyurl.com/42rwbksr> Individuals canceling reservations must do so by 4:00 PM 24 hours prior to scheduled arrival date or it will result in the charge of first night's room and tax to the individual's credit card. To avoid paying tax, accommodations must be paid for with either an office check or office credit card. Personal payment, even though it will be reimbursed by the office, is not tax exempt by state law. Use our Group Code (OPAA) to obtain our rate. Our contract with the hotel specifies that all attendees at this meeting will pay the negotiated room rate. It violates the spirit of our agreement for attendees at this meeting to reserve a room at a lower government rate!

The registration fee for OPAA member counties is \$425.00 for both days, and \$250.00 if attending one day only. This covers all handout materials, continental breakfasts, breaks, and lunches for PAs and APAs on both days, and the reception for both registrant and guest. Fees for non-members are \$850.00 for two days and \$500.00 for one day. Cancellation of registrations made after Friday, December 2nd will be assessed a penalty of \$200.00 if attending both days, and \$125.00 if attending one day only. This is necessary to help defray the cost of food guarantees which must be made by that time. Please send registrations to OPAA (mail, fax, email) so that they arrive no later than Wednesday, November 30th.

NOTE: If any registrant, or guest, has special dietary needs, please contact Delores or Diana at 614-221-1266 by Wednesday, November 30th, 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.



Ohio Prosecuting Attorneys Association



REGISTRATION FORM

2022 OPAA ANNUAL MEETING

Return this form or forward the information so that it reaches OPAA by Friday, November 25th to: delores@ohiopa.org or diana@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 2022 OPAA Annual Meeting at the Hilton Columbus Easton on Thursday, December 8th and Friday, December 9th, 2022:

NAME	TITLE	THU & FRI	THU ONLY	FRI ONLY	GUEST'S NAME	HOW MANY WILL ATTEND RECEPTION
_____	_____	_____	_____	_____	_____	_____

Email address _____

Email address _____

Email address _____

The registration fee for members is \$425 for both days, \$250 for a single day. Non-member pricing is \$850 for both days, \$500 for a single day.

Check number _____ for \$ _____ is enclosed or will be sent.

_____ County

_____ Prosecuting Attorney Signature

NOTE: If any registrant has special dietary needs, please contact Delores or Diana at 614-221-1266 by **Wednesday, November 30th**, so that advance arrangements can be made with the venue. OPAA will accommodate requests if 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.**