



Ohio Prosecuting Attorneys Association



2024 OPAA Annual Meeting

Hilton Columbus at Easton

December 12th and 13th, 2024

THURSDAY, DECEMBER 12TH

Criminal Track

8:00 – 9:00

Registration and Continental Breakfast

9:00 – 10:00

Find the Story, Win the Case

Kentucky prosecutor Tom Lockridge brings an innovative program on the power of story and the importance of delivering a winning opening statement. In this presentation we discuss research into the power of story in both oral presentation to a jury and written briefs for the court. The presenter will take a deep dive into Hollywood storytelling techniques and reveal the structure of a good story, then apply that structure to a criminal case. The presenter will discuss the importance of finding the true emotional story of the case and describe ways to create empathy for the characters in the story (the witnesses, victims, and/or the investigators.) Additionally, the presenter will discuss ways to find the theme of the case based on universal values that will resonate with the jury. The presentation will establish the structure of a good opening statement and provide examples and techniques for effective and persuasive delivery of the opening statement, including the development of a three-part attention step. It is important to inoculate your opening statement to the plans of the defense and the presenters will offer specific techniques to ensure that the defense cannot overcome the power of the prosecution opening. Finally, the presentation will include video demonstrations of all the techniques discussed to bring it all together for the attendees.

***Thomas L. Lockridge, Violent Crime Resource Prosecutor
Office of the Attorney General of Kentucky and
Courtney Curtis Miller
Indiana***

10:00 – 10:15

Break

10:15 – 11:15

Find the Story, Win the Case continues...

11:15 – 12:15

Prosecution and Mental Illness: Challenges and Alternatives

Mental illness is common in the justice system, and there are increasing statewide efforts to help people with severe mental illness maintain recovery in the community and avoid court involvement. This program will examine the prevalence of mental illness in the justice system, the resulting impact on Ohio's system of care, and available resources for treatment, housing, and recovery. Individuals with untreated mental illness are often among the most difficult cases for prosecutors and can be the highest repeat offenders, so awareness of resources is helpful to case management.

Dr. Joy Stankowski M.D.

Interim Chief Medical Officer

12:15 – 1:45

Awards Luncheon

1:45 – 2:45

Nailing It Closed: The Persuasive Closing Argument

This session will discuss general closing considerations, including tying in your theme, selecting the proper demeanor and tone, and audio and visual considerations. You will be armed with quality tips for conducting the first closing session. We will discuss proper structure, delivering an impactful story, the importance of jury instructions, application of facts (both good and bad), and anticipation of defense arguments. Examples will be used from actual national and local cases, including those prosecuted by Mr. Brauchler: the Aurora Theater Massacre, the STEM School mass shooting, and others.

George Brauchler, District Attorney

23rd Judicial District – Colorado

2:45 – 3:00

Break

3:00 – 4:00

Nailing It Closed: The Persuasive Closing Argument continues...

5:00 – 7:00

Reception

Civil Track

8:00 – 9:00

Registration and Continental Breakfast

9:00 – 10:00

Ohio's Sunshine Laws: Recent Updates on the Public Records and Open Meetings Acts

This session will provide a refresher on Ohio's Sunshine Laws with a focus on recent cases and developments, and other Sunshine Laws issues relevant to law enforcement, such as Marsy's Law. It will cover recent cases on the security records exemption, when personal information is considered public record, responding to overly broad requests, and responding to frequent requesters. It will also cover issues such as text messages as public records,

the use of personal email for public business, and virtual and round robin meetings.

Heather L. Buchanan

Director of Open Government – Constitutional Offices

Office of Ohio Attorney General Dave Yost

10:00 – 10:15

Break

10:15 – 11:15

Supporting Maternity in the Workplace: Understanding the Pregnant Workers Fairness Act & EEOC Guidelines

The PWFA presentation begins with an overview of the EEOC's role in enforcing the discrimination laws and PDA which provide protection to employees who are pregnant. The session provides details of the PWFA's key provisions requiring employers to reasonably accommodate pregnancy-related limitations. Discussion will include PWFA key terms, various methods of reasonable accommodations, and the interactive process between employers and employees. The session will include review of other federal laws applicable to pregnant workers, such the PDA and PUMP Act, and discuss cases involving pregnancy discrimination and requirements for employers. The presentation concludes with an interactive Q/A section._

Jonathan J. Downes

Zashin and Rich

Columbus, Ohio

11:15 – 12:15

Inside Millage, Outside Millage and Budget Commissions

Prosecutors are regularly asked to advise the County Auditor and County Budget Commission on millage-related matters. This session will cover three aspects of Ohio property tax millage: (1) inside (unvoted) millage; (2) outside (voted) millage; and (3) County Budget Commission authority regarding millage.

Rebecca C. Princehorn, Partner and

Michael A. Ringle, Associate

Both with Bricker Graydon, LLP

Columbus, Ohio

12:15 – 1:45

Awards Luncheon

1:45 – 2:45

Township Law Update

Discussion of changes in township law the past year, including an overview of case law, passed and pending legislation, and opinions of the Ohio Attorney General.

Ben Yoder, Partner and

Brodi Conover, Partner

Bricker Graydon, LLP

Lebanon, Ohio

2:45 – 3:00

Break

- 3:00 – 4:00 **Nuisance-Abatement and Other Civil Litigation**
 Learn about recent experiences using R.C. Chapter 3767 to abate nuisances, including utilizing as a tool to deal with drug- and felony-heavy motels within political subdivisions. In addition, we will cover recent civil appellate litigation decisions affecting political subdivisions.
Brodi Conover, Partner
Bricker Graydon, LLP
Lebanon, Ohio
- 5:00 – 7:00 **Reception**

FRIDAY, DECEMBER 13TH

Combined Sessions

- 8:00 – 9:00 **Registration and Continental Breakfast**
- 9:00 – 10:30 **Learning Legal Ethics From the Lincoln Lawyer (Professional Conduct)**
 The first season of the Lincoln Lawyer series was the most popular English-language Netflix show having made the Top 10 in 90 countries. Although we enjoyed watching the exploits of the Lincoln Lawyer, was he ethical? The goal of this program is for attorneys to review the Rules of Professional Conduct while discussing this fascinating series. To do so, we will use film clips to examine the Lincoln Lawyer's conduct and determine whether he violated the Rules of Professional Conduct. In this presentation we will examine Rule 1.1, Competence of Counsel and how prosecutors can prevent an attorney from arguing ineffective assistance of counsel on appeal. We'll also look at Rule 1.2; 1.6; and 3.3.
Philip Bogdanoff
Retired career prosecutor
- 10:30 – 10:45 **Break**
- 10:45 – 11:45 **The Ohio Ethics Law for Prosecutors (Professional Conduct)**
 This CLE will assist county prosecutors to expand their knowledge of the relationship between their public agencies and the Ethics Commission. It will help them understand the conflict-of interest restrictions imposed upon public officials and employees for whom they would give legal advice in addition to private parties, such as vendors, who interact with their agency. This session will also focus on helping attendees understand the definition of public contracts under the Ohio Ethics Law and will outline the ethics prohibitions related to public contracts. A better grasp of this information will increase the prosecutor's effectiveness in their ability to comply with the Ethics Law and in accommodating the needs of their public agency. This presentation will better equip prosecutors to offer sound counsel to the county entities that the prosecutor statutorily represents. Certainly, an

improved knowledge of the Ethics Law and the understanding of the latest precedents of the Ethics Commission will improve government attorneys in practicing law.

Susan Willeke

Education & Communications Manager

Ohio Ethics Commission

11:45 – 1:15

Lunch and Business Meeting

Criminal

1:15 – 2:15

2024 Caselaw Update

This presentation will provide an overview of the most significant criminal-law decisions of the United States Supreme Court and Ohio Supreme Court from the past year.

Steven Taylor, Legal Research and Staff Counsel

Ohio Prosecuting Attorneys Association

2:15 – 2:30

Break

2:30 – 3:30

“B.O.A.” Constrictor: The Takedown of Bitcoin of America – a Case Study in the Prosecution of one of America’s largest Cryptocurrency Money Transmitters.

Three men and one business were indicted on illegally owning and operating cryptocurrency ATMs in gas stations across Cuyahoga and Lorain counties and were all charged for operating S and P Solutions as Bitcoin of America. The three men were all charged for money laundering, engaging in a pattern of corrupt activity, receiving stolen property and license requirement violation. This case study presentation will look at the intricacies of the case and provide insight for other counties that may see this type of fraud playing out in their county.

Andrew Rogalski, Assistant Prosecutor

Economic Crimes Unit Supervisor

Cuyahoga County

Civil Track

1:15 – 2:15

Check it Out! How Not to Get Dewey Decimated in the Library

Open to all, public libraries provide invaluable services to their communities. However, libraries face numerous legal changes. Questions often arise regarding access to services, free speech, and privacy rights for patrons, especially as it relates to internet usage and limitations. Finally, as with most public employers, public records and cybersecurity continue to create issues for libraries. Therefore, a summary will be provided regarding options available to prosecutors on both areas.

Benjamin Albrecht, Partner

Fishel, Downey, Albrecht, and Riepenhoff, LLP

2:15 – 2:30

Break

2:30 – 3:30

Was it Something I Said or Did? Responding to Social Media Images and Comments

The usage of social media continues to be a great concern within the public sector. Responding to comments from the public creates potential legal pitfalls for public agencies. Similarly, public employers are often tasked with responding to concerns raised by the public and employees regarding the online words, or actions, of public employees. This session will address how public employers can minimize the risk of liability when responding to public comments and employee behaviors.

Benjamin Albrecht, Partner

Fishel, Downey, Albrecht, and Riepenhoff, LLP
New Albany

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.

The registration fees for OPAA member counties are \$425.00 for both days, and \$250.00 if you attend one day only. This covers all handout materials, continental breakfasts, breaks, and lunches for PAs and APAs on both days, and the Thursday evening reception for both registrant and guest. Registration fees for non-members are \$850.00 for two days and \$500.00 for one day. **Please send registrations to OPAA (mail, fax, email) so that they arrive no later than Monday, December 2nd.** The cancellation of registrations made after Monday, 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.

Room rates at the Hilton Columbus at Easton are \$205.00 for single and double occupancy, plus taxes (King Standard and Queen/Queen Standard). THE CUTOFF DATE FOR OUR GUEST ROOM BLOCK IS MONDAY, NOVEMBER 11TH. Guest check in time is 4:00 PM and guest check out time is 12:00 PM. Reservations can be made by calling 614-414-5000 and providing group code **946** or online via <https://tinyurl.com/4j2rvvnd>. First night room and tax, fully refundable, deposit is required with each reservation. **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 the first night's room and tax to the individual's credit card.** Room upgrades are available as follows; to a Standard Easton View guest room is available at \$15.00 per room, per night and upgrade to the Executive floor for an additional \$40.00 per room, per night. Early departure fee of \$100 to any guest who checks out of the hotel before their stated departure date. Guests will have the opportunity to change their departure date at check in without being assessed a fee. Any changes resulting in early departure after checking in will result in the Early Departure Fee of \$100. Late Checkouts should be directed through the front office. Late checkouts are handled on a case-by-case basis and subject to availability and prevailing room rates. Complimentary self-parking parking to all guests that are registered through the OPAA room block. Valet parking is available for \$24 per car per day.

To avoid paying tax, accommodation 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. You

may mail you tax exemption form to Hilton Columbus at Easton, 3900 Chagrin Drive, Columbus, OH 43219 or fax your form to their Sales Fax number (614) 416-8444.

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.

NOTE: If any registrant, or guest, has special dietary needs, please contact Diana at 614-221-1266 by Monday, December 2nd, 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

2024 OPAA ANNUAL MEETING

Return this form or forward the information so that it reaches OPAA by Monday, December 2nd, to: 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 person(s) to attend the 2024 OPAA Annual Meeting at the Hilton Columbus Easton on Thursday, December 12th and Friday, December 13th, 2024:

NAME	TITLE	THU & FRI	THU ONLY	FRI ONLY	GUEST'S NAME	HOW MANY ATTENDING RECEPTION
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Email address _____

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Email address _____

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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 Diana at 614-221-1266 by **Monday, December 2nd**, 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.**