



Ohio Prosecuting Attorneys Association



2022 OPAA FALL TRAINING SEMINAR

September 29th and 30th, Crown Plaza Cleveland at Playhouse Square

The OPAA Fall Training is again in Cleveland at the Crowne Plaza on Playhouse Square and will include presentations on blood toxicology; a legal update on carrying concealed; an arson case study out of Summit County; working with victims with disabilities; and a child sexual abuse legal update. We will also offer the reporting requirement of 2.5 hours of professional conduct hours with Phil Bogdanoff presenting on ethics and the Bill Cosby case and Dean Charlie Rose talking professional conduct! The Guardians are at home for a 3-game series against the Tampa Bay Rays starting on Tuesday, and Playhouse Square will be active with *Little Shop of Horrors* and *American Mariachi* playing. We hope you will join us!

Thursday, September 29th

8:00 – 9:00

Registration and Continental Breakfast

9:00 - 10:00

Blood Toxicology - A Primer on the Use of the Blood Sampling for Effective Prosecution of Impairment by Drugs and/or Alcohol

The importance of obtaining a blood sample when prosecuting individuals for driving under the influence of drugs or alcohol, aggravated vehicular assault, or aggravated vehicular homicide involving drugs or alcohol cannot be understated. This presentation will look at why blood is the best sample, the different sources, collection practices, shipping of samples, effects of delays in delivery by mail, and how to make preliminary conclusions about the results of testing.

Dr. Harry B. Plotnick, Ph.D., J.D.
Consultant in Forensic Toxicology
Cincinnati, Ohio

10:00 – 10:15

Break

10:15 - 11:15

Blood Toxicology continues...

11:15 – 12:15

Ohio C.H.L. and Constitutional Carry Update

Effective June 13, 2022, Ohio became the 23rd state to recognize 'permitless carry'. This hour-long presentation will touch upon the most recent changes

related to firearms law involving possession, open carry, concealed carry, and transportation.

*Michael T. Hughes, Assistant Prosecutor
Muskingum County*

12:15 – 1:15

Lunch

1:15 - 2:15

Complex Arson Investigations

This presentation will discuss the anatomy of an arson investigation by way of a case study, including how to prepare a case for prosecution and other items that will help you successfully prosecute an arson case.

*Brian S. Peterman, OFC, IAAI-CFI, ECT
Assistant Chief
Ohio Department of Commerce
Division of State Fire Marshal*

2:15 - 2:30

Break

2:30 - 3:30

Arson Case Study continues...

3:30 – 4:30

“Cuz we are Livin’ in a Digital World”

A primer on the basics of digital forensics in child sexual abuse cases. It’s 2022 – everyone is using digital devices, and the examination of these devices can help your cases immensely. Topics in this presentation include: “I received this Cellebrite extraction, now what?”; how to use digital evidence to enhance your charges, indict additional charges, and make your charges stick; and how digital evidence can help secure a plea deal that keeps a victim from having to relive a trauma AND puts a sexual predator behind bars. If you don’t prosecute child sexual abuse cases, don’t worry...this presentation will assist in the prosecution of almost any crime.

*Heather MJ Carter, Assistant Prosecutor
Pickaway County*

Friday, September 30th

8:00 – 9:00

Registration and Continental Breakfast

9:00 - 10:30

Why Bill Cosby Was Released from Prison: Ethical Issues in Plea Negotiations (professional conduct)

Bill Cosby was convicted on all three counts of aggravated indecent assault and deemed a "sexually violent predator." The trial court sentenced Cosby to three to ten years in prison. However, on June 30, 2021, the Pennsylvania Supreme Court reversed his convictions and indicated that he could not be tried again because the former District Attorney had negotiated a settlement of this case. In this presentation we will review ethical decisions when negotiating settlements and when a prosecutor is bound by their representations. Further, we will review whether a police investigator’s knowledge of Brady evidence in a criminal case is imputed to the prosecutor and must be disclosed to the defendant before a negotiated plea settlement. We will discuss the importance of obtaining police reports, why it is

important for prosecutors to obtain Brady evidence, and disciplinary cases where prosecutors were disciplined for not disclosing exculpatory evidence.

Philip Bogdanoff
Retired Career Prosecutor

10:30 - 10:45 **Break**

10:45 - 11:45 **A Recent Update of Professional Responsibility Issues Local and National (Professional Conduct)**

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. In a criminal matter, the rights of the victim, the protection of the public, and the liberty of the defendant are at stake. Considering the importance of these interests, perhaps nowhere in the practice of law is it more important for attorneys to act with professionalism and to serve our system of justice honorably. This session will discuss the 2021-2022 Ohio Disciplinary Report findings, perception and reality of attorney actions, Ohio Board of Professional Conduct decisions, and professional conduct in general while carrying out your prosecutorial duties.

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

11:45 - 12:45 **Lunch**

12:45 - 2:15 **Prosecuting Crimes with Victims who have Developmental Disabilities**

This presentation on prosecuting cases with victims who have disabilities will look at the common challenges that law enforcement and prosecutors face, tips, and suggestions on how to overcome these challenges, and where there is a gap in the law and what can be changed to solve these issues.

Sarah A. Hill, Assistant Prosecutor
Fairfield County and
Katherine Yoder, MS, CFI
Executive Director, Adult Advocacy Centers

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 \$152.00 single or double occupancy. Reservations can be made by calling Crowne Plaza central reservations at 1-800-2-CROWNE. Be sure to use Group Code OPA to receive this rate. Reservations can also be made by following [this link](#). **Cutoff date is Wednesday, September 7th.** 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:** major credit cards must be presented at check in. **If paying by company /office check, the check must be provided 30 days prior to arrival.** **Personal checks are not accepted.** 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 \$300.00 IF ATTENDING BOTH DAYS, AND \$200.00 IF ATTENDING ONE DAY ONLY. For non-members the fee is \$600.00 for both days, and \$400.00 for one day. These fees cover all handout materials, continental breakfast and lunch both days, and refreshments during breaks. To help defray the cost of food guarantees, cancellations after Thursday, September 15th 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.

NOTE: If any registrant has special dietary needs, please contact Diana 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.



Ohio Prosecuting Attorneys Association



REGISTRATION FORM

OPAA 2022 FALL TRAINING

Email this form or the information by Thursday, September 15th 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 Fall Training at the Crowne Plaza Cleveland at Playhouse Square on Thursday, September 29th and Friday, September 30th.

NAME	TITLE	EMAIL ADDRESS	THU &FRI (\$300)	THU ONLY (\$200)	FRI ONLY (\$200)
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

The registration fee for non-members is \$600 for both days, \$400 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 Diana 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.
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