



Ohio Prosecuting Attorneys Association



2022 OPAA SPRING TRAINING SEMINAR

Sheraton Columbus Hotel at Capitol Square

April 28th and 29th, 2022

The Sheraton has granted OPAA an extension on our cutoff date to Monday, April 18!

Our Spring Training seminar will focus on a variety of topics including a study of the “Tiger King” trial; improving your trial with presentation technology; an overview of two programs that the OAG/BCI can assist in with guns violence and rapid drug testing; an overview of the Ohio Narcotics Intelligence Center; a SANE case study including a survivor’s story on the processes involved with a sexual assault trail; a look at identifying and prosecuting corruption and 501(C)(4) corporations; a prosecutor’s guide to the laws involved with the Ohio Emergency Management System; an overview of recent changes with the Ohio Law Enforcement Gateway system and the audit process for prosecutors and their statutory clients; and a look at plea agreements including pitfalls of the plea process. We hope to see you there!

Thursday, April 28th

8:00 - 9:00

Registration and Continental Breakfast

9:00 – 10:30

The Tiger King Trial: Murder for Hire, the Prosecution of Joseph Maldonado-Passage

Tiger King was the number one rated show on Netflix drawing over 34 million viewers in its first 10 days. However, the documentary reveals only part of the story. In this interactive presentation attendees will learn the complete story of the trial of Joseph Maldonado-Passage for two counts of murder for hire in violation of 18 U.S.C. 1958 (a) and several wildlife offenses. We will examine the trial testimony and discuss the prosecution attempts to use other acts evidence to show defendant’s other attempts to solicit a “hit” on Carole Baskin, their attempt to protect the identity of the undercover FBI agent, and their efforts to prevent the defense from introducing evidence that someone else had committed these offenses. Attendees will review defense attempts to dismiss the indictment and prevent the joinder of wildlife offenses with the murder charge. Attendees will also discuss how to impeach the victim, Carole Baskin, the informant, James Garretson, and the hit man, Allen Glover. We will discuss the strength of the government’s case, the theme of the government’s case, possible defenses such as entrapment, defense strategy at trial, and whether there was sufficient evidence to support the jury’s verdict. The goal of this seminar is to learn various criminal rules, evidentiary rules, defenses, and trial strategy while reviewing this fascinating trial.

Philip Bogdanoff

Retired Career Prosecutor

10:30 – 10:45

Break

10:45 - 11:45

Tech Tips for Trials

Law school teaches us to be lawyers, but it doesn't teach us to use technology. Some attorneys find their computers to be intimidating. But you don't need to be a hacker to harness the enormous power at your fingertips. This presentation will reveal powerful functions of the software that is already on your computer. It will introduce advanced techniques that use free-to-download software. And you will see real-life examples of how these tools can make a difference at trial.

Drew Wood, Assistant Attorney General

Special Prosecutions

Office of Attorney General Dave Yost

11:45 – 12:15

BCI Initiatives Update For Prosecutors

The Attorney General's Bureau of Criminal Investigation provides assistance to the Justice System on a daily basis. This training will provide prosecutors and assistant prosecutors an update on National Integrated Ballistic Information Network and the impact this will have on the prosecution of cases involving crime guns and gun violence. He will also update attendees on the utilization of the MX908 Rapid Drug Testing machine that will change the way that drug cases are investigated, indicted and tried. The AG will explain the pilot program currently in use and the assistance that is being offered by BCI Agents, BCI forensic scientists and the assistant attorneys general in the Special Prosecution Section.

Ohio Attorney General Dave Yost

12:15 – 1:15

Lunch (with the OPAIA investigators)

1:15 - 2:15

Narcotics Investigation Support - Tools and Resources: The Ohio Narcotics Intelligence Center (with OPAIA investigators)

An overview for prosecutors and investigators of the Ohio Narcotics Intelligence Center, their capabilities to assist in both investigation and prosecution in many areas (including cryptocurrency and dark web matters), analytical and forensic support, their state of the art tools and intelligence resources, and court room testimony. They will provide examples of various reports they can produce that will aid investigators and prosecutors in bringing suspects to justice.

Brandon Gardner, Senior Director and

Douglas Kinder, Intelligence Manager

Ohio Narcotics Intelligence Center

Ohio Department of Public Safety

2:15 - 2:30

Break

2:30 - 3:30

Start by Believing: A Survivor Centered Approach

I believe you. These three small words can make all the difference to a survivor of sexual assault. They often face disbelief and blame when they disclose the assault, decreasing the chances that they will seek help. Survivors have power and control taken away from them when violence occurs. It's important that all disciplines

provide opportunities for survivors to re-establish power by deciding if they want to pursue an investigation. This is an important part of healing for a survivor. We hope that this presentation can highlight the ways that a multidisciplinary approach can work to empower the survivor and benefit them throughout the entire recovery process.

Leslie B. Potterton, RN, SANE-A

3:30 – 3:45

Break

3:45 – 4:45

SANE Case Study continues...

Friday, April 29th

8:00 - 9:00

Registration and Continental Breakfast

9:00 - 10:00

The Good the Bad and the Illegal of 501(c)(4)s and How They Impact State and Federal Corruption Cases

This presentation will feature an in-depth look at 501(C)(4) including proper use, illegal use, state and federal corruption, and investigation techniques to successfully prosecute corruption cases.

***David DeVillers, Partner
Barnes and Thornburg, LLP
Columbus, Ohio***

10:00 - 10:15

Break

10:15 - 11:15

A Prosecutor's Guide to Ohio's Emergency Management Agency

A basic overview of Ohio's Emergency Management Agency and emergency management laws as they relate between state and county government under Chapter 5502, the requirements and consequences of a declaration of a state of emergency, the roles of and responsibilities of Ohio EMA and the county prosecutor in an emergency, and other emergency-related issues requiring the county prosecutor's involvement.

***Anne Vitale, Associate Legal Counsel, Ohio Emergency Management Agency
Josh D. Vittie, MPA, Planner, Ohio Emergency Management Agency and
Steven Barnett, Carroll County Prosecutor***

11:15 - 12:15

OLEG System and Audit Insights

An overview of the Ohio Law Enforcement Gateway, its current offerings, and what is considered misuse of the data and system keeping prosecutors and their staff from a felony conviction!

***Nathan Andears, OHLEG Quality Assurance
Ohio Bureau of Criminal Investigation
Office of Ohio Attorney General Dave Yost***

12:15 – 1:15

Lunch

1:15 – 2:15

Pleas

The vast majority of criminal cases are resolved through guilty and no contest pleas. This presentation will provide an overview to the plea process under Ohio law with an emphasis on landmines and pitfalls to avoid. Among the topics will be: stating the

terms of the plea agreement; whether there are factual-basis requirements for the plea; and the needed advisements at the plea hearing.

Steven L. Taylor

OPAA Legal Research and Staff Counsel

We have received approval for 10.0 hours of general CLE from the Supreme Court of Ohio Commission on Continuing Legal Education.

The room rate at the Sheraton Columbus Hotel at Capitol Square is \$149.00 for single or double occupancy. Room reservations may be made by phone at 800-325-3535, or online at:

<https://www.marriott.com/events/start.mi?id=1645809183841&key=GRP>

(Note: The link is correct, this Sheraton is owned by Marriot)

If you choose the online option, be aware that you can only book three (3) rooms at a time. **WHICHEVER METHOD YOU USE, PLEASE MAKE MULTIPLE RESERVATIONS USING INDIVIDUAL NAMES, AND GET INDIVIDUAL CONFIRMATION NUMBERS, RATHER THAN MAKING ALL RESERVATIONS IN THE SAME NAME AND SAME CONFIRMATION NUMBER.** Some counties have had disastrous results when canceling a reservation that was made under a single name and a single confirmation number for multiple persons. Be sure to tell the Sheraton you are with Ohio Prosecuting Attorneys Association to obtain our rate. 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. Also, provide the Sheraton with a tax exemption form. The cutoff date for our block of rooms is 11:59 p.m. on Monday, April 18th. To avoid being charged a penalty if a room reservation must be cancelled, the Sheraton requires that the cancellation be made 24 hours prior to the day of arrival. Hotel check-in time is 4:00 p.m., and check-out time is 12:00 noon. Early check in and late check out are based on availability.

Our contract with the Sheraton anticipates that attendees will pay the above rate of \$149.00 for sleeping rooms. Attendees **SHOULD NOT** request the government rate as it violates the spirit, if not the letter, of our agreement.

The registration fees for OPAA members are \$300.00 for both days, and \$200.00 for one day only. Registration fees for non-members are \$600.00 and \$400.00. The fees were increased this year due to rising costs associated with putting on these events. The fees cover all materials, continental breakfasts, breaks, and lunches on both days. To help defray the cost of food guarantees, cancellations after Friday, April 22nd will be assessed a \$100.00 penalty if scheduled to attend both days, and a \$60.00 penalty if scheduled for one day only. Please send registrations to OPAA by April 20th.

OPAA is now providing all course materials in electronic format. Approximately 48 hours prior to the course date, seminar registrants will receive an email that will include a link to the course materials. Since reliable wi-fi access at meeting facilities cannot be guaranteed, we suggest registrants download the materials to their devices or print the material for use during the seminar.

NOTE: If any registrant has special dietary needs, please contact Delores or Diana at 614-221-1266, **on or before April 20th** 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.**



Ohio Prosecuting Attorneys Association



REGISTRATION FORM

2022 OPAA SPRING TRAINING

Return this form or forward the information so that it reaches OPAA by April 20th 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 Spring Training at the Sheraton Columbus at Capitol Square on Thursday, April 28th and Friday April 29th, 2022:

| NAME | TITLE | THUR ONLY | FRI ONLY | THUR & FRI | EMAIL |
|-------|-------|--------------|-------------|---------------|-------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

The registration fee for members is \$300 for both days, \$200 for a single day. Non-member pricing is \$600 for both days, \$400 for a single day. Fees were increased this year due to rising costs associated with putting on these events.

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, **on or before April 20th** 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.**