



Ohio Prosecuting Attorneys Association



2022 OPAA SUMMER WORKSHOP

June 24th – 25th, 2022

Breakers Cedar Point, Sandusky, Ohio

We once again will be meeting on the shores of Lake Erie to educate the membership and to enjoy the other activities the area provides. As usual, we will provide both a criminal law track and a civil law track. The criminal side will go through a case study on human trafficking; a session on criminal case public records requests from a large and medium county perspective; solving a small county (or two!) cold case with genealogy; and a look at 5th amendment rights. On the civil side we will explore construction issues, contracts, and complaints; small solar development cropping up around Ohio counties; the latest in employment case law and labor law issues; tax levies, public funds, and a look at local school district issues. We look forward to seeing all of you in-person!

Thursday will consist of committee meetings in the afternoon, and a welcoming reception in the evening. A family dinner is scheduled for Friday evening, and a family breakfast for Saturday morning. As usual, training sessions will be held on Friday and Saturday mornings.

The member registration fee of \$350.00 (both days) and \$200.00 (one day) (non-member fees are double) includes all training, handout materials, Friday's continental breakfast, and all breaks for registrant. In addition, it includes the Thursday evening reception, Friday evening dinner, and Saturday breakfast for the registrant and spouse or significant other (see details regarding additional guests). In the event of cancellations after Friday, June 17th, the assessment will be \$175.00 (both days) and \$100.00 (one day), to partially cover the cost of meals which will have been guaranteed by that date. Complete details of activities appear in the activities section of this mailing. Non-member fees are double.

GUEST ROOM RESERVATIONS and TAX EXEMPTION: Complete info regarding guest rooms and how to claim tax exemption appears later.

CANCELLATIONS: There is a penalty for cancellation of guest rooms. **If it becomes necessary to cancel a room, please contact Delores or Diana (614-221-1266) first. We often have a waiting list of persons wanting rooms and we could not only assist them, but save you a cancellation fee.**

OPAA REGISTRATION DESK: The registration desk will be open from 2:00 to 5:00 p.m. on Thursday (Breakers Main Lobby), and 8:00 a.m. to noon on both Friday and Saturday (Breakers East Conference Center Lobby).

WELCOMING RECEPTION: A welcoming reception will be held in the Lakeside Pavilion from 6:00-7:30 p.m. on Thursday, June 23rd. See reception details in the activities section. **Matrix Pointe Software is again graciously sponsoring the bar.**

FRIDAY EVENING DINNER: A family dinner buffet will be served from 6:00-9:00 p.m. on Friday, June 24th. See dinner details in the activities section.

SATURDAY MORNING BREAKFAST BUFFET: A family breakfast buffet will be served on Saturday, June 25th. See breakfast details in the activities section.

TICKETS TO THE AMUSEMENT PARK: See details in the activities section.

THURSDAY, JUNE 23

2:00 – 5:00 **Registration** *Hotel Breakers Main Lobby*

3:00 – 4:00 **Legislative Committee Meeting** *Breakers East Conference Center*

4:00 – 5:00 **Executive Committee Meeting** *Breakers East Conference Center*

6:00 – 7:30 **Welcoming Reception** *Lakeside Pavilion*

FRIDAY, JUNE 24

8:00 – 12:00 **Registration** *Breakers East Conference Center lobby*

CRIMINAL TRAINING *Cedar Point Convention Center*

9:00 – 10:45 **AW: A Human Trafficking Case Study**
This presentation will examine the case of AW, who ran a sex trafficking ring for several months in 2017. Attendees will learn how the investigative information was gathered and presented to the prosecutor for consideration. One of the victims was 16 years old, falling into a loophole that existed at the time in Ohio law. That loophole, along with the charges AW faced will be explained, along with the court process. Attendees will also learn how the advocate's ability to work with the victim from the beginning of the investigation to the end of the court proceedings (and beyond) was instrumental.

***Jennifer M. Rausch, Legal Director, Human Trafficking Initiative and
Jomel Spurlock, Director, Human Trafficking Initiative
Both with the Office of Ohio Attorney General Dave Yost***

10:45 - 11:00 **Break**

11:00 - 12:00 **Applying Ohio's Public Records Laws to Criminal Prosecutor Files**
This course will specifically address Ohio's Public Records laws as they pertain to records in criminal prosecutors' files. Such records can include police reports, witness statements, LEADS reports, autopsy reports and photographs, crime scene photographs, trace evidence analysis reports, body cam video, medical records and prosecutor notes. We will examine which

records are exempt, and if they are exempt, when does the exemption expire. We will also discuss cases that have impacted public records requests for prosecutors' files such as *State ex rel. Barb v. Cuyahoga Cty. Jury Commr.*, 128 Ohio St.3d 528, *State ex rel. Caster v. Columbus*, 151 Ohio St.3d 425 and *State ex rel. Summers v. Fox*, 163 Ohio St.3d 217. We will look at how various county prosecutor's offices respond to requests for records in prosecutor files.
Lisa Reitz Williamson, First Assistant Prosecuting Attorney and Kelli K. Perk, Assistant Prosecuting Attorney Both from the Office of Cuyahoga County Prosecutor Michael C. O'Malley and representing the large county perspective S. Forrest Thompson, Medina County Prosecutor representing the medium size county perspective

6:00 – 9:00 **Family Dinner Buffet** *Lakeside Dining Room*

CIVIL TRAINING *Breakers East Conference Center Lobby*

9:00 - 10:00 **Signed, Sealed, Delivered: Understanding Construction Procurement for Counties**

Participants will be able to gain an understanding of the various delivery models available for county projects. When preparing for a construction project, one of the first decisions that must be made is whether to use a general contractor, construction manager at risk, or design-build delivery model. We will provide an overview of the construction procurement process for counties, including design professional procurement, competitive bidding, and procurement of construction managers at risk and design-builders. We will describe the standard of award and contracting process for each project delivery model. Additionally, we will compare the pros and cons of these delivery models, including how each relates to the project owner's schedule and budget, how each model allocates risk, and the primary decision points within each model. This presentation will also identify and explain exceptions to competitive bidding available to counties.

***Christopher L. McCloskey, Partner
Public Sector Industry Group Chair
Bricker & Eckler, LLP
Columbus, Ohio***

10:00 - 10:15 **Break**

10:15 – 12:00 **Community and Mercantile Solar Development**

Many of Ohio's local governments and their counsel are familiar with establishing rules and planning procedures for kilowatt level, on-site solar generation facilities for home, farm and business applications. Many have become Parties of Record in larger, utility-scale, 50 megawatt and above projects under Ohio Power Siting Board (OPSB) jurisdiction, too. What siting provisions are in place for "middle of the road" projects? Local governments are discovering their responsibilities for approving "community" and/or "mercantile" projects between 5 - 49 megawatts. Community stakeholders see proliferation of these projects as the new, "wild west days" for solar development in Ohio, too. Join Ohio Farm Bureau's Dale Arnold, as he looks at solar development throughout Ohio and where

projects will most likely be developed, backgrounders on federal certification requirements and timelines when these projects need to become "shovel ready", upgradeable planning guidelines local governments can incorporate into zoning regulations without reinventing building inspection procedures and access to "expert" level evaluations without having to hire "experts."

***Dale Arnold, Director, Energy, Utility and Local Government Policy
Ohio Farm Bureau Federation***

6:00 – 9:00 **Family Dinner Buffet** *Lakeside Dining Room*

SATURDAY, JUNE 25

7:00 – 9:30 **Family Breakfast Buffet** *Lakeside Dining Room*

8:00 – 12:00 **Registration** *Breakers East Conference Center Lobby*

CRIMINAL TRAINING *Cedar Point Convention Center*

9:00 - 10:00 **Genealogy and Cold Cases – The Ralph Bortree Case**

On July 31st, 1993, a 19-year-old female was driving to work in a rural part of Logan County when her vehicle was forced off the road by another vehicle. A man exited his vehicle, brandished a gun, and ordered the victim into his vehicle. He drove to a remote area of Logan County and raped the victim, cut her throat, kicked her repeatedly, and left her for dead in a ditch. The victim survived but detectives were unable to develop any suspects at the time. This presentation will follow the Logan County cold case as well as other rape cases linked to Bortree that surfaced through DNA and genealogy.

***Eric C. Stewart, Logan County Prosecutor and
Amanda Reno, Director of Genetic & Forensic Case Management
AdvanceDNA***

10:00 - 10:15 **Break**

10:15 - 11:15 **Genealogy and Cold Cases – The Ralph Bortree Case continues...**

11:15 - 12:00 **I PLEAD THE 5TH!**

The right against compelled self-incrimination is bound to affect Ohio criminal prosecutions. This presentation will explore the standard governing a witness' invocation of the Fifth Amendment right in a hearing or trial; whether that invocation should occur in front of the jury; what can be done to grant immunity to the witness; what kinds of immunity exist; and the prohibitions in commenting on silence and invocations in closing argument.

***Steven L. Taylor, Legal Research and Staff Counsel
Ohio Prosecuting Attorneys Association***

CIVIL TRAINING *Breakers East Conference Center*

9:00 - 10:30

Employment, Discrimination, and Labor Law

The presentation includes Court and arbitrator decisions of the past year affecting local governments in Ohio including Title VII, ADA, FMLA and Ohio's collective bargaining law. Recent decisions on use of social media by employees, e.g. political endorsements, are included. Also included will be arbitrator decisions involving discipline such as employment decisions on use of CBD oils by employees. Presentation includes practical information to advise clients.

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

10:30 - 10:45

Break

10:45 - 12:00

Inside Millage, Outside Millage and Campaign Guidance

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) recent guidance from the Auditor of State regarding use of public funds to promote passage of millage.

***Rebecca C. Princehorn, Partner and
Paul S. Rutter, Partner
Public Finance Group
Bricker & Eckler, LLP
Columbus, Ohio***

**WE HAVE RECEIVED 5.5 GENERAL CREDIT HOURS FOR THIS TRAINING
FROM THE SUPREME COURT OF OHIO
COMMISSION ON CONTINUING LEGAL EDUCATION**



Ohio Prosecuting Attorneys Association



REGISTRATION FORM

2022 OPAA SUMMER WORKSHOP

**Return to: Ohio Prosecuting Attorneys Association OR Email: diana@ohiopa.org
196 East State Street, Suite 200
Columbus, Ohio 43215**

Please register the following OPAA members for the OPAA Summer Workshop on Friday, June 24th and Saturday, June 25th, 2022

| NAME | TITLE | EMAIL ADDRESS <i><u>(MUST HAVE)</u></i> | FRI & SAT | FRI ONLY | SAT ONLY |
|-------|-------|--|--------------|-------------|-------------|
| _____ | _____ | _____ | _____ | _____ | _____ |
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| _____ | _____ | _____ | _____ | _____ | _____ |

Check number _____ for \$ _____ is enclosed.

The two-day member registration fee is \$350.00 (\$700.00 for ALL non-members) In the event of cancellations after June 17th the assessment will be \$150.00, to partially cover the cost of meals which will have been guaranteed by that date. If a registrant is only attending one day, the registration fee is \$200.00 (\$400.00 for all non-members), with an assessment of \$110.00 for cancellations after June 17th. Please return the training registration form to OPAA by Tuesday, June 14th.

County Prosecuting Attorney Signature

SPECIAL DIETARY NEEDS: If anyone in your party has special dietary needs, contact Delores or Diana by Wednesday, June 15th. OPAA will accommodate requests if they can be supplied by the venue at no additional cost. Any additional cost must be borne by registrant and they will be notified in advance.

OPAA SUMMER WORKSHOP ACTIVITIES!

JUNE 23RD – 25TH, 2022
HOTEL BREAKERS (CEDAR POINT)
SANDUSKY, OHIO

Fill out the **Activities Registration Form** and mail or fax it to OPAA to insure that you and/or your family have a reserved spot for the functions you have chosen. If you are not participating in any activities, simply mark the form “not participating”. **If you don’t submit the form, you will be contacted.**

THURSDAY, JUNE 23RD – WELCOMING RECEPTION

Hors d’oeuvres and host bar will be held in the Cedar Point Convention Center’s Lakeside Pavilion from 6:00 – 7:30 p.m. **The bar will again be sponsored by Joe Whang of Matrix Pointe Software. *Be sure to stop by their table at the back of the Criminal Track to say hello and thank them for their generosity.***

FRIDAY, JUNE 24TH – FAMILY DINNER AND REFRESHMENTS

A family dinner buffet will be served from 6:00 – 9:00 p.m. in the Lakeside Dining Room. The registration fee covers the dinner for registrant and spouse or significant other. **A cash bar will be available during the dinner. **Please see information below regarding costs for additional guests.**

SATURDAY, JUNE 25TH – FAMILY BREAKFAST BUFFET

A family breakfast buffet will be served from 7:00 – 9:30 a.m. in the Lakeside Dining Room. The registration fee covers the breakfast for registrant and spouse or significant other. ****Please see information below regarding costs for additional guests.**

****MEAL FEES FOR ADDITIONAL GUESTS:**

It is necessary to charge a fee for all guests other than the registrant’s spouse or significant other at the Family Dinner Buffet and Family Breakfast Buffet. There is no charge for the Welcoming Reception.

The charges are as follows:

Children 2 and under, no charge;

Adults and children 3 and older (yes, Cedar Point considers them to be adults and charges accordingly), breakfast \$12.00; dinner \$18.00.

Payment for additional meals must be made at the time the activity registration form is returned to OPAA, as meal tickets WILL NOT be issued until payment is received!

SPECIAL DIETARY NEEDS: If anyone in your party has special dietary needs, please contact Delores or Diana at 614-221-1266 by Wednesday, June 15th so that advance arrangements can be made with the venue. OPAA will accommodate requests if they can be supplied by the venue at no additional cost. Any additional cost must be borne by the registrant and they will be notified in advance.

CEDAR POINT AMUSEMENT PARK TICKETS: OPAA will be one-day selling tickets to Cedar Point Park only (Water Park tickets are not available to OPAA). Children 2 and under are free. All others (ages 3 and older) are \$43.00. The gate price is \$80.00. Tickets will be valid for use one day only (Wednesday, June 22; Thursday, June 23; Friday, June 24; Saturday, June 25; Sunday, June 26). Tickets will be available for purchase at the registration tables only (Thursday, Breakers Main Lobby, 2:00-5:00), (Friday and Saturday, Breakers East Conference Center Lobby, 8:00-12:00). **IF YOU WANT TICKETS IN ADVANCE**, please contact Diana or Delores at 614-221-1266, and they can mail them to you. The last date for mailing tickets will be Friday, June 10th. Tickets purchased through OPAA give you access to the Park one-hour prior to regular time.

HOTEL BREAKERS GUEST ROOM INFORMATION: Be sure to follow all the Breakers' instructions below, as OPAA cannot intervene with guest room issues. The only exception to this is: **If it becomes necessary to cancel a room, please contact Delores or Diana (614-221-1266) before cancelling. We often have a waiting list of persons wanting rooms and we might be able to assist them in obtaining a room, and also save you a cancellation fee!**

Please make your reservation with the Cedar Point reservationist or online using OPAA's group code. If the credit card will not be available at check in, full payment must be made prior to guest's arrival. For tax exemption to apply, the Tax Exemption Form must be completed and the reservationist will instruct you to fax or email it to them in order to give you a total with the tax exemption. If you have further questions when making the reservation, please feel free to ask for a supervisor. If you book online, you can then email the tax exemption form to jfosco@cedarpoint.com along with your confirmation number, and she will apply the tax exemption and send the balance due total to you at that time.

Reservations Telephone Number: 419-627-2106

Group Code: OPAA22

OPAA rooms being held at Hotel Breakers for the nights of Wed June 22, Thu June 23, Fri June 24, Sat, June 25:

Standard rooms, non lake view, 1 king bed (\$282 Wed & Thu per night) (\$293 Fri & Sat per night);

Standard rooms, lake view, 1 king bed (\$292 Wed & Thu per night) (\$303 Fri & Sat per night);

Standard rooms, non lake view, 2 queen beds (\$332 Wed & Thu per night) (\$343 Fri & Sat per night);

Standard suite, non lake view, 2 queen beds & a pullout sofa bed (\$389 Wed & Thu per night) (\$399 Fri & Sat per night);

Standard suite, lake view, 2 queen beds & a pullout sofa bed (\$409 Wed & Thu per night) (\$419 Fri & Sat per night).

Be sure the Tax Exemption Form included with this mailing is submitted.

**OPAA SUMMER WORK
ACTIVITIES REGISTRATION FORM**

WELCOMING RECEPTION (Thursday, June 23rd)

_____ Registrant
_____ # of Additional Adults (spouse or significant other, at no charge)
_____ # of Children 3 and older (see pricing information)
_____ # of children 2 years old or less (at no charge)
_____ I (we) will not be attending the welcoming reception

FAMILY BUFFET DINNER (Friday, June 24th)

_____ Registrant
_____ # of Additional Adults (spouse or significant other, at no charge)
_____ # of Children 3 and older (see pricing information)
_____ # of children 2 years old or less (at no charge)
_____ I (we) will not be attending the family buffet dinner

FAMILY BREAKFAST BUFFET (Saturday, June 25th)

_____ Registrant
_____ # of Additional Adults (spouse or significant other, at no charge)
_____ # of Children 3 and older (see pricing information)
_____ # of children 2 years old or less (at no charge)
_____ I (we) will not be attending the family breakfast buffet

COUNTY: _____ NAME: _____

As previously stated, the registration fee covers all meals for the registrant and spouse or significant other. However there is a charge for all additional guest including children 3 and over. Payment for additional guests is to be made at the time the activities sheet is returned to OPAA. Checks payable to OPAA.

Meal tickets WILL NOT be issued until payment is received.

**To insure participation in chosen activities, each person registered
Must return a copy of this registration form by Wednesday, June 15th.**

(EVEN IF YOU ARE NOT TAKING PART IN ACTIVITIES, THE OPAA STAFF NEEDS
THIS FORM. PLEASE WRITE "NOT PARTICIPATING" AND RETURN FORM.

Please Return Form to: Ohio Prosecuting Attorneys Association
196 East State Street, Suite 200
Columbus, Ohio 43215
Fax: 614-221-0753
diana@ohiopa.org or delores@ohiopa.org

**PLEASE HAVE THE LAST FOUR PAGES OF THIS MAILING
COPIED AND DISTRIBUTED TO EACH PERSON REGISTERED TO
ATTEND THE 2022 SUMMER WORKSHOP, AND INSTRUCT EACH TO
FILL OUT THE ACTIVITIES REGISTRATION FORM TO BE
RETURNED TO OPAA.**