

# 2024 ANNUAL REPORT



**WARREN COUNTY PROSECUTOR'S OFFICE**

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**(ABOVE) IN OCTOBER, MEMBERS OF THE WARREN COUNTY PROSECUTOR'S OFFICE PARTICIPATED IN THE ANNUAL SGT. BRIAN DULLE 5K WALK/RUN**

# A MESSAGE FROM THE PROSECUTING ATTORNEY

Thank you for your interest in the Warren County Prosecutor's Office and for taking the time to read our Annual Report. I am honored to be completing my 14th year as Prosecuting Attorney, and I am so appreciative of the opportunity to serve this community.

As I reflect on 2024 and proceeding into 2025, I will remember this period as being one of transition for Warren County government. The Warren County Prosecutor's Office, by statute, serves as legal counsel to all our countywide elected officials. This past month, three of these countywide elected officials retired: Former Sheriff Larry Sims, Former Clerk of Courts Jim Spaeth (bottom right), and Former Engineer Neil Tunison (top right). Additionally, Treasurer Barney Wright will retire when his current term concludes in September of this year. Notably, Jim Spaeth and Neil Tunison took office on the same day in January of 1997, and retired on the same day 28 years later. Collectively, these four gentlemen gave 80 years in combined service to our county. I am grateful for the opportunity to have worked with each of them, and Warren County is a better community because of their efforts.

I am also excited for the opportunity to work with Warren County's newest countywide elected officials: Sheriff Barry Riley, Clerk of Courts Brighton Smith, County Engineer Kurt Weber, and Treasurer-Elect Randy Kuvin. I have known most of these gentlemen for decades. Side note: I seriously doubt that Mrs. Strickland had any clue that those two goofballs sitting next to each other in her Algebra II class would one day be the Warren County Sheriff and the Warren County Prosecutor.

New leadership always brings changes, and I look forward to working with these gentlemen as they expand on their predecessor's heritage of providing excellent service to Warren County citizens.

It has been a privilege to serve you this past year. If you have any comments or suggestions where you believe we can improve our service in any way, please contact me at 513-695-1325 or [david.fornshell@warrencountyprosecutor.com](mailto:david.fornshell@warrencountyprosecutor.com).



*David Fornshell*

DAVID P. FORNSHELL

# CRIMINAL DIVISION

In 2024, the Criminal Division of the Warren County Prosecutor’s Office continued its aggressive prosecution of violators of the laws of the State of Ohio, handling 3,038 misdemeanor and just over 950 felony cases, including homicides, other violent felonies, thefts, sexual assaults, drug trafficking, domestic violence, driving under the influence, traffic offenses, and watercraft and fish and wildlife violations. The prosecutors in the Criminal Division represent the State of Ohio in the Warren County Common Pleas Court and Warren County Court. Some of the significant criminal cases prosecuted in 2024 are highlighted in this section.



(Above) Assistant Prosecuting Attorney Gray Chester posed with Hamilton Township Police Officer Alex Stephens and K-9 Officer Kahn after his ride-along with Officer Darcy Vibbard.

**MEMBERS OF THE PROSECUTOR’S OFFICE PARTICIPATED THIS YEAR IN “RIDE ALONGS” WITH LOCAL LAW ENFORCEMENT. WE WANT TO THANK EACH OFFICER AND DEPARTMENT THAT WELCOMED US TO PARTICIPATE WITH THEM ON THEIR ROAD PATROL IN THE COMMUNITIES WHERE WE WORK TOGETHER EVERY DAY.**

# HOMICIDES

**ELIJAH THOMAS**, 28, of Lebanon, Ohio, was sentenced to 40 to 42 years to life in prison after being convicted of aggravated murder, murder, felonious assault, improperly discharging a firearm at or into a habitation, with firearm specifications on all charges. Thomas shot and killed the mother of his children within two weeks of the victim ending their relationship. Thomas laid in wait for the victim to return home, and then shot her six times, resulting in her death.



**JEDIDIAH LANG**, 43, of Youngstown, Ohio, was sentenced to 15 years to life, consecutive to the term he was already serving, after being convicted of murder. Lang, an inmate at Warren Correctional Institute, strangled his cellmate with a towel causing his death.

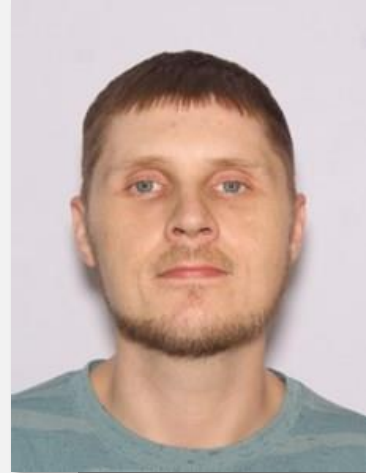


**GREGORY KATTINE**, 36, of Lucasville, Ohio, was sentenced to 15 to 20.5 years in prison after being convicted of involuntary manslaughter and felonious assault. Kattine, who was an inmate at the Warren Correctional Institution, physically attacked the victim, who was a fellow inmate. During the attack, Kattine stomped on the victim multiple times over a period of several minutes. The victim was killed as a result of this attack.



# HOMICIDES

**CHRISTOPHER ROSS**, 33, of Lebanon, Ohio, was sentenced to 9 to 13.5 years in prison after being convicted of involuntary manslaughter and two counts of corrupting another with drugs. On two separate occasions, Ross provided fentanyl to the victim which led to an overdose. The second overdose resulted in the death of the victim.



**SAMUEL SPERRY**, 27, of Cincinnati, Ohio, was sentenced to 9 to 12 years in prison after being convicted of two counts of aggravated vehicular homicide, aggravated vehicular assault, vehicular assault, and operating a vehicle under the influence of alcohol. Sperry killed a 76-year-old victim and seriously injured a second victim when he rear-ended the vehicle they occupied. Blood testing showed that Sperry was under the influence of various drugs and alcohol at the time of the crash.



(Above) The Warren County Prosecutor's Office Annual All-Staff Training in October 2024 included a presentation on Ohio's relatively-new strangulation statute. A woman's risk of homicide goes up 750% if she has previously been non-fatally strangled by her abuser. There are no visible injuries in 40% of fatal strangulations, and it takes less pressure (psi) to strangle someone than it does to open a can of soda.

# VIOLENT CRIMES

**XIUMING WU**, 34, of Queens, New York, was sentenced to 18 to 23 years in prison after being convicted of kidnapping, aggravated burglary, felonious assault, retaliation, and six counts of aggravated arson. Wu entered the victim's home by force and attacked her. The victim, who had previously obtained a protection order against Wu in New York, was initially trapped by Wu in her garage during the attack, but she escaped. The day after the attack, Wu intentionally set fire to the victim's residence resulting in its destruction and damage to adjacent homes.



**ADAM ELLINGTON**, 35, of West Chester, Ohio, was sentenced to 17 to 21.5 years in prison after being convicted of aggravated burglary, aggravated robbery, attempted felonious assault and criminal damaging. Ellington arrived at the home of the victim, who was a complete stranger, and kicked in her front door. Upon gaining entry, Ellington immediately began assaulting the victim in her living room. Ellington struck the victim in the face multiple times and threatened to kill her. During the attack, Ellington also demanded to know where the victim's safe was, and she indicated that her safe was outside. While Ellington was outside, the victim was able to call 911, and he was apprehended shortly thereafter.



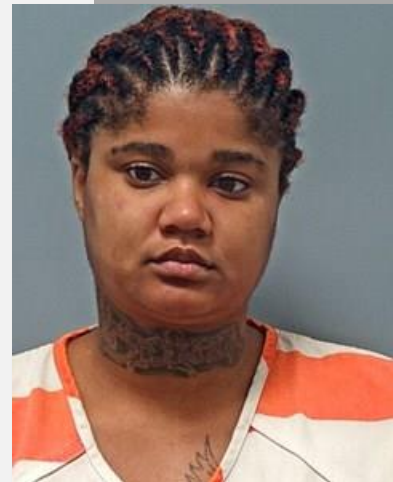
(Left) The Director of the Warren County Prosecutor's Office Victim Witness Services Division, Erika Bourelle, rode along for a shift with Deputy Nick Peters of the Warren County Sheriff's Office.

# VIOLENT CRIMES

**WILLIEON YATES**, 24, of Dayton, Ohio, was sentenced to 13 to 18 years in prison after being convicted of aggravated robbery and kidnapping. Yates, who was armed with a handgun, knocked on the victim's door, and then forced his way inside the residence once the victim answered. Once inside, Yates stole numerous items from the victim. Yates then forced the victim to leave the residence with him and drive to an ATM, where he forced the victim to withdraw money and provide it to him.



**PASSION JIMMAR**, 27, of Hamilton, Ohio, was sentenced to 9 to 11 years in prison after being convicted of felonious assault with a firearm specification. Jimmar and the victim, Jimmar's sister-in-law, had an ongoing disagreement. Jimmar drove to the victim's residence and fired a bullet into her apartment from her motor vehicle. The bullet entered the victim's home through a window and struck a television, which was in close proximity to the victim and her four-year-old child.



**LASHAWNDA WALTERS**, 52, of Mason, Ohio, was sentenced to 7 to 10.5 years in prison after being convicted of endangering children and tampering with evidence. Walters placed her two-year-old granddaughter in scalding hot water after the victim soiled herself. Walters also struck the child prior to scalding her. The victim suffered second- and third-degree burns to her feet, calves, thighs and buttocks. After the incident, Walters deleted several in-home security videos in an attempt to hinder the police investigation.





# VIOLENT CRIMES

**JAMES BOLIN**, 44, of Waynesville, Ohio, was sentenced to six to seven-and-one-half years in prison after being convicted of felonious assault with a firearm specification and having weapons while under a disability. Bolin shot the victim, his live-in girlfriend, in the shoulder during an argument. The victim was seriously injured but she survived her wound. Bolin is precluded from possessing a firearm due to his previous conviction for a felony offense of violence.



**JUSTIN CHERRY**, 44, of Franklin, Ohio, was sentenced to four to six years in prison after being convicted of aggravated burglary. Cherry entered the victim's residence at night while the victim was sleeping. Cherry was captured on the victim's surveillance cameras taking property from the residence. The video also showed that Cherry had a large knife attached to his pants when he entered the victim's home.



**MICHAEL SIMS**, 22, of Nicholasville, Kentucky, was sentenced after being convicted of two counts of felonious assault on a police officer, assaulting a police dog, and vandalism. Sims drove his car head-on into a Franklin police vehicle occupied by two police officers and a K-9 officer. K-9 Fury died from his injuries. Our office sought the maximum sentence of 25 to 30.5 years in prison. The Court sentenced Sims to five years of community control.



# SEX OFFENSES

**ALEX MACPHERESON**, 36, of Franklin, Ohio, was sentenced to 25 years to life in prison after being convicted of three counts of rape and two counts of gross sexual imposition involving two children under 13 years of age. MacPhereson was designated a Tier III sex offender and will be required to register as such upon his release from prison. MacPhereson sexually assaulted the two children over a period of several years.



**STEVEN BARNES**, 44, of Lynchburg, Ohio, was sentenced to five-and-one-half to six-and-one-half years in prison after being convicted of gross sexual imposition and 11 counts of pandering sexually-oriented matter involving a minor. Barnes engaged in sexual contact with a seven-year-old child. During the investigation of this incident, police obtained Barnes' cell phone and discovered numerous images and videos containing child sexual abuse materials. Barnes will be required to register as a Tier II sex offender upon his release from prison.



**GREGORY RUFF**, 55, of Oregonia, Ohio, was sentenced to four to six years in prison after being convicted of 24 counts of illegal use of a minor in nudity-oriented material and 29 counts of pandering sexually oriented material involving a minor. Ruff uploaded images of children engaged in sexual activity to a cloud-based storage system. The company reported the images to the Warren County Sheriff's Office. Upon execution of a search warrant, police discovered child sexual abuse material on Ruff's personal electronic devices. Ruff will be required to register as a Tier II sex offender upon his release from prison.



# SEX OFFENSES

**TIMOTHY BACK**, 23, of Lebanon, Ohio, was sentenced to three to four-and-one-half years in prison after being convicted of kidnapping and gross sexual imposition. Back sexually assaulted a child under 13 years of age in the bathroom of the Lebanon Kroger. In addition to his prison sentence, Back was determined to be a Tier III sex offender and will be required to register as such upon his release from prison.



**CURTIS ABBOTT**, 64, of Akron, Ohio, was sentenced to two to three years in prison after being convicted of felonious assault. Abbott, while an inmate at the Warren County Jail, engaged in sexual conduct with the victim without disclosing to the victim that Abbott was HIV positive.



**DERRICK EADS**, 39, of Mason, Ohio, was sentenced to 48 months in prison after being convicted of gross sexual imposition of a victim under 13 years of age. Eads, between 2014 and 2020, engaged in sexual contact with a child who was less than 13 years of age. As a result of his conviction, Eads was designated a Tier II child victim offender, and will be required to register as such upon his release from prison.



# SEX OFFENSES

**DANNY BUSSELL**, 70, of Henderson, Nevada, was sentenced to 24 months in prison after being convicted of gross sexual imposition. Between 2012 and 2014, Bussell engaged in sexual contact with the victim who was under 13 years of age. In addition to his prison sentence, Bussell was designated a Tier II child victim offender, and will be required to register as such upon his release from prison.



(Below from left) Assistant Prosecuting Attorney Katie Horvath rode along with Deputy Troy Fox of the Warren County Sheriff's Office. Assistant Prosecuting Attorney Adam Kadich rode along with Officer David Wilson of the Lebanon Police Department. Assistant Prosecuting Attorney Dylan Smearcheck patrolled Kings Island with Officer Randall Cole of the Mason Police Department.

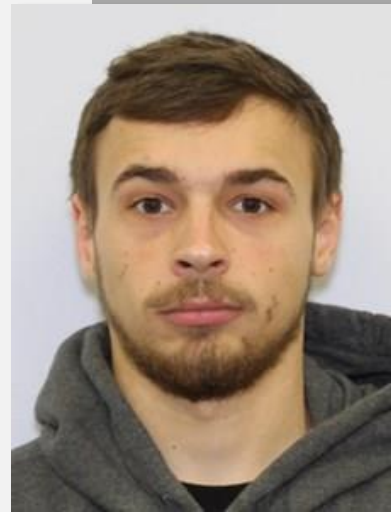


# DRUG OFFENSES

**DELA-QUAN MASTON**, 34, of Grafton, Ohio, was sentenced to 8 to 12 years in prison after being convicted of six counts of trafficking in drugs and having weapons while under a disability. During an investigation by the Warren County Drug Task Force, Maston sold bulk amounts of methamphetamine to undercover agents on several occasions. During a search of his residence, Maston was found to be in possession of a firearm. Maston is precluded from possessing a firearm due to his prior conviction for a felony offense of violence.



**MICHAEL JOHNSON**, 27, of Dayton, Ohio, was sentenced to three to four-and-one-half years in prison after being convicted of trafficking in marijuana with a firearm specification and engaging in a pattern of corrupt activity. Between 2019 and 2022, Johnson engaged in an organization with others to buy, sell and distribute controlled substances throughout Warren and surrounding counties. During an investigation conducted by the Warren County Drug Task Force, Johnson sold narcotics to undercover agents on several occasions and was found to be in possession of marijuana, a firearm, a substantial amount of U.S. currency, and additional controlled substances when a search warrant was executed at his residence.



(Left) Assistant Prosecuting Attorney Alexis Hogle attended the Ohio Prosecuting Attorneys Association New Prosecutor Bootcamp in August 2024 at Ohio Northern University Claude W. Pettit College of Law.

Prosecutor Fornshell attended as well to teach trial techniques to new prosecutors throughout Ohio.

# DRUG OFFENSES

**RYAN FREDERICK**, 20, of Springboro, Ohio was sentenced to 48 months in prison after being convicted of two counts of trafficking in hashish. The United States Postal Service intercepted two suspicious packages that were intended to be delivered to Frederick's home. A search of these packages revealed that they contained controlled substances. Law enforcement officials delivered the packages to Frederick's residence and then executed a search warrant on the home. Frederick was found to be in possession of hashish, U.S. currency, and additional drug paraphernalia.



(Below from left) Assistant Prosecuting Attorney Amy Tranter rode along with Sgt. Chris Wall from the Hamilton Township Police Department. Investigator Sean McCormick rode along with Officer Alex Stephens and K-9 Officer Kahn of the Hamilton Township Police Department. Victim Witness Coordinator Nicole Hawkins rode along with Deputy Wessling of the Warren County Sheriff's Office Deerfield Township Post.



# VEHICULAR CRIMES

**KOREY BARTON**, 27, of Cincinnati, Ohio, was sentenced to 10 to 13.5 years in prison after being convicted of felonious assault, failure to comply with the order or signal of a police officer, identity fraud, receiving stolen property of a firearm, and operating a motor vehicle under the influence of alcohol. Barton was driving at an excessive rate of speed. When an Ohio State Trooper attempted to stop Barton's vehicle, he fled, traveling in excess of 100 mph. Barton intentionally struck vehicles operated by two troopers during the incident. Upon arrest, Barton was found to be in possession of a stolen 9mm firearm and methamphetamine.



**DOMINIQUE COOPER**, 27, of Clayton, Ohio, was sentenced to 48 months in prison after being convicted of two counts of aggravated vehicular assault and operating a motor vehicle under the influence of alcohol. While driving on State Route 123 in Franklin Township, Cooper caused a head-on collision. The vehicle Cooper struck had two occupants, both of whom sustained serious injuries. When officers contacted Cooper after the collision, she exhibited multiple signs of intoxication. Cooper ultimately was found to have a blood alcohol level of .270 which is more than three times the legal limit for the consumption of alcohol.



(Left) Jake, a student with Project Search, interned with the Warren County Prosecutor's Office, graduating from the program in May 2024. Jake helped with the mail route and afternoon scanning and filing. Project Search is operated by the Warren County Career Center and the Warren County Board of Developmental Disabilities and provides career exploration and on-the-job training to prepare individuals with intellectual and developmental disabilities for competitive employment.

# VEHICULAR CRIMES

**BRADLEY STILES**, 52, of Waynesville, Ohio, was sentenced to 24 months in prison after being convicted of operating a vehicle under the influence of alcohol and failure to comply with an order or signal of a police officer. Stiles, who was under investigation for leaving the scene of an earlier accident, was stopped by an officer while operating a motor vehicle. Upon approaching Stiles' vehicle, the officer observed several open containers of alcohol and marijuana. Stiles exhibited numerous signs of being intoxicated and refused to submit to a chemical test. Stiles has 11 prior OVI convictions.



(Below from left) Assistant Prosecuting Attorney John Arnold rode along with Sgt. Chris Wall from the Hamilton Township Police Department. Investigator Patricia Dratt rode along with Officer Shane Brandenburg, School Resource Officer at Little Miami High School.





# PAROLE WATCH

When inmates incarcerated with the Ohio Department of Rehabilitation and Correction become eligible for parole, the Parole Board contacts the prosecuting attorney in the county where the inmate’s conviction occurred. This year, the following inmates, who were historically some of the worst Warren County offenders, were denied parole after the Warren County Prosecutor’s Office wrote to the Parole Board to oppose their release.

## JERRY W. HOWARD, INMATE A163-172



In 1971, before Howard turned 18, he was convicted (as an adult) of breaking & entering. Upon his release from Mansfield Correctional Institution, he was involved in an assault in Clermont County in 1977, and he was later returned to prison on a felony drug charge. He was again released on parole from London Correctional Institution in 1979.

On October 7, 1980, while on parole, Howard fatally stabbed Allen Powell with a kitchen knife in Lebanon, Ohio. The knife perforated one of the rib cartilages and passed through Mr. Powell’s heart.

Although that fatal stab wound is what ultimately killed him, Mr. Powell also suffered at least thirty-six other knife wounds, including numerous defensive wounds. Subsequently, Howard went to trial and was convicted of murder and received a sentence of fifteen years to life.

This office received notice that Howard was eligible for parole in December 2024. We wrote to the Parole Board opposing his release, and the Parole Board denied his release until he becomes eligible again in October 2027.

## AVEDIS RALPH SEAWARD, INMATE A166-109



In 1981, Seaward robbed and kidnapped a 23-year-old employee of a convenience store in Franklin, Ohio. He transported her to a nearby county where he raped her.

Later in 1981, in Sandusky County, Seaward requested a ride from a tavern to his disabled car. One of the female employees agreed to take him to his car, accompanied by a male patron. After getting in her car, Seaward pulled a knife and forced the other man to get out of the car by threatening to kill the woman. He then took the female victim to a secluded

location where she was repeatedly raped and assaulted. In both cases, Seaward threatened his victims with harm if they reported his crimes to police.

In the Warren County case, Seaward pled guilty to aggravated robbery and was sentenced to 7 to 25 years in prison, the maximum possible sentence at that time. He was also convicted of aggravated robbery in Sandusky County case and sentenced to 7 to 25 years in prison. The sentence imposed by Warren County was to be served consecutively to the Sandusky County case, resulting in a total prison sentence of 14 to 50 years.

Even prior to these offenses, Seaward had a significant criminal history that spanned several states, including New Hampshire, Georgia, and Ohio. Beginning in 1974 with larceny and similar offenses, he quickly moved to much more serious and violent offenses, including a 1978 conviction in Georgia for sexual assault.

In 1981, he was arrested in Concord, New Hampshire for kidnapping and felonious sexual assault. He is a self-proclaimed serial criminal, who claims to have committed multiple crimes in many jurisdictions, including homicide, rape, arson, and larceny. By his own admission, he has committed murder, rape, arson, and larceny.

Upon notice that Seaward would be eligible for parole in April 2024, this office, along with the victim of Seaward's Warren County offense, provided our objections to the Parole Board opposing his release. The Parole Board denied his release until he is again eligible in April 2029.

**KENNETH WINKLE, INMATE A236-090**



In 1990, Winkle was convicted by a Warren County jury of two counts of rape, one count of gross sexual imposition, and one count of assault involving an eight-year-old victim. He was also convicted of gross sexual imposition against another eight-year-old child. Winkle was sentenced to life in prison on count one of the indictment, 10 to 25 years on count two of the indictment, and an additional period of two years, to be served consecutively to his other sentences. These sentences were to be served consecutively to the sentence that the defendant was then serving in Preble County for gross sexual imposition.

His offenses were discovered by the eight-year-old victim’s physician, who found a rectal scar consistent with an anal rape that the child reported to him. Further investigation revealed Winkle’s additional sexual and physical assaults on the child, as well as the gross sexual imposition offense against the second child.

This office wrote to the Parole Board to oppose Winkle’s release in June 2024. Parole was denied, and Winkle is not eligible for parole again until April 2028.

**RODNEY BROWN, INMATE A326-830**



On November 29, 1995, Rodney Brown and Beth Davenport were living together in Lebanon. That evening, after a verbal altercation between them, Davenport left the kitchen area where she had been seated with Brown and several other individuals. Brown became angry, followed Davenport into an adjacent bedroom and they returned some time later. Brown then retrieved a .20-gauge shotgun, sat down, and ejected two live rounds from the shotgun. He then held the barrel of the gun at Ms. Davenport’s face and said, “is this shell yours?” He then fired the weapon at almost point-blank range. The witnesses who were present tried to leave, and Brown encouraged them not to tell anybody what had happened. (Continued on next page).

## RODNEY BROWN, INMATE A326-830

(Continued from previous page). After a jury trial in 1996, Brown was found guilty of murder, plus a firearm specification. He was sentenced to fifteen years to life in prison, plus an additional three years actual incarceration on the gun specification. The 1995 investigation revealed that the relationship between Rodney Brown and Ms. Davenport was abusive. Witnesses reported seeing Ms. Davenport with bruises and marks on her body and she also kept a diary where she outlined the life of abuse she had suffered at the hands of Brown.

When this office received notice of Brown's parole eligibility in August 2024, we wrote to the Parole Board to oppose his release. His parole was denied, and he is not eligible again until September 2027.



(ABOVE) SUMMER LAW CLERKS MAX COHN, WHO ATTENDS THE OHIO STATE UNIVERSITY, MORITZ COLLEGE OF LAW, AND MICHAEL BERNER, WHO ATTENDS THE UNIVERSITY OF DAYTON SCHOOL OF LAW, SPENT SOME TIME AT THE SHOOTING RANGE WITH WARREN COUNTY PROSECUTOR'S OFFICE INVESTIGATOR SEAN MCCORMICK.

# JUVENILE DIVISION

(BELOW) PROSECUTOR FORNSHELL VISITED THE WARREN COUNTY CAREER CENTER MAIN AND ATRIUM CAMPUSES IN OCTOBER 2024 TO GIVE TWO PRESENTATIONS TO STUDENTS: “JUVENILE DECISIONS, GROWN UP CONSEQUENCES,” AND “NOW YOU ARE 18”



The delinquency cases handled by the Juvenile Division range from truancy and traffic to school threats to rape and other violent felonies. The goal in these cases is to protect Warren County from juvenile delinquency, while at the same time preventing juvenile offenders from becoming the next generation of defendants in the adult criminal system.

The Juvenile Division handled a number of notable cases in 2024, one of which is that of **K.L., age 15**, a juvenile from Montgomery County, who was committed to a secured facility with the Ohio Department of Youth Services, following a trial in which he was convicted of aggravated burglary, aggravated robbery, burglary, failure to comply with an order or signal of a police officer, grand theft of a motor vehicle, receiving stolen property, and a firearm specification. The juvenile, along with his accomplice, drove from the Dayton area in a stolen car with the purpose of finding other cars to steal. Their first attempt was interrupted by a homeowner who caught them in her garage. As she called 911, they fled her home and went to a nearby neighborhood where they stole an SUV from an open garage, threatening the owners at gunpoint. K.L. and his accomplice fled the scene, each driving a stolen vehicle. They were quickly located by police, but they refused to comply with orders to pull over. The pursuit reached speeds over 100 miles per hour and ended with K.L. crashing the car he was driving, then fleeing on foot before being apprehended by law enforcement officers.

### ABUSE, NEGLECT, AND DEPENDENCY CASES

The Juvenile Division is also responsible for handling child protection cases on behalf of Warren County Children Services. These cases involve situations where children must be removed from their parents because of abuse, neglect, or dependency, while WCCS works with the parents to reunify the child and parent in a safer environment from which the child was removed.

**119**

TOTAL ABUSE, NEGLECT,  
AND DEPENDENCY  
COMPLAINTS FILED IN  
2024

**64**

FAMILIES WITH JUVENILE  
COURT CASES OPENED IN  
2024

**4**

FAMILIES WITH CASES  
FILED IN 2024  
REUNIFIED IN THE  
SAME YEAR

**9**

TOTAL PERMANENT  
CUSTODY CASES  
PROSECUTED IN 2024

**BABY GIRL DOE** On December 2, 2024, at approximately 3:00pm, an unknown individual placed a newborn baby girl in the Safe Haven incubator located at the Lebanon Fire Station on 601 North Broadway Street. The infant was wrapped in a blanket, and her umbilical cord was still attached to her body. No other information was left regarding the baby girl's parentage or health. Lebanon Fire Department personnel immediately retrieved the infant and assessed her vital signs. She was transported to Cincinnati Children's Hospital for further assessment where medical personnel determined that she was healthy and estimated that she was between one to three days old. Warren County Children Services was notified and assumed custody pursuant to the rules for a Safe Haven situation and have placed her in a foster to adopt home. WCCS has and will continue to protect the parents' complete right to anonymity pursuant to O.R.C. 2515.3526.

Prosecutor Fornshell said:

**"When I was first notified about this earlier today, I had an overwhelming sense of gratefulness for the mother who made this heartbreaking, yet heroic and courageous, decision to save this little girl's life.**

**I'm also very grateful for officials from the [City of Lebanon], who made it a priority to install one of these boxes at its fire station. Through that decision, today, you saved a life and changed the world.**

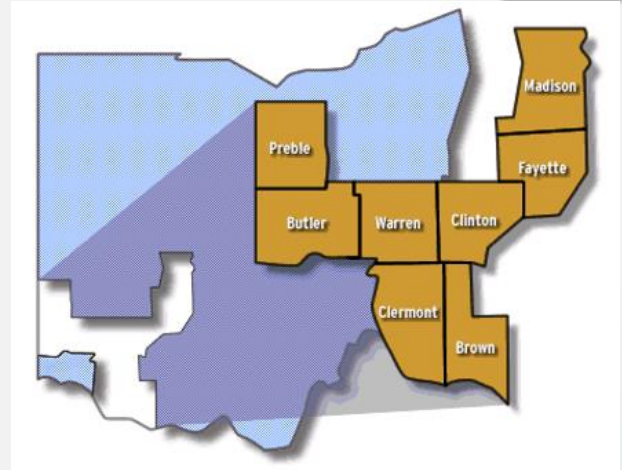
**This newborn is going to be an absolute blessing for the family who ultimately adopts her. All because her mother chose life.**

**We have no need to know who this mother is. But I hope SHE knows how much respect we have for the decision she made today."**

# APPEALS

In Warren County, most criminal appeals are heard by the Twelfth District Court of Appeals, which also hears appeals from the trial courts in Brown, Butler, Clermont, Clinton, Fayette, Madison, and Preble counties.

The Supreme Court of Ohio hears cases appealed from the Twelfth District Court of Appeals, and death penalty cases are appealed directly to the Supreme Court of Ohio.



In 2024, there were 94 cases filed in the Twelfth District Court of Appeals, and over half of those were cases to be handled by the Warren County Prosecutor’s Office. Sixteen Warren County Prosecutor’s Office cases were further appealed to the Supreme Court of Ohio in 2024.

Notable cases argued by the Warren County Prosecutor’s Office this year include **State of Ohio v. Patrick Thayer**. Thayer pled guilty and was convicted of unlawful securities practices, aggravated theft, and identity fraud. Thayer owned and operated Broadway Financial Services as a tax preparer and an investment advisor. One of his clients became the victim of his crimes when, instead of investing the victim’s money, Thayer liquidated her securities funds, hid them in a bank account that he opened in her name without her knowledge, and then used the funds to pay his own personal expenses. His theft and fraudulent behavior continued for almost nine years, and he stole \$1.3 million dollars from her. Thayer was sentenced to five years in prison on each count, to be served consecutively, for a total sentence of fifteen years. The issue on appeal was whether the offenses of unlawful securities practices, aggravated theft, and identity fraud merged, or could Thayer be convicted of and sentenced separately on all three offenses? The Twelfth District Court of Appeals found that Thayer could be convicted of all three offenses because each of the offenses was based on different criminal conduct. Thayer filed a further appeal to the Supreme Court of Ohio, which was rejected. He also filed a petition for post-conviction relief, which the court dismissed.

## 2024 ANNUAL REPORT • APPEALS

### **State v. Brandon Hana**

Hana was convicted of trafficking between 20,000 and 40,000 grams of marijuana. This issue on appeal was whether evidence obtained through federal warrants issued by federal district court magistrate judges was admissible in a state court prosecution of Hana for drug trafficking. The Twelfth District Court of Appeals found that the evidence was admissible and affirmed Hana's conviction.

### **State v. P.M.S.**

This case involves the issue of what evidence is sufficient to prove force in a rape case involving a juvenile offender and a juvenile victim of roughly the same age. A majority of the Twelfth District Court of Appeals found that the State presented sufficient evidence of force, with one judge dissenting. The case was accepted for further consideration by the Ohio Supreme Court for review on the merits. The Warren County Prosecutor's Office argued the case at the Ohio Supreme Court on February 11, 2025, and a decision is forthcoming.

### **State v. Todd Rogers**

A jury convicted Rogers of rape of a child under ten and five counts of gross sexual imposition. Rogers is attempting to overturn his conviction and life sentence by arguing that his defense counsel was ineffective in questioning jurors during voir dire. The Twelfth District Court of Appeals rejected that argument, but Rogers further appealed to the Supreme Court of Ohio, who accepted his case for consideration. The case is currently pending before the Supreme Court of Ohio.

### **State v. Ronald Gross**

Gross was charged with multiple counts of trafficking, manufacturing, and possessing steroids. Each count involved a different chemical compound, but all were steroids. The defendant argued a matter of first impression that the offenses merged because every compound fell under the general description of steroids, notwithstanding the fact that they were all different chemical compounds with a different name. The Twelfth District Court of Appeals rejected that argument, found that the offenses did not merge, and affirmed Gross's convictions.





# CIVIL DIVISION

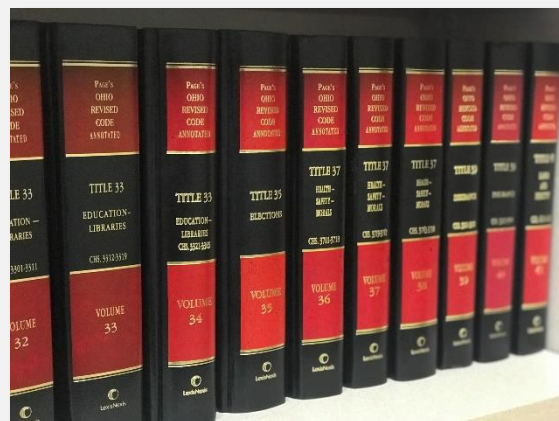
## STATUTORY CLIENTS

- Board of Developmental Disabilities
- Treasurer
- Board of County Commissioners
- Board of Health of the Warren County Combined Health District
- Engineer
- Telecommunications
- Children Services
- Sheriff
- Auditor
- Recorder
- Clerk of Courts
- Common Pleas Court Judges
- County Court Judges
- Board of Elections
- Board of Revision
- Harlan Township
- Franklin Township
- Massie Township
- Salem Township
- Turtlecreek Township
- Union Township
- Washington Township
- Wayne Township
- Public Libraries
- Veteran’s Services Board
- Mary Haven Youth Center
- Soil and Water Conservation District
- Park Board
- Airport Authority Board
- Data Board
- Human Services
- Water and Sewer Department
- Dispatch/ Emergency Services
- Regional Planning Commission
- Building & Zoning Department
- Board of Zoning Appeals
- Facilities
- Garage
- Drug Task Force

In 2024, the Civil Division handled over 836 separate civil matters. The work was spread out among 60 different clients, including a broad range of county offices, county-wide commissions, and boards. Some of these clients are listed to the left. Issues related to procurement and transactions continue to make up the largest portion of the Civil Division’s work. 2024 saw an uptick in the amount of written legal opinions requested by clients. This is a welcomed trend as it prevents and reduces risks and exposure to legal liability for our clients.

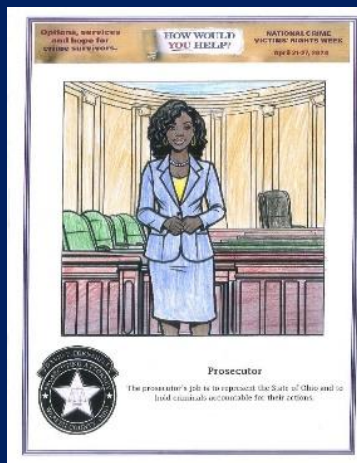
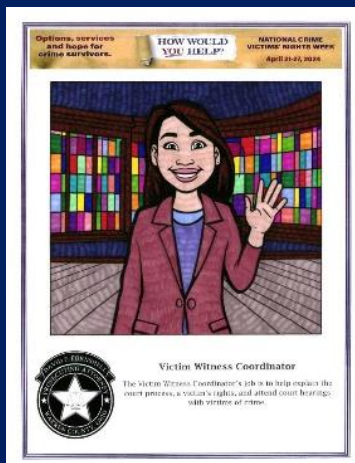
## DELINQUENT PROPERTY TAX COLLECTION

In 2024, the Warren County Prosecutor’s Office collected a total of \$12.948 million in delinquent real estate and manufactured home taxes. In addition to collection of real estate taxes on behalf of the Warren County Treasurer, the Prosecutor’s Office represents the Warren County Auditor and the Board of Revision in appeals to the Ohio Board of Tax Appeals, the Twelfth District Court of Appeals, and the Ohio Supreme Court.

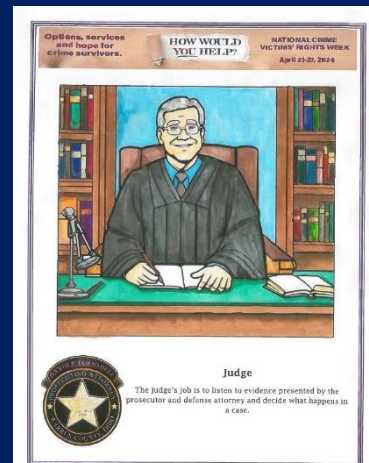
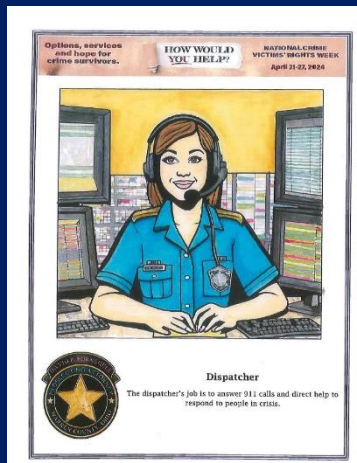
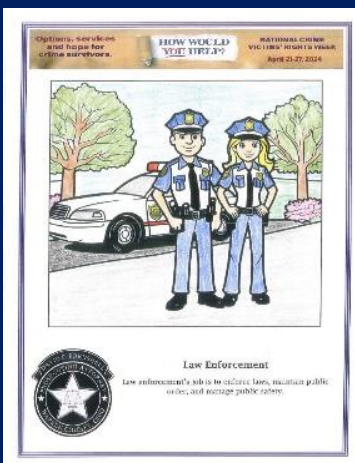


# VICTIM WITNESS SERVICES DIVISION

The mission of the Victim Witness Services Division is to serve victims with compassion, while promoting the judicial process. Warren County Common Pleas Court, Warren County Court, Warren County Juvenile Court, Lebanon Municipal Court, Franklin Municipal Court, and Mason Municipal Court each have a Victim Witness Coordinator assigned to the scheduled docket who serves as a liaison between a victim and the prosecutor. Criminal justice support and services were also made available to physically and sexually assaulted children at the Child Advocacy Center of Warren County.



**OVER 2,100  
VICTIMS  
SERVED IN  
2024**



## NATIONAL CRIME VICTIMS' RIGHTS WEEK

April 21-27, 2024, we recognized National Crime Victims' Rights Week by distributing coloring pages to victims and children in the community. Each page featured a different helper in the criminal justice community, with a simple explanation of his or her role. Some of the submissions the office received are featured above.

# NATIONAL NIGHT OUT

Every August, the Warren County Prosecutor's Office participates in National Night Out events held throughout Warren County. National Night Out is a national community-building campaign promoting police and community partnerships to make our neighborhoods safer, more caring places to live. Millions of communities from all 50 states, U.S. territories, and military bases worldwide participate on the first Tuesday of August every year. This year, five communities in Warren County held National Night Out events, and representatives from the Prosecutor's Office participated in each one. For the first time this year, the Warren County Child Support Enforcement Agency hosted their own tables, providing valuable information to attendees regarding important services specific to child support enforcement.



**CLEARCREEK TOWNSHIP**



**CITY OF CARLISLE**



**CITY OF FRANKLIN**



**CITY OF LEBANON**



**HAMILTON TOWNSHIP**

## 2024 ANNUAL REPORT

# CHILD SUPPORT ENFORCEMENT AGENCY

In 2024, the CSEA managed approximately 11,414 cases, providing the full range of child support services, including establishment of paternity and support orders; collection and enforcement of support orders; location of parents; and modification and termination of support orders. The Agency collected more than \$35.3 million dollars, including more than \$13 million to recoup public assistance monies and provide support to families most at risk of going on public assistance.

The CSEA continued to be recognized for outstanding performance. The Agency won awards for Best Performance in Support Order Establishment; Best Performance in Collections on Current Support; and Best Performance in Total Disbursement.

Of note, the CSEA collected approximately \$15.61 per every dollar spent. That is more than double the State average of \$6.12. The Agency is a leader in cost effectiveness as compared to other CSEAs. Further, only 9.02% of the Agency's cases had an unlocatable child support obligor as compared to the State average of 15%.

**\$35.3 MILLION  
COLLECTED IN  
2024**



**(LEFT)  
IN AUGUST, CSEA  
EMPLOYEES WORE GREEN  
IN SUPPORT OF CHILD  
SUPPORT AWARENESS  
MONTH**

## ENFORCEMENT EFFORTS

For enforcement, the CSEA utilizes multiple techniques to ensure child support payments are received timely for the families that depend on them. In 2024, the Agency collected over \$108,000.00 from obligors who had been indicted for felony non-support. The CSEA implements a program called “Squared Away,” to incentivize obligors at risk of being indicted for felony nonpayment to start making their payments. In 2024, over \$31,000.00 was collected from obligors in the Squared Away program.



**CHAD E. ATKINSON**, 50, of Middletown, Ohio, was sentenced to 12 months in prison following a conviction for felony non-support.



**DENNIS D. MALONEY**, 51, of West Chester, Ohio, was sentenced to nine months in prison following a conviction for felony non-support.

Further enforcement highlights include:

- ✓ Warren County CSEA is ranked number one amongst large counties in May for bank account seizures, over \$83,000.00.
- ✓ Ranked in the top six counties State-wide for the same month.
- ✓ Collected over \$261,000.00 for the entire year, \$70,000.00 more than 2023;
- ✓ Reduced overall arrearages by 1.36% from 2023;
- ✓ Worked in collaboration with Montgomery and Miami Counties to secure more than \$35,000.00 from an estate; Collected over \$18,000.00 from a different estate;
- ✓ Collected over \$24,000.00 from an obligor to pay off arrearages;
- ✓ Collected over \$16,000.00 from an obligor to resolve a pending Motion for Contempt;
- ✓ Seized more than \$5,000.00 from jail commissary funds of incarcerated obligors.

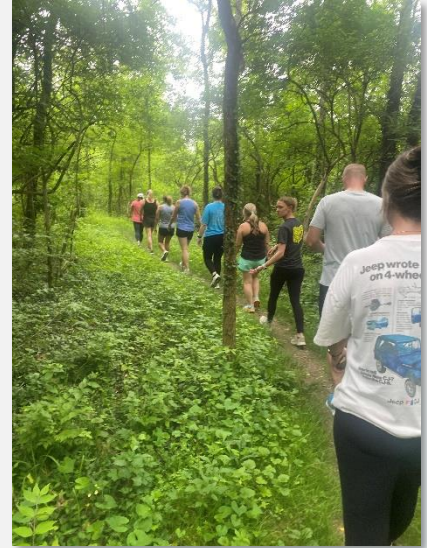
(Right) First Assistant Prosecuting Attorney Tommy Howard rode along with Sgt. John Denlinger of the Waynesville Police Department. Assistant Prosecuting Attorney Alaina Bidlack rode with Deputy Hofele of the Warren County Sheriff's Office.



# COMMUNITY INVOLVEMENT

In 2024, members of the Prosecutor's Office continued to participate in community outreach activities, both office-wide and in their individual capacities. Just some of those contributions are featured here.

(Right) In May, members of the Prosecutor's Office organized an office charity 5k (which turned into a wooded hike) and made donations in support of **A Helping Hand for Jacob Derbin's Loved Ones**. Euclid Police Officer Jacob Derbin was tragically killed in the line of duty on May 11, 2024 while responding to a disturbance call and was ambushed. Officer Derbin was only 23 years old and was on the force for less than one year. Officer Derbin served in the Army National Guard and did a tour in the Middle East. His father is currently an active policeman in the Euclid Police Department.



(Left) In August, Prosecutor Fornshell spent a little time behind bars in the dunking booth at the Lebanon Blues Festival to raise money for the **Warren County Peer Support Team**, which provides peer support services to law enforcement, fire, EMS, and other public servants who are exposed to critical incidents and trauma in their daily work lives.

(Right) On April 10, 2024, members of the Prosecutor's Office dressed in blue to support the Child Advocacy Center of Warren County on **Ohio Wears Blue Day**. Every April, Ohio recognizes Child Abuse Prevention Month.



# OUTSTANDING TEAM MEMBER AWARD

## ASSISTANT PROSECUTING ATTORNEY JOHN ARNOLD



Assistant Prosecuting Attorney John Arnold received the “Outstanding Team Member Award” in 2024, just months before his retirement in February 2025, and after 42 years of combined service as an assistant prosecuting attorney in Warren County and in Hamilton County.

The Outstanding Team Member Award is based on nominations from members of the Warren County Prosecutor’s Office and is given to the employee who exhibits outstanding commitment to their colleagues while carrying out the ideals and principles of the Prosecutor’s Office. Arnold’s co-workers included some of the following comments about him in their nominations:

“He works hard, he is dedicated to his role in this Office, and I respect the way he interacts with members of the Office and law enforcement.”

“John truly raises the bar for our office, he provides leadership and sets an example of professionalism that we should all strive for.”

“Mr. Arnold is the definition of what outstanding is. He does an exceptional job on all of his cases; he makes sure that our community continues to be a safe place to live and raise a family.”

“It is difficult to put into words how deserving John is of this award. He is an invaluable asset to this office and everyone in it. Ever the champion of what is just, John never shies away from doing what is right. His commitment to his cases is second to none.”

“I hope he knows the depth of his impact not only on myself but on everyone that surrounds him.”

# RETIREMENTS

## CHRIS WATKINS



In June 2024, Assistant Prosecuting Attorney Chris Watkins retired after a 22-year career with the Warren County Prosecutor's Office.

Prior to working at the Prosecutor's Office, Watkins worked for 19 years as a well-respected real estate and real estate title insurance agent in the private sector. On December 3, 2001, Watkins was appointed as an assistant prosecuting attorney under Prosecuting Attorney Timothy A. Oliver. He continued in the same capacity under Prosecuting Attorney Rachel A. Hutzel, and under current Prosecuting Attorney Fornshell.

Watkins was an assistant prosecutor in the Civil Division of the office, providing legal counsel to the County Treasurer, including playing a big part in Warren County having one of the lowest delinquent real property tax percentages in the entire state. Watkins tried, briefed, and argued cases before the Ohio Board of Tax Appeals, the Warren County Common Pleas Court, the Twelfth District Court of Appeals, and the Supreme Court of Ohio. Watkins also served as legal counsel for the County Auditor, County Recorder, and the Board of Revision. He served as an invaluable resource for the County Engineer's Tax Map Department, the Sheriff's Office for Sheriff's sales, and the County Commissioners for hotel/motel tax collection.

Watkins always represented the Warren County Prosecutor's Office in a positive manner, and earned a reputation amongst his colleagues for his kindness and service to others, including serving as a member of the Warren County Bar Admissions Committee; a member of the Warren County Grievance Committee; a Warren County Bar Association officer, serving one year as president; a member of the board of trustees of his church; a youth ministry teacher; a dedicated routine blood donor; a participant in numerous 5K fundraisers; a volunteer with Big Brothers Big Sisters of America, and countless other community service projects.



# RETIREMENTS

## BRENDA BERRY



In December 2024, Legal Assistant Brenda Berry retired after a 31-year career with Warren County.

On August 30, 1993, Berry started her career with Warren County in the Warren County Child Support Enforcement Agency, transferring to the Warren County Prosecutor’s Office in June of 2002 to work as a legal assistant under Prosecuting Attorney Timothy A. Oliver. She continued in that capacity under Prosecuting Attorney Rachel A. Hutzel, and current Prosecuting Attorney Fornshell.

Berry is an outstanding public servant of Warren County, who has devoted herself to her family, the residents of Warren County, and her community. In her recognition, the Board of County Commissioners proclaimed December 1, 2024 as “Brenda Berry Day” in Warren County.



2024 ANNUAL REPORT

# THANK YOU

FOR ALLOWING US TO SERVE YOU.



(ABOVE) THE GREAT ECLIPSE OF 2024

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