

# ON THE JOB

CRIMINAL JUSTICE UPDATE

COVER STORY



## A CENTURY OF SERVICE

This year, the **OHIO BUREAU OF CRIMINAL INVESTIGATION** celebrates its centennial, confident that its future will be just as momentous. New initiatives are already paving the way.



**O**ne hundred years ago, the Ohio General Assembly passed a law creating a minor criminal records agency that, in its early years, was housed at the Ohio Penitentiary and staffed largely by prisoners.

From those humble roots, the Ohio Bureau of Criminal Investigation transformed into the powerhouse that it is today, staffed by expert investigators, forensic scientists and record-keepers more accustomed to novel technologies than prison bars.

Attorney General Dave Yost and his office celebrated the centennial and the workers who drive BCI with ceremonies and picnics at the locations in London, Bowling Green and Richfield. The events honored the past but also looked forward, highlighting new initiatives that will make BCI even more valuable to local law enforcement partners and Ohio as a whole.

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Law enforcement is under pressure nationwide to upgrade training and policy, particularly in the areas of de-escalation, use of force and community relations. But training requires money, and in our decentralized law enforcement system, many agencies already struggle with tight budgets.

That's why the state should permanently fund advanced training for law enforcement officers.

The benefits are obvious, but the issue is also one of fairness. Whether officers receive advanced training to protect their own lives and to improve citizen interaction should not depend on the depth of a community's pockets.

A \$15 million pilot program, created by the state legislature in the operating budget passed this summer, is a start. Tasked with running the program, my office intends to make the training as accessible and valuable as possible.

The law requires 24 hours of continuing professional training (CPT) in categories approved by the Ohio Peace Officer Training Academy (OPOTA). Of those hours:

- Four must deal with diversity, inclusion and equity.
- Twelve must come from any three of the following areas: responding to mental health; use of force; legal updates; officer personal wellness; responding to sexual assaults; and domestic violence.
- Eight must come from leftover categories from the list above or standards approved by the Ohio Collaborative Community-Police Advisory Board. (Find details at [www.OhioAttorneyGeneral.gov/CPT](http://www.OhioAttorneyGeneral.gov/CPT).)

The state will pay up to 50% of officers' salaries while they take the training. To bring home this funding, though, agencies by Nov. 1, 2021, must send my office salary information — both how much eligible officers earn per hour and the total that would be paid to them.

I'll emphasize that: THE DEADLINE IS THIS YEAR, per the new state law, even though the training takes place in 2022.



**ACTION NEEDED!**  
In order to receive state training funds for next year, Ohio law enforcement agencies must act by **Nov. 1, 2021**, to certify salary data to the Attorney General's Office. Forms can be found at [www.OhioAttorneyGeneral.gov/CPT](http://www.OhioAttorneyGeneral.gov/CPT).

OPOTA is preparing. It will offer curriculums that agencies can use to meet each of the required categories. Also, in the first and second quarters of 2022, the academy will post free trainings to OPOTA Online that can satisfy all 24 hours of CPT requirements.

Now, I suspect that you have questions. Let me address a big one: Do you have to teach the curriculums from OPOTA?

No. Agencies are welcome to create their own trainings in the approved categories, as long as they follow the framework provided by the Ohio Administrative Code. This is especially true for agencies that already have strong training programs and instructors.

There is a caveat here, though: For courses to satisfy the requirements, they must be approved before they are taught.

I firmly believe that you are the experts on your community, and that is why my team decided against mandating that all law enforcement officers take our courses.

If I had made the state budget decisions, the 2022 CPT would have been 100% funded. Still, this program can help us build the case for full funding.

The legislature did give me a seat on the 12-person panel tasked with studying permanent funding for LEO training. You and the Ohioans you serve deserve it, and I'm going to fight for it.

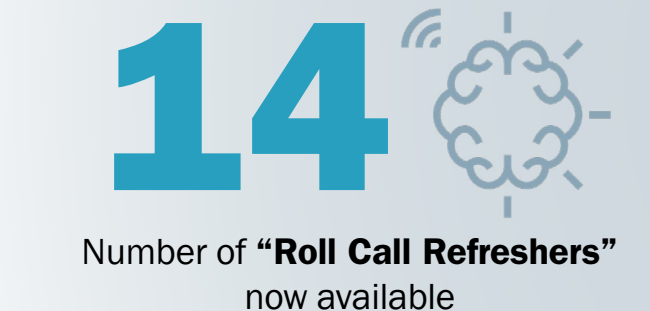
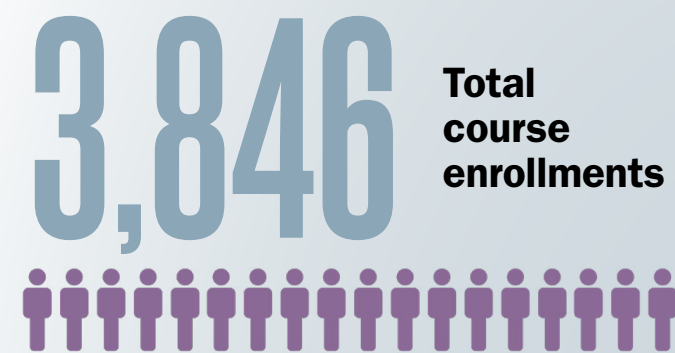
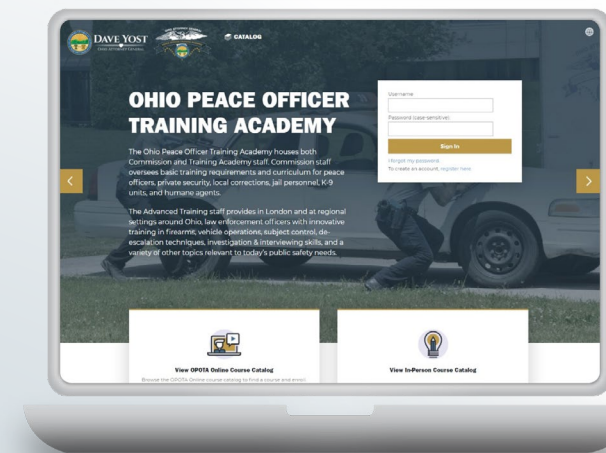
Yours,

**Dave Yost**  
Ohio Attorney General

# OPOTA ONLINE: By the numbers



The Ohio Peace Officer Training Academy's new OPOTA Online training platform, featuring an invitingly fresh digital experience, is off and running with hundreds of new users. Here are some details:



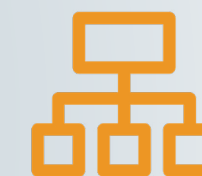
These courses are designed to provide necessary updates or useful reminders about basic topics in bite-size form.

- ✓ Medical Marijuana
- ✓ Ohio Forfeiture Laws
- ✓ Preserving Cellphone Evidence
- ✓ Requesting Police Canines
- ✓ Roadside Questioning
- ✓ Sexual Assault Investigations
- ✓ Social Media Precautions
- ✓ Submitting Evidence to the Lab
- ✓ Trauma and the Brain
- ✓ Vehicle Inventory
- ✓ Victim Advocates
- ✓ Direct and Circumstantial Evidence
- ✓ Drafting Search Warrants
- ✓ Testifying in Court



New or updated courses in the pipeline, including:

- ✓ Impacting Narcotics in Ohio, a Beyond the Basics course
- ✓ New takes on statutory mandates
- ✓ A focus on vicarious trauma
- ✓ A three-part domestic-violence series
- ✓ A newly mandated course on proper interactions with civilians, particularly during traffic stops
- ✓ Five new Roll Call Refreshers



**3**

"Beyond the Basics" courses available

These courses provide a deeper dive into important subjects in the new and more-engaging format.

- ✓ Human Trafficking
- ✓ Ohio Public Records Law
- ✓ Use of Deadly Force and Legal Guidelines



**ON THE JOB**  
CRIMINAL JUSTICE UPDATE

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“As I congratulate BCI on its first century, I’m excited by the prospects for its next 100 years,” the attorney general said. “What additional feats of extraordinary justice will be performed as expertise and equipment advance?”

Many seeds for that growth have already been planted, BCI Superintendent Joseph Morbitzer said. “We don’t just focus on getting better at one thing at a time; we work together to improve everything at once,” he said. “And each improvement we make helps us help more people, fight more deadly doses of fentanyl, solve more sexual assaults, and analyze more firearms and DNA.”

DNA testing advancements and specialized investigative efforts such as the new Cold Case Unit tend to draw the most attention, but work just as integral to solving cases and preventing crime happens in every corner of BCI.

For example, the Ohio Law Enforcement Gateway (OHLEG), the web platform that provides law enforcement officers quick access to vital tools, has undergone a significant upgrade.

“This project might not make headlines, but it offers profound advantages that help law enforcement agencies work smarter,” Attorney General Yost said. “We want to provide efficiencies that allow officers to focus more on investigating cases and helping communities — not duplicating paperwork.”

Since OHLEG’s new records management system, SWIFT RMS, came online, 25 law enforcement agencies, including the Hamilton County Sheriff’s Office, have recognized its advantages over their old systems and made the switch.

SWIFT RMS offers complete case management, simplified incident reporting, auto crash reporting with a direct link to the Department of Public Safety, jail booking, property room management, regional sharing, a module to handle newly required use-of-force reporting and a “night mode” with darker screen settings. Agencies do not have to pay for the digital storage space they use.

“It’s going to astound agencies what we have available for them,” OHLEG Director Jill Small said.

In addition to the RMS, OHLEG has a new search engine, called SWIFT SE, that offers improved results when searching by name, vehicle description, address, tattoo or other image. It allows users to more easily filter, sort and cross-reference search results.

Also on OHLEG, the new SWIFT Share upgrades the Ohio Local Law Enforcement Information Sharing Network (OLLEISN) and assists agencies in sharing incident reports regardless of vendor platform.



Learn more at [OhioAttorneyGeneral.gov/BCI](http://OhioAttorneyGeneral.gov/BCI).

“I thought, being in law enforcement for four decades, that I knew what BCI was all about,” said Morbitzer, who served as chief of the Westerville Police Department, near Columbus, before joining the bureau. “But I had no clue. Things like the Public Corruption Unit, what the Lab does with trace evidence and firearms, the Identification Division.”

The Identification Division, among its many duties, performs 1.6 million background checks a year, and it is responsible for adding sex offenders, arsonists and other criminals to state registries.

Like OHLEG, the Identification Division has implemented important new upgrades. A \$25 million replacement for the Automated Biometric Identification System (ABIS), the state system encompassing 6 million criminal records, was completed in June. The new system supports more rapid retrieval of data, allowing for faster identification of criminal suspects.

The division is also converting 3 million criminal



records that exist only on paper into electronic files — the benefits of which are obvious.

“It goes to show how this attorney general really values law enforcement,” Small said. “That’s why he authorized these big system enhancements.”

Attorney General Yost himself has said that it is the experience and talent of the team at BCI that make such projects worthwhile.

“You don’t invest in shiny new systems, invent new teams and develop cutting-edge technology unless you are confident they can achieve better results,” he said, listing: “More charges filed, more criminals convicted, more records at officers’ fingertips to protect their lives when they pull over hotheaded motorists.

“In that sense, BCI is one of the safest investments we can make,” Yost continued, “and I have confidence that will be true for at least another century.”



BCI staff, leaders and guests gathered at the three primary locations to celebrate the 100th anniversary of the bureau’s creation. From top are the London headquarters and the Richfield and Bowling Green locations.



## BCI Initiatives

### Investigations

BCI is focusing on priority investigations that pull expertise from across the bureau’s divisions. The point is to better help local agencies get the answers they and their communities need.

- **Cold Case Unit:** This new team focuses on helping local law enforcement take a fresh look at unsolved homicides and sexual assaults — a collaborative effort among BCI investigators, criminal analysts and forensic scientists.
- **Officer-Involved Critical Response Team:** Although not a new effort, this team is fielding more work as its reputation for trusted, independent investigations draws interest from local law enforcement agencies. More have signed memorandums of understanding (MOUs) for BCI to investigate their critical incidents.
- **Special Victims Unit:** This new unit has brought smaller, specialized units under its umbrella to more efficiently seek justice for victims of vulnerable populations, including children, the elderly, those with special needs and those trapped in human trafficking.

### DNA testing

Modern DNA testing has opened doors to solving mysteries that even a decade or two ago would have gone unanswered, and BCI’s Laboratory Division continues to deploy new technologies:

- **Familial DNA testing:** This combs CODIS, a national DNA database, for near-matches to crime-scene DNA in need of being identified. If a Y chromosome match is found, it is highly likely that the culprit is a male relative of the person whose DNA is in CODIS.
- **Massively parallel sequencing (MPS):** This enables millions of fragments of DNA from a single sample to be sequenced in unison instead of one at a time. More sensitive than traditional testing, it allows for more detailed information to be generated from DNA.
- **Mitochondrial DNA (mtDNA) testing:** Compared with familial testing, this examines DNA passed only through the matrilineal line. Mitochondrial DNA is more robust and plentiful than the type of DNA targeted in traditional testing, making it helpful in unidentified remains cases.
- **Genetic genealogy:** This can solve cold cases in which CODIS or familial DNA work hasn’t found answers. The Laboratory assists local agencies in preparing crime scene DNA extracts to be outsourced for a process similar to that used by individuals researching their family heritage.

### Drug research

Identification of drugs is an essential component of criminal investigations and prosecutions. Two initiatives address pressing issues:

- **BCI’s Chemistry Unit** is taking part in a multistate alert system to ID new synthetic opioids — chemical variations and combinations of illicit substances that function as new drugs. BCI examines these drugs and provides reference data so that labs across the country can quickly detect the new drugs if they show up.
- **BCI has been investing in MX908s**, portable drug-analysis devices that seek out the chemical fingerprint of well-known drugs, such as fentanyl and carfentanil. They’ve proved promising: Faster test results in the field enable more efficient investigations and prosecutions and help protect officers.



## Service, dedication & bravery

One of the primary goals of the Attorney General's **Law Enforcement Conference** is to honor and celebrate great work by law enforcement officers and their partners. Every year, whether the event takes place virtually or in person, the Distinguished Law Enforcement Awards are bestowed in seven categories.

**This year's winners:**

### LIFETIME ACHIEVEMENT AWARD

**Retired Cmdr. Marvin Cross, Cleveland Division of Police**

*While serving Cleveland for 24 years with the police department, Cmdr. Cross never met a problem he couldn't face down with action, usually an innovative program he created to get results and improve lives.*



During his time on the force, Cmdr. Cross spent 14 years on the fugitive unit, developing a tracking system that reduced arrest costs by 22% and resulted in the capture of 2,500 fugitives.

As a member of the recruiting team, he developed strategies and education programs that led to a 30% increase in minority applicants and a 20% increase on entrance-exam scores. In other units, he supervised 21 mini-stations and created programs that cut school violence by 30% and hate crimes by 40%.

But Cmdr. Cross' goals weren't just about putting numbers on the board. Cmdr. Cross volunteered as an assistant coach for the Greater Cleveland Schools All-Stars basketball team for 17 years, helping 12- and 13-year-old boys build friendships beyond their neighborhoods. He created a bookbag giveaway and Christmas toy drive; worked to develop younger officers; and helped lead the Black Shield Police Association, an advocacy group for minority officers.

With his retirement, Cmdr. Cross didn't give up his roles as guardian and mentor. He simply transitioned to private security and has spent 14 years working with the likes of the Cleveland Cavaliers, the U.S. national basketball team and Special Olympics teams.

### CIVILIAN LEADERSHIP AWARD

**Victoria Allen, Youngstown Crime Stoppers**

*Before her death last month, Allen was called both a superhero and "the epitome of a servant leader" for her extraordinary efforts to bring together her Youngstown neighbors and local law enforcement.*



A married mother of three and a mother-in-spirit to dozens more, Allen led one of the most active Block Watches in Youngstown as well as Crime Stoppers of Greater Youngstown and the South Avenue Area Neighborhood Development Initiative (SAANDI).

City leaders and law enforcement officers knew her well, not only for welcoming them into her home and offering to share home-cooked meals but also for spending countless unpaid hours organizing mass events to unite the community. She regularly planned neighborhood holiday celebrations, parades and dinners; block parties that topped 1,000 people; and donation drives and other help for needy families.

No fewer than nine police officers and a county judge nominated Allen for this award, with multiple submissions mentioning her work locating missing children, lost or wandering elders, and wanted fugitives; gathering information about crimes; and helping to calm crowds that gather at the scene of violent crimes.

Allen, a customer-support supervisor at State Alarms Systems for 24 years, was a respected community leader sought out by most everyone when they needed any kind of help.

*Attorney General Dave Yost is renaming this honor the Victoria Allen Distinguished Civilian Leadership Award in recognition of her remarkable community efforts.*

### COMMUNITY SERVICE AWARD

**Chief Arthur L. Fowler Jr., Wintersville Police Department**

*Chief Fowler has dedicated his life to helping the people of Wintersville, and his 20 years at the local police department are just one piece of his efforts.*



Chief Fowler serves as a coach for the Indian Creek Chiefs youth football program and treasurer for the league. He serves as treasurer of the Ohio Valley Football League, a board member for the child advocacy center A Caring Place and a mentor for local at-risk youth. All of these good deeds create bridges to the younger generation and provide them the best impression of law enforcement.

But helping kids is not the only cause that moves Chief Fowler to volunteer. He is also a member of the Jefferson County I-Team for Prevention of Elderly Abuse and has been honored by the Adult Protective Unit of Jefferson County Job and Family Services for his efforts to prevent elderly abuse and educate the public.

Not one to go about life passively, he is also a member of the Ohio Association of Chiefs of Police's Community Relations and Engagement Committee. And he serves as a firefighter and an EMT.

Chief Fowler puts his life — and his enormous heart — on the line for the good of Wintersville.

### TRAINING AWARD

**Chief Jerome Klue, Akron Children's Hospital Police Department**

*Chief "Jerry" Klue has spent more than 40 years educating prospective, new and active peace officers in basic and advanced training, as well as police and fire dispatchers and civilians of all ages.*



The impact of Chief Klue's training cannot be overstated. The certified trainer for OPOTC and the National Emergency Communications Institute has led train-the-trainer courses and helps 911 operators improve at their jobs. He has taught basic and advanced police training, college-level criminal justice classes and traffic safety for community members. He also helped to create the state training framework for school resource officers.

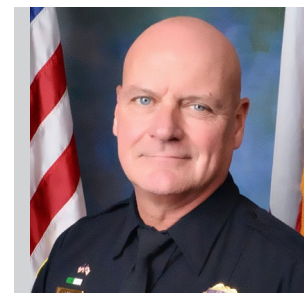
Since his early years on the job, Klue has pushed the importance of Crisis Intervention Training, which arms officers with de-escalation techniques and skills to aid those suffering a mental-health crisis. As part of the Summit County Police Chiefs' Association, Chief Klue worked with mental-health experts to build a CIT program for all peace officers in the county, then made implementation possible by creating buy-in and finding a way to fund it.

As a result, he was honored with a 2021 CIT Law Enforcement Leader of the Year Award, one of the many times through the years that his dedication has been recognized by local, state and national groups.

### MARK LOSEY SERVICE AWARD

**Detective Todd Comer, Miami Township Police Department**

*After he became a detective almost 30 years ago, Comer developed a specialty for investigating crimes against children, which sparked a passion for helping those unable to help themselves.*



A member of the Miami Township Police Department in Montgomery County since 1988, Detective Comer has become the "go-to" investigator for intense homicide, child abuse and sex assault cases. His meticulous approach and dedication result in justice served, as well as a respected reputation.

Outside of his work hours, Detective Comer has sought to make life better for youngsters. For seven years, he volunteered at the Dayton-based Ronald McDonald House Charities, serving as a handyman, organizing donations and doing whatever else the leaders and families of sick children needed. A manager called him the most reliable of volunteers.

For three years, Detective Comer volunteered with the Dayton Victory Project, a faith-based, after-school nonprofit serving disengaged teenage boys in the inner city. The detective provided monthly meals, with no regard for the personal cost, to 50 or so teens, and he stayed after eating to mentor them. These young men respected Detective Comer because he earned the right to be heard, and they listened.

Detective Comer's actions show him to be selfless and authentic — traits that our communities need now more than ever.

### GROUP ACHIEVEMENT AWARD

**Pike County Rhoden Murder Task Force**

*It took intense teamwork and dedication to execute the biggest murder investigation in Ohio history.*

In the five years after eight members of the Rhoden family were killed in Pike County, local and state investigators poured thousands of hours into finding those responsible. More than 1,100 tips were cleared; 500 interviews completed; 700 pieces of evidence tested; and 500 subpoenas, search warrants and court orders requested.

#### The task force includes members of the following groups:

- Ohio Bureau of Criminal Investigation
- Former employees of BCI/Attorney General's Office
- Local sheriff's offices
- Prosecution team

The dogged efforts led investigators to suspect and arrest another family: the Wagners, who had lived in Pike County at the time of the murders and then moved to Alaska.

In the spring, Jake Wagner, 28, pleaded guilty to all eight murders, including that of the 19-year-old mother of his daughter. Jake, who will spend the rest of his life in prison, has been cooperating with prosecutors and confirmed that the heinous plot was sparked by a custody dispute.

And last month, his mother, Angela Wagner, also pleaded guilty for her role in plotting the massacre. Her son George Wagner IV and her husband, George "Billy" Wagner, were awaiting trial as of the writing of this story.

### VALOR AWARD

**Officers Heather Bauer, Sean Connor and Michael Guarnieri, Norton Police Department**

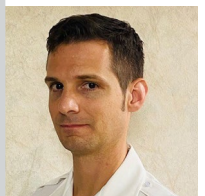
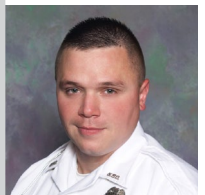
*Thanks to the courageous action of these three officers, an elderly couple survived a fire that seriously damaged their home and killed a relative.*

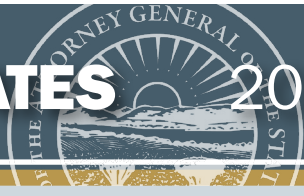
When a passer-by called officers to the house in the Summit County city of Norton, flames were already licking out of the front windows. Officers Bauer, Connor and Guarnieri arrived and, not knowing whether anyone was home, circled to the back and broke through a steel door.

Inside, they found a locked first-floor bedroom. When they couldn't bust through the door, Officer Connor forced it off its hinges, essentially opening the door backward. Shocked awake were the 82-year-old man and 78-year-old woman; the officers and a newly arrived firefighter helped them to safety.

The disoriented couple told the responders that the woman's 69-year-old brother lived on the second floor, and Officers Connor and Guarnieri rushed back inside. They tried multiple times to reach him — the quickly worsening conditions blocked each attempt — until Officer-in-Charge Bauer ordered them to exit the home for their own safety.

The brother died of smoke inhalation, and the husband was hospitalized and recovered. But surely, if it hadn't been for the officers, who didn't hesitate to put their own lives on the line, all three residents would have perished.





## Mark Your Calendar

### Did you know?

The Attorney General's Office has launched the Ohio Stolen Gun Portal, a searchable database designed to help identify and recover stolen firearms. Law enforcement officials, please consider posting the link on your website as a service to gun buyers and sellers in your community.

<https://www.ohioattorneygeneral.gov/stolengun>

### Save the date



The Ohio Attorney General's Office will host its 3rd annual Human Trafficking Summit on Jan. 13, 2022.

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**DAVE YOST**  
OHIO ATTORNEY GENERAL

