

# ON THE JOB

## CRIMINAL JUSTICE UPDATE



**DAVE YOST**  
OHIO ATTORNEY GENERAL

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### COVER STORY

# New AG is committed to working with, for local law enforcement

“I am not a lawyer for the politicians. I did not come here for the bureaucrats, or the regulators. I represent the people of Ohio.”

— Attorney General Dave Yost

**D**ave Yost came into office as Ohio Attorney General pledging to champion those state residents who don't have lobbyists or who can't afford to take part in government.

“The single mom who struggles to pay both child care and rent. The senior whose medicine costs more every year but whose income does not rise ... the unprotected,” Yost said in his inauguration speech.

To put it in more law-enforcement terms, the people Yost wants to protect are the sheep — “kind, decent people who are not capable of hurting each other, except by accident or under extreme provocation,” as the well-known book *On Combat* puts it.

The book's author, Lt. Col. Dave Grossman, a retired Army Ranger, wrote that standing between the sheep and the wolves are the sheepdogs — our police officers, deputy sheriffs, highway patrol officers and many more.

Yost wants to work with the sheepdogs to help build a system that is more fair than the one we have today.

“The rule of law” means “the same rules for everybody, equally and justly applied,” he said in his speech. “The rule of law constrains both politicians and predators in the marketplace. It limits both the rich and the mob.”



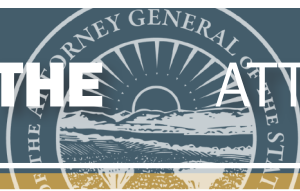
ABOVE: More than 50 county sheriffs join **Attorney General Dave Yost** on stage after his inauguration ceremony at the Lincoln Theatre in Columbus.

LEFT: Yost is sworn in by **Chief Justice Maureen O'Connor** as his wife, **Darlene Yost**, holds the Bible. It was her father's and he carried it on his tour of duty in France during World War II.

“I am not the lawyer for the politicians,” he said. “I did not come here for the bureaucrats, or the regulators. I represent the people of Ohio.”

How will he represent them as Attorney General, chief of all law enforcement in the state? The best measure is Yost's past. In eight years as Delaware County Prosecutor, Yost partnered with law enforcement to fight for everyday residents of Ohio. He won the first capital murder case in county history and helped take down the county's largest drug ring.

Continued on Page 4



One week before the day I was inaugurated as Ohio Attorney General, Colerain Township Police Officer Dale Woods died after he was struck by a vehicle while on duty. On that dark and rainy night, Officer Woods had pulled a woman from a burning car, saving her life.

It was later, while still securing the scene on Colerain Avenue, north of Cincinnati, that he was struck by a pickup truck. Officer Woods was doing what the law enforcement officers of this state do every day, and what he had done for 15 years. This time, the call of duty cost him his life, and it cost his three children a father.

I grieve with them.

And I salute the courage and tenacity exemplified by our police officers, sheriffs and deputies, investigators, firefighters and so many others who are grouped under the term “first responders.” Whether in the most heroic moments or in the most routine, what you do is the definition of public service.

Unlike most public employees, you put your lives on the line each day that you put on your uniform and report for duty. You understand and accept that your work includes unpredictable dangers. And the families of Ohio – including mine – are grateful for your willingness to do that.

The understanding of how vital you are to the safety and well-being of our families and communities will be my guide as I undertake the responsibilities of the Ohio Attorney General.

I aim to be your ally in justice, and I am honored to be here to work for you and with you.

Very respectfully yours,

Dave Yost, Ohio Attorney General



## Q&A WITH THE ATTORNEY GENERAL

**What do you want Ohio’s law enforcement officers and firefighters to know about the kind of Attorney General you are?**

No politics, just results. You will be able to reach me.

**The AG plays a big role in the law enforcement community. What are your thoughts on how to continue the successful partnership?**

I was a county prosecutor for eight years – I know that law-enforcement is a local government function. We are here at the AG’s Office to support local law enforcement.

The key to successful law enforcement is ever greater communication and cooperation. Bad guys don’t pay attention to jurisdictional lines, and crime is becoming more mobile and more digital. Our most effective tack is working together.

**How important is engagement with law enforcement for you?**

You can’t know what’s going on out there unless you’re on the street, actively engaging the people who actually do the work. I will not be a prisoner of some Columbus office tower. I want to know what you are encountering and how I can help.

**When officers graduate from Ohio Peace Officer Training Academy programs, what skills should they possess to best serve Ohioans?**

An officer needs to be ready for duty. That means everything from tactical excellence to de-escalation techniques – and, always, knowing the law.

**What type of pressures do you think law enforcement officers face on a daily basis and what can be done to help?**

The only people who can really understand the stress an officer deals with are those who have been on the job. That real-time decision-making with high stakes simply doesn’t exist in other professions.

Add to that the second-guessing of the Monday morning quarterbacks and you have a recipe for a unique kind of stress.

Every officer who voluntarily puts on the badge and goes to work accepts a level of risk that demonstrates their good intentions and warrants the presumption of good faith. As Attorney General, I will make that case to the people we serve.

**What’s the top job on your resume that prepared you for this role?**

It’s my time among the sheepdogs, when I was prosecutor in Delaware County. Lt. Col. Dave Grossman got it right – there are three kinds of people out there. And I’ve always hated the wolves.

“Every officer who voluntarily puts on the badge and goes to work accepts a level of risk that demonstrates their good intentions and warrants the presumption of good faith. As Attorney General, I will make that case to the people we serve.”

# JOE MORBITZER

SUPERINTENDENT | BUREAU OF CRIMINAL INVESTIGATION



## What do you bring from your 33 years with the Westerville Police Department to your new role leading BCI?

Experience in cooperating with criminal justice professionals. Over the years, I have been able to develop relationships with these professionals, not just on a statewide level but also nationally and internationally.

## What do you see as BCI's strengths?

Outstanding professional staff. When you ask public safety professionals about their interactions with members of BCI, they have only very positive and complimentary comments about the work ethic, dedication and commitment of the team.

## What are the areas where there is opportunity for growth?

When we look at growth, we must look into the future. If we focus on today or tomorrow, we will be behind, obsolete and irrelevant. Technology, biometrics and criminalistic behavior are constantly changing. As a result, methods of investigation and enforcement must also stay current.

## How do you see BCI's relationship with local authorities?

While the relationships with known agencies are cooperative, we have not done enough to promote our mission, services and skills to many agencies and the public in general. When the high-profile cases arise, BCI is mentioned but never to the degree deserved. I also believe that staff should be recognized and thanked for the services provided day in and day out. I guarantee that Ohio residents don't understand or appreciate the amount of work conducted by staff on an annual basis and the outstanding professional services that are provided.

## What's your management style?

Collaborative and participatory. In my past leadership roles, the greatest and most successful concepts were a result of frontline staff. While there are times for crisis leadership when things must be decided in an instant, I believe in cooperation and partnerships.

A prime example of the power of collaboration is the annual Ohio Law Enforcement Summit. Historically, the Attorney General's Office, the Ohio State Highway Patrol, the Buckeye State Sheriffs' Association and the Ohio Association of Chiefs of Police worked together reactively, meaning there had to be an event to bring the groups together. That is until the Highway Patrol's Col. Paul Pride, Sheriff Mike McCauley and I sat down together to form a more proactive approach. What resulted is the annual Ohio Law Enforcement Summit. Today, the two-day summit with representatives from all of those organizations is held to address contemporary issues in law enforcement.

## When did you first know you wanted to be a law enforcement officer?

When I was a youngster growing up. We always played sports in the streets and neighbors would call the police to move us off the streets. We had a district officer who would move us to a side street, take off his duty gear, lock it in his trunk and spend time not just playing sports with us, but also providing direction and mentorship.

## Why do you want this job?

This is a fantastic opportunity to work in an extremely professional organization. I am truly fortunate and blessed to be given this opportunity. We will make it our mission to be the state investigative organization that all other states look to for progressive, dynamic processes and actions.

## Bio box

**Hometown:** "Westerville, but I grew up on the south end of Columbus."

**Family:** "My No. 1 supporter is Gina Bentle, my significant other. I also have three great adult children: Joel, Alexandra and Gabrielle."

**Education:** Father Joseph Wehrle High School in Columbus; associate and bachelor's degrees in Criminal Justice and Criminal Justice Administration from Columbia Southern University; F.B.I. National Academy, where he completed work on obtaining a master's degree

**Past roles:** Chief of Police in Westerville since 2005; 33 total years with Westerville included leading each of the five bureaus and serving in many capacities; Deputy with the Franklin County Sheriff's Office — highest rank: Corporal; Past President of the Ohio Association of Chiefs of Police; roles on state boards, panels and commissions for the Ohio Legislature, the Governor's Office and the Attorney General's Office

# Ohio BCI: 'It makes us better'

Bureau, its staff of professionals help local departments access latest technology for investigations

By Dave Yost | Ohio Attorney General

A strength of the Ohio Bureau of Criminal Investigation is that it puts the latest forensic science in reach for all law enforcement forces in Ohio, regardless of the size of their budgets.

Many local police departments and sheriff's offices can't afford to staff their own crime labs to analyze DNA, drugs, ballistics and other significant crime scene evidence. And justice should never come down to cash.

That's, in part, why Stark County Sheriff George T. Maier noted the importance of the longstanding commitment between local law enforcement, BCI and the Attorney General's Office in working together to make communities safer for our families.

"The rapid and specific advances in crime scene investigation make it difficult — the economics being what they are — for each agency across the state to go out and purchase new technologies and perform those tasks," Maier said. "Having teams available and ready to meet the need is a huge benefit to us."

Stark County has its own crime lab, but the Sheriff's Office relies on the state crime lab for CODIS, Ohio's DNA tracking system; DNA profiles; and rape kit testing, he said.

BCI played an instrumental role in a recent Central Ohio rape case involving two teens, said Delaware County Prosecutor Carol O'Brien, who will be Deputy Attorney General for Law Enforcement.

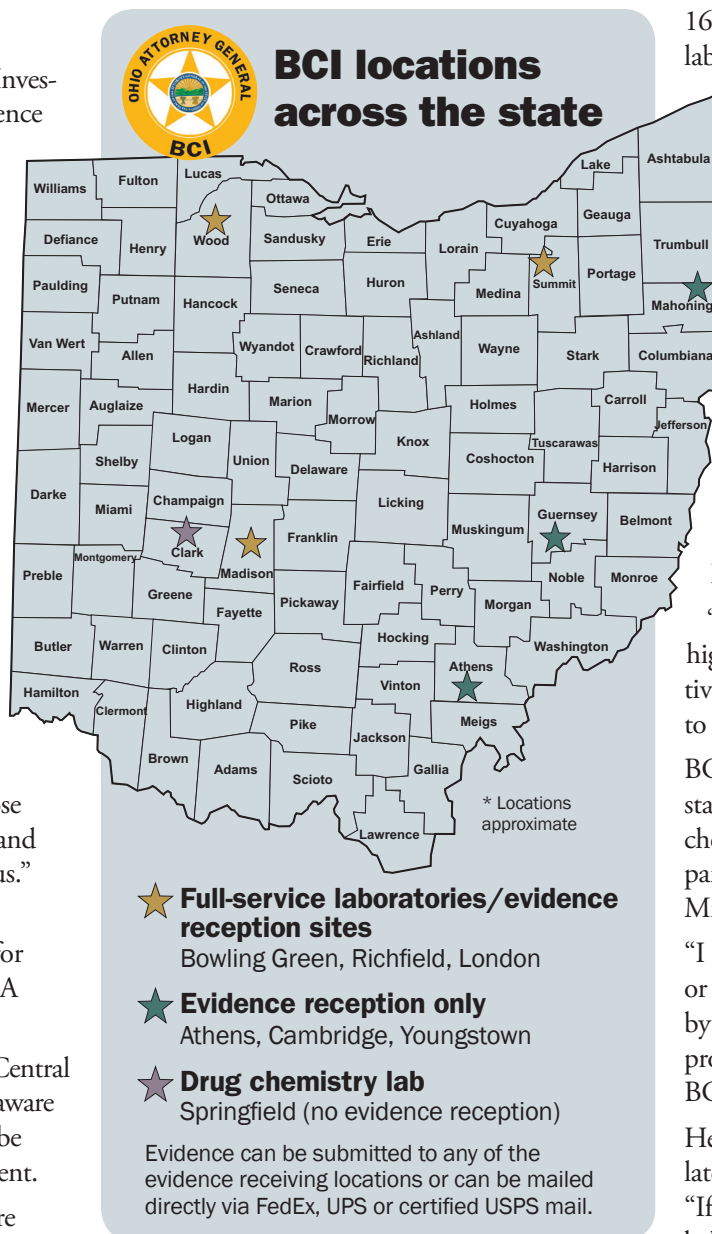
"Rape cases are tough," she said. "Victims are counting on prosecutors to make things right, and that means we have to have all the facts and be able to present them in the clearest and most persuasive way."

In the weeks leading up to trial, O'Brien's office and BCI conferred on what evidence testing showed and how the results corroborated the victim's account.

Continued from Page 1

After that, in eight years as Ohio Auditor, Yost's public corruption investigations contributed to more than 170 criminal convictions.

Your Attorney General is a dedicated family man and an upstanding public servant who believes in the dignity and discipline of work — lessons he learned from his parents as they built a business



The defendant ultimately entered an admission. O'Brien credits that, in part, to how the BCI analyst broke down a complex series of DNA results. "Our case was stronger and our office is stronger because of the collaborative relationship with BCI and its analysts," she said.

Last year, law enforcement submitted more than

from nothing to success, creating hundreds of jobs and providing for their family as he grew up. After getting his bachelor's degree from The Ohio State University and working as a journalist, Yost went to night school at Capital University to get his law degree.

That history shows he is hard-working and prioritizes integrity. But what Yost most wants first responders to know is that his top consideration is

160,000 items to BCI for lab services. BCI's crime labs tested more than 47,000 DNA samples.

Other lab services the bureau provides include crime scene and cybercrime investigation, fingerprint identification, and analysis of drug chemistry, firearms and tool marks, latent prints, documents and trace evidence.

BCI can help local law enforcement with wiretaps, GPS tracking, polygraphs, unsolved homicides and investigating police-involved shootings, as it did recently for the Clark County Sheriff's Office.

"They completed a thorough investigation while providing our office with reports and findings in a timely manner," said Sheriff Deborah K. Burchett.

"Their investigators conduct investigations on high-profile cases with professionalism and objectivity," Burchett said. "We will always be indebted to the services BCI provides."

BCI also runs OHLEG and CODIS, keeps all state criminal records, processes background checks, researches and predicts crime trends, prepares visual aids for use at trials, and operates the Missing Persons Unit.

"I guarantee that Ohio residents don't understand or appreciate the amount of work conducted by staff on an annual basis and the outstanding professional services that are provided," said new BCI Superintendent Joe Morbitzer.

He puts a priority on being at the forefront of the latest technology and investigative techniques. "If we focus on today or tomorrow, we will be behind, obsolete and irrelevant."

Local law enforcement can appreciate that.

"As needs change, like with the opioid crisis we've been dealing with for four to five years, we can work together to update investigative techniques," Stark County Sheriff Maier said. "It makes us better at what we do, and with that comes safer communities."


results, not politics. He will seek out cooperation and communication, and he wants his 1,500-person office to be a tool for law enforcement.

"Every officer who voluntarily puts on the badge and goes to work accepts a level of risk that demonstrates their good intentions and warrants the presumption of good faith," Yost says. "As Attorney General, I will make that case to the people we serve."

Student Madison Muir talks to AG Dave Yost about shoe print evidence.



## Forensic science center opens at Bowling Green

OHIO ATTORNEY GENERAL'S  
  
**AT BOWLING GREEN STATE UNIVERSITY**

Those learning at the Ohio Attorney General's Center for the Future of Forensic Science at Bowling Green State University, which opened in January, work on cutting-edge equipment, just like what's used at the Bureau of Criminal Investigation's crime lab up the street.

That's by design. BCI donated equipment and provided grants to purchase more. The bureau is a partner in the \$1.2 million center, which comes packed with tools worth \$800,000 more.

Those include a DNA analyzer, specialized microscopes and an Agilent gas chromatograph/mass spectrometer, used for drug identification. The center even has something BCI doesn't have yet – a Shimadzu 8050 liquid chromatograph mass spectrometer, which quantifies drugs in blood, urine and saliva.

“When graduates leave this program, they are not going to have a learning curve on a different set of equipment. The protocols on operations align with the curriculum here,” Attorney General Dave Yost said at the center's dedication. “They are going to move into a familiar environment with a familiar set of tools.”

The new crime-investigation, research and educational laboratory will train BGSU students as well as forensic scientists and law professionals from across Ohio.

“Part of the mission is to develop educational and research programs that complement both BGSU and BCI,” said Jon Sprague, Director of the Center for the Future of Forensic Science.

The research includes developing methods to rapidly screen for opioids, reverse drug toxicity, and look for PTSD in crime scene investigators.

In the year before its dedication, the center hosted five professional training seminars on topics such as how to investigate officer-involved shootings and how forensic scientists can be expert witnesses. Sprague said plans are to host three to five a year.

“Science in general and forensic science in particular are always evolving,” said Jeffrey Lynn, a 35-year BCI veteran and Chief of Forensic Standards and Training at the forensic science center. “The folks out there in the field doing the work today need to always progress with technology to keep up with things.”

Bowling Green also is recruiting law enforcement officers interested in getting an advanced degree. The university offers a master's of science in forensic science with three options for specialization: forensic biology, forensic chemistry and forensic investigation.

## Pike County gets \$100,000 in help for expensive trials of murder suspects

Attorney General Dave Yost has presented Pike County with a \$100,000 check to help pay for a notorious capital murder case in which eight members of one family were killed in one night.

George “Billy” Wagner III; his wife, Angela Wagner; and their adult sons George Wagner IV and Edward “Jake” Wagner are charged with killing eight members of the Rhoden family in 2016. That included the mother of Jake Wagner's young daughter.

Estimates for how much the capital cases will cost are in the seven figures. For Pike County, which has one of the state's highest poverty rates, that's a big ask.

The four Wagners will have separate trials, and because they have been ruled indigent, they're each entitled to two specially qualified attorneys. Jake Wagner is represented by the Ohio Public Defender's Office, and his brother and parents by attorneys appointed by the county court — meaning paid for by Pike County.

The county previously received \$132,000 from the state and already has paid \$600,000 toward what's been called the largest homicide investigation in Ohio history. It involved thousands of hours of work by state and local investigators, who fielded 1,080 tips, conducted 550 interviews, traveled to 10 states, tested over 700 items and served more than 200 search warrants, subpoenas and court orders.

In just George Wagner III's case, prosecutors have shared 30 GB of material with his defense. That much storage could carry 20 feature-length movies or equate to books on a shelf that stretches as long as three football fields.

The new \$100,000 “down payment from the state” was approved by the legislature, and Attorney General Yost supports more help in this case and for other future complex cases.

He backs a bill originally drafted by state Sen. Bob Peterson of Sabina and state Rep. Shane Wilkin of Hillsboro, details of which are still being worked out. So far, the plan would allow the Attorney General and Ohio Public Defender to jointly apply for extra funding for counties facing the rare capital case involving multiple defendants or multiple victims. The funds would come from the state Controlling Board.

“Justice should not depend on how fat your wallet is,” Yost said.



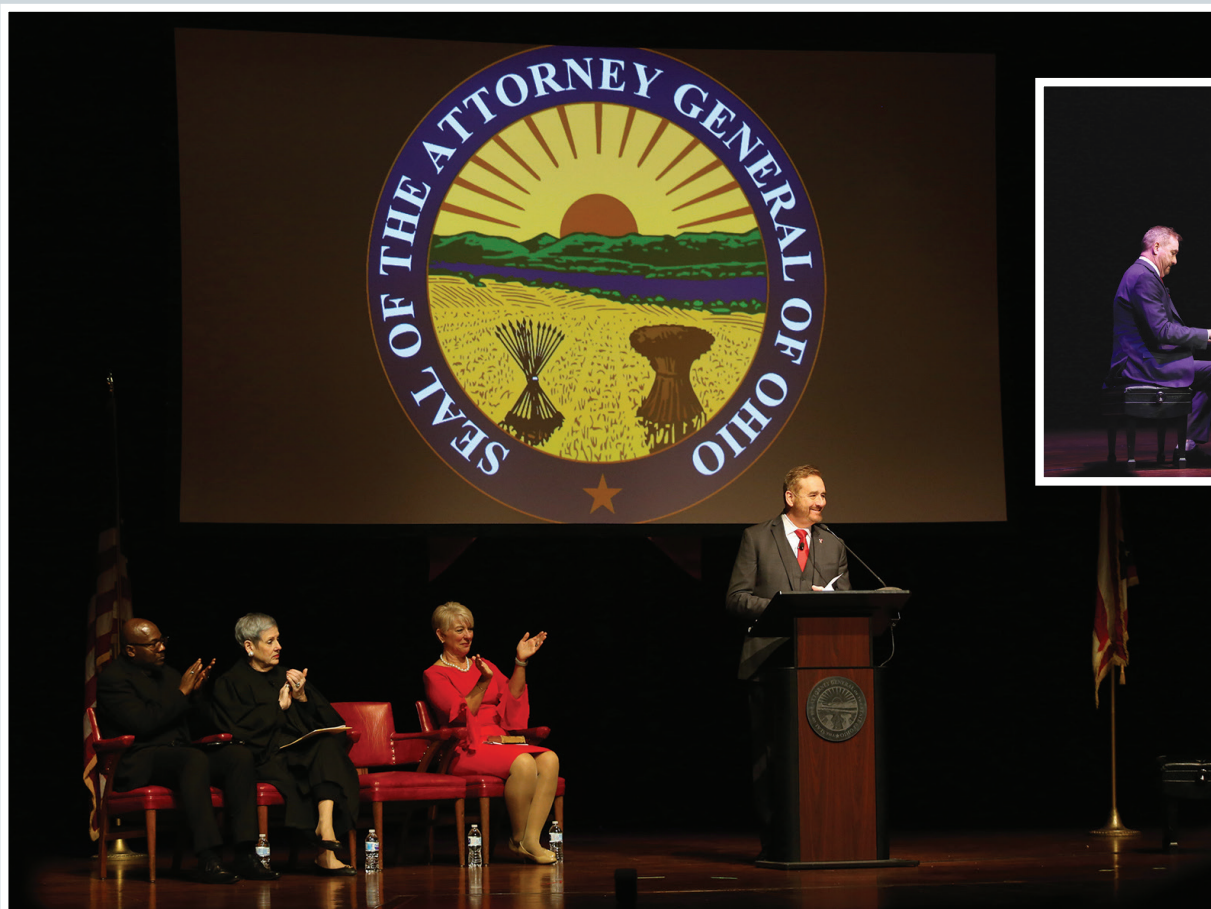
## Coming Up

### Remembering Fallen Officers

**On May 2, the Ohio Peace Officers' Memorial Ceremony** will honor the 796 Ohio law-enforcement officers who have died in the line of duty since 1823. That includes four who gave their lives last year. The 32nd annual event, held at the Ohio Peace Officer Training Academy in London, is a poignant reminder of the risks the men and women behind the badge take to protect not only their families and neighbors, but every Ohioan. **For more information, visit [OhioAttorneyGeneral.gov](http://OhioAttorneyGeneral.gov).**

### Helping Crime Victim Advocates

**On May 20-21, the 2 Days in May Conference on Victim Assistance** will be held at the Greater Columbus Convention Center. The annual event invites victim advocates from around the state to learn the newest best practices and developments in the field, network with colleagues and honor those doing exceptional work. **For details, visit [www.OhioAttorneyGeneral.gov/TDIM](http://www.OhioAttorneyGeneral.gov/TDIM).**



### 'God Bless America': Kicking off on a passionate note

Dave Yost was sworn in with a little help from his friends. From left are Pastor Eddie Tyes Parker III, Chief Justice Maureen O'Connor, Darlene Yost and, above, his daughter Gwen England.

