

 *Protecting Ohio's Families*



Ohio Attorney General Mike DeWine

ANNUAL REPORT
2012



INSIDE

Fighting Crime	2
Safeguarding Children	10
Battling Drug Abuse	14
Supporting Local Law Enforcement	18
Assisting Crime Victims	22
Protecting Consumers	24
Supporting Economic Growth	30
Fighting Health Care Fraud	32
Representing Ohio	34
By the Numbers	40

'Everything we do in the Ohio Attorney General's Office — whether it's assisting local law enforcement, advocating for consumers, or fighting crimes against children — is to protect Ohio families.'

— Mike DeWine, Ohio Attorney General



From the Attorney General

Dear Friends,

My office fights every day to protect the lives of Ohio citizens. We do this, for example, by training law enforcement through our Peace Officer Training Academy courses or by issuing scam alerts and conducting community fraud forums through our Consumer Protection Section.

A few other examples of our impact in 2012:

- To combat crime, our Bureau of Criminal Investigation (BCI) reduced its turnaround times for analyzing DNA evidence to 20 days in December, down from 125 days when I took office. We also added new capabilities at BCI, such as a Forensic Dive Team, and worked with the legislature to improve laws banning synthetic drugs.
- To help consumers, we fielded more than 30,500 consumer complaints and pursued criminal charges against scam artists who prey on Ohioans. In one case, we charged 18 con artists with felonies after their multistate telemarketing scam victimized mostly elderly property owners. By year's end, 10 pleaded guilty.

- To prevent abuse, we formed the Central Ohio Human Trafficking Task Force, which investigated several suspects later indicted for human trafficking. We also conducted eight Child Safety Summits across the state and convened a Foster Care Advisory Group to develop recommendations for improving Ohio's child welfare system.

My staff at the Ohio Attorney General's Office handles an incredibly large and diverse set of responsibilities. We have lawyers, forensic scientists, law enforcement trainers, crime victim advocates, consumer educators, and many others. But no matter their role, our staff members come to work every day ready to fulfill our core mission of protecting Ohio families.

Very respectfully yours,



Mike DeWine
Ohio Attorney General



Protecting Ohio's Families

Fighting
CrimeBCI reduced turnaround times on DNA evidence from an average of **125** days to **20** days over the past two years.**BCI meets local law enforcement needs**

The Attorney General's Bureau of Criminal Investigation (BCI) enhanced the services it provides to local law enforcement in 2012, significantly reducing turnaround times for evidence analysis, providing more resources to solve cold-case homicides, and forming a new dive team to increase investigative capabilities.

Reducing laboratory turnaround times

Timely evidence analysis helps local law enforcement solve crimes and get criminals off the street more quickly. Attorney General DeWine cited that strong public safety link when he made BCI turnaround times a priority upon taking office in January 2011. To speed the process, he increased automation, encouraged innovation in workflow, and added staff.

The result: Turnaround times on DNA evidence fell from an average of 125 days to 20 days over the past two years. BCI's Laboratory Division accomplished this even as DNA evidence submissions rose 34 percent. Drug testing turnaround times fell from 43 days to 10, and units that analyze firearms, gunshot residue, latent prints, and other evidence made similar gains.

About 90 percent of Ohio law enforcement agencies use the free services of BCI's lab, which tested 161,680

pieces of evidence for 829 agencies in 2012. Overall, evidence submissions were up nearly 54 percent from the year before.

BCI reduced its response time for getting samples into the database, even while a new Ohio law mandating collection of felony arrestees' DNA nearly doubled the number of samples — from 2,777 per month to 5,353. At the close of 2012, the unit was entering samples in an average of eight days, down from 24 days two years earlier.

With more samples being added, the database grew to 513,445 DNA profiles by year's end. That increases the potential for DNA evidence from a crime to match a profile already in the database, helping investigators identify suspects and link crimes. Before the new law took effect in July 2011, CODIS hits averaged about 110 a month. In 2012, they averaged 167 a month.

Newark authorities say the faster turnaround times were crucial in the quick arrest of a suspect in the October rape of a 15-year-old high school student. BCI tested evidence from the scene and within two days notified Newark police that the results matched the DNA of a convicted offender in the database. Following news accounts of the arrest, another woman recognized the suspect and reported that he had attacked her three months earlier. He is scheduled to stand trial in April.

"This is a very good example of how turnaround times can make a huge difference in getting violent offenders off the street," Licking County Prosecutor Kenneth Oswalt said. "I have to believe that if this suspect had not been arrested for several months while we were waiting for DNA results, he would have reoffended."

Achieving international accreditation

BCI's three laboratories earned International accreditation from the American Society of Crime Laboratory Directors (ASCLD) following a rigorous evaluation process in 2012. The designation means BCI's London, Richfield, and Bowling Green labs meet among the most stringent standards for crime laboratories worldwide.

Already accredited under another ASCLD program, the laboratories underwent evaluations of work environments, training processes, staff qualifications, and court testimony experiences. News of the accomplishment — which speaks volumes about the knowledge, skill, and professionalism of BCI lab personnel — came in early 2013.



Ohio's DNA database, established in 2002, recorded its 10,000th hit on Sept. 14, 2012.

**BCI turnaround times**

Average number of days for BCI to return results to law enforcement:

Testing Process	Dec. 2010/ days	Dec. 2012/ days
Forensic Biology/DNA	125.5	19.75
DNA Database	23.86	7.83
Chemistry	42.85	10.49
Firearms	35.33	15.73
Latent Prints	43.28	29.37
Documents	4.89	7.63
Trace	65.74	20.62
Gunshot Residue	51.38	19.56
Polygraph	4.73	3.42



Lifetime fugitive meets his match

Working to solve cold-case homicides

To generate leads in the state's estimated 5,000 unsolved homicides, Attorney General DeWine announced an Ohio Unsolved Homicides Initiative in September. The effort is aimed at giving the cases more visibility and providing local law enforcement with more resources to solve them.

Agencies are encouraged to add details of their unsolved homicides to a statewide database on the Attorney General's website, increasing the likelihood of tips. By December, the number of cases listed had jumped from 166 to more than 1,000. Fifty-four agencies were participating at year's end, including many big-city departments.

In addition, local departments were urged to seek BCI's help in reviewing case files and assisting with interviews, identifying and analyzing evidence, and digitizing and preserving case files.

As part of the initiative, the Attorney General's Office regularly features an unsolved homicide case on its website and in news releases. As a result, about 25 tips were passed on to local law enforcement during the initiative's first four months.

The statewide database appears at www.OhioAttorneyGeneral.gov/OhioUnsolvedHomicides.

Increasing sexual assault kit testing

Untested sexual assault kits pose a national problem, and Ohio officials were aware that thousands of untested kits existed here. That led Attorney General DeWine to form a Sexual Assault Kit Commission in 2011 to research the issue and offer solutions. Following the commission's recommendation, he called for the testing of all kits in which authorities believe a sexual assault occurred.

The kits can go untested for various reasons, including dropped charges or an investigation that proves the accusation false. However, testing can sometimes identify a serial rapist, affirm a victim's version of events, discredit an assailant, or exonerate an innocent suspect.

As a result of the Ohio commission's recommendation, the Attorney General increased BCI's capacity to test old kits and encouraged law enforcement across the state to submit kits they had in storage. Fifty law enforcement agencies submitted a total of 1,933 kits in 2012, with the vast majority coming from large metropolitan departments.

To test the kits without delaying work on current cases, BCI committed four forensic scientists who work exclusively on old kits. They have tested almost half of the kits and are reporting results regularly to the submitting law enforcement agencies.

In one of the highest-profile cases in the history of the Ohio Attorney General's Office, fugitive John Donald Cody, aka Bobby Thompson, was captured in Portland, Ore., in April after two years on the lam. Cody was wanted for bilking millions of dollars from donors in 41 states.

The Attorney General's Office assembled a mountain of evidence against Cody, who led the phony U.S. Navy Veterans Association (USNVA) charity. Records show the USNVA swindled more than \$2 million in donations from Ohioans and at least \$30 million from donors nationwide.

The office began investigating the USNVA's activities in Ohio in 2010. Charity registration records listed two Ohio chapters and 13 officers, although the chapters' addresses were merely UPS mailboxes and no officers could be found.

Staff members collected vast amounts of information from law enforcement and public sources, proving that Cody used multiple stolen identities. They analyzed financial records, account statements, and tax returns to stitch together details of the massive fraud. The probe also involved federal agencies and charity regulators throughout the country.

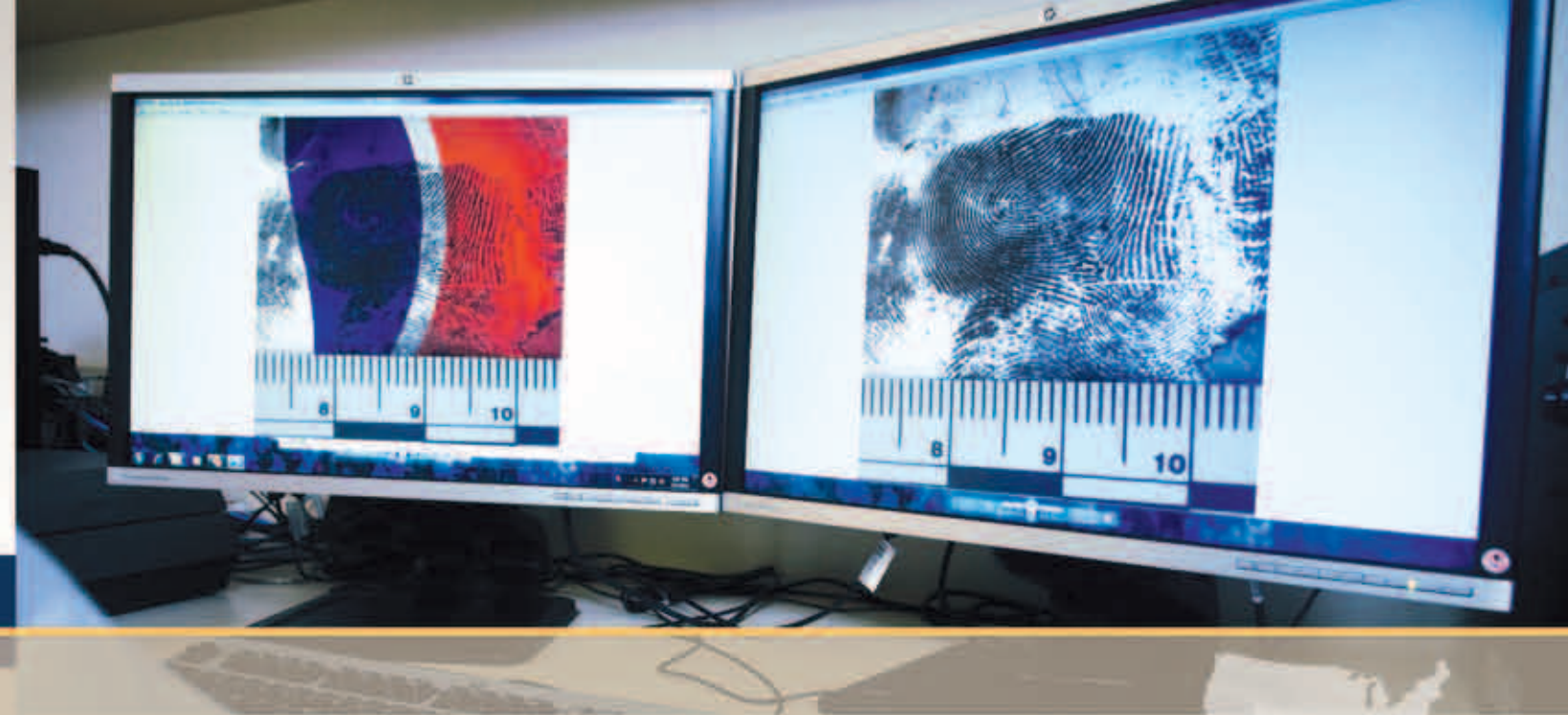
Meanwhile, the Attorney General's Office won a default judgment against Cody and USNVA in Franklin County Common Pleas Court, which ordered fines of \$10,000 per

violation of state law and punitive damages of more than \$3.7 million. The office was named receiver of the phony charity's assets, which it is using to assist legitimate veterans' groups.

The office presented evidence against Cody and associate Blanca Contreras to a Cuyahoga County grand jury, which indicted them on charges of operating an illicit enterprise, money laundering, and theft. BCI special agents arrested Contreras the same day, and she later pleaded guilty and was sentenced to five years in prison. Meanwhile, the hunt for Cody took agents to New York, Washington, West Virginia, New Mexico, New Hampshire, and Washington, D.C.

The Attorney General's Office and U.S. Marshals Service captured Cody — still known as Thompson at the time — in Oregon in April. Agents and deputy marshals also recovered a suitcase containing \$981,650 in cash from a Portland storage closet. In October, his true identity was revealed as John Donald Cody, whom the FBI had sought for fraud since 1987.

Cody pleaded not guilty in May, and he remains in jail without bond. The Attorney General's Office is prosecuting the case, which is set for trial in Cuyahoga County Common Pleas Court in March.



Cases draw national attention



Expanding investigative capabilities

Agents assisted with investigations in all 88 Ohio counties during the year, partnering with a total of 421 law enforcement agencies on about 1,600 investigations.

The addition of a Forensic Dive Team expanded BCI's capabilities in 2012. The team began training in January and by fall was available to assist Ohio law enforcement statewide in the recovery of criminal evidence from lakes, rivers, and other bodies of water.

As a group, the eight-member team has:

- 130 years of law enforcement experience
- 92 years of diving experience
- 62 years as expert witnesses
- 45 years in crime scene investigations
- 2 dive instructors
- 2 certified divemasters



BCI special agents assisted with investigations in all 88 Ohio counties in 2012.

Putting resources at agencies' fingertips

BCI provides law enforcement agencies with the Ohio Law Enforcement Gateway (OHLEG), a powerful Internet-based tool that gives local agencies access to criminal history records and other valuable information. Nearly 30,000 users conducted a total of 3.5 million OHLEG searches throughout the year.

BCI also maintains one of the world's largest collections of criminal history records and serves as the central repository for Ohio arrest records. In 2012, it submitted 270,444 criminal arrest records to the FBI and entered 66,401 new criminal offender fingerprints into Ohio's Automated Fingerprint Identification System (AFIS). Under a new push to increase the number of palm prints in AFIS, BCI entered 165,730 palm prints into the system.

In addition, BCI is responsible for sealing or expunging Ohioans' criminal records upon court order. In 2012, division staffers sealed 5,712 records and expunged an additional 4,590.



BCI processed 811,573 civilian background checks during the year.

Attorney General's Office responds to high school shooting

BCI and Crime Victim Services staff played an integral role in responding to the February shooting at Chardon High School, where six students were shot in the school cafeteria. Three of the students died, and another was paralyzed.

Special agents helped gather intelligence from students, teachers, and administrators and assist in the search for the suspect, who was apprehended about two miles from the school within an hour of the crime. The suspect faces multiple charges, including three counts of aggravated murder.

"I can't tell you how heroically they responded," Chardon School Superintendent Joe Bergant said of first responders to the scene. "I am so grateful to everyone who put their life on the line to help our school and our kids. They did a superb job and prevented any further tragedy."

Crime Victim Services staff spent time in the community in the weeks after the shooting to offer support and assist victims and their families.

Office assists in investigating, prosecuting Craigslist murders

BCI special agents played a key role in investigating the murder of three men and attempted murder of a fourth whose accused killers lured them to rural locations in Noble and Summit counties using phony Craigslist ads.

The victims, all unemployed, were responding with hopes of securing jobs, but in fact they were targeted for their money, credit cards, and identification.

A 53-year-old man is scheduled to stand trial in the case in early 2013. An accomplice, a 17-year-old who was tried as an adult because of the heinous nature of the offenses, was sentenced to life in prison without parole.

The Attorney General's Office assisted with the prosecutions, organizing and analyzing more than 15,000 pages of documents and presenting critical witnesses during the first trial.

Office helps investigate, prosecute young mom's murder

The Attorney General's Office investigated and helped prosecute the abduction and murder of a 25-year-old mother of three by her estranged husband and his parents. The woman, whose body was found in the septic tank of a Logan church, had recently filed for divorce and planned to seek custody of the couple's children.

BCI special agents used GPS and cell phone data to place the defendants at the crime scene, and they located her body through information gained during interrogations.

The Attorney General's Office worked with Hocking County authorities to prosecute the case. The victim's husband and father-in-law were convicted of aggravated murder, murder, kidnapping, tampering with evidence, and gross abuse of a corpse. Her mother-in-law pleaded guilty to murder.



Office assists prosecutors throughout Ohio

The Attorney General's Special Prosecutions Unit handles major felony cases such as homicides, child sex offenses, and public corruption. Assistant attorneys general work with county prosecutors or take the lead if a prosecutor requests such assistance.

In one case, 16 people were convicted of engaging in a pattern of corrupt activity, tampering with records, and theft for fraudulently billing a county Department of Job and Family Services for daycare services. BCI agents proved the individuals were charging the state for caring for children who did not even exist. In addition to serving prison time, those convicted were ordered to make restitution and forfeit two homes.

The Attorney General's Office also succeeded in prosecuting several old – sometimes cold – cases. One involved a man who was sentenced to two life prison terms for child molestation incidents dating back 17 years. The man began molesting two of his wife's children in the mid-1990s. They did not report the incidents until 2007, and no charges were brought. Two years later, another child reported being molested by the same man. Special Prosecutions was named to the case in March. In preparation for the trial, prosecutors arranged for expert testimony on the subject of delayed disclosure and also persuaded a very reluctant victim to testify.

Task forces facilitate investigations

The Ohio Organized Crime Investigations Commission (OOCIC) provides a means for local, state, and federal law enforcement agencies to work together to bring down organized crime groups. It does this through the work of task forces that focus on distinct issues. The commission's work produced 407 indictments, 358 arrests, and 340 convictions in 2012.

In one case, eight defendants were indicted on 48 counts involving mortgage fraud estimated at more than \$12 million. All pleaded guilty. The prosecution led to the indictment of two additional individuals on 14 charges.

Another task force that focuses on an area known for high drug trafficking seized almost \$2.4 million, 17 firearms, 6,053 grams of cocaine, 1,793 grams of heroin, 197 pounds of marijuana, and 25 grams of crack cocaine. The task force includes representatives of local, state, and national law enforcement agencies.

OOCIC operates a Forensic Audio Video Laboratory that offers audio and video analysis, 3-D crime scene animation, and other services to all Ohio law enforcement. In the case of a Clark County double homicide recorded on a cell phone, analysts clarified conversations before and after the shootings that were instrumental in obtaining a conviction. In all, the lab worked 200 cases for 90 agencies in 45 counties.



Partnership will benefit forensic science

The Attorney General announced plans to collaborate with Bowling Green State University on a new Northwest Ohio facility for BCI, a project that will benefit law enforcement in that region and the field of forensic science in general. The multimillion-dollar facility is expected to open in late 2014.

"The partnership with Bowling Green is a win-win," Attorney General DeWine said. "We will be able to help prepare the next generation of forensic scientists and criminal justice professionals while expanding our Bowling Green facility, which will help us to better serve local law enforcement."

A major university campus can offer BCI access to the latest technology, research, and new scientists, while BCI can provide university students with opportunities for internships and jobs.

Summit helps meet mutual objectives

Attorney General DeWine hosted a summit in August that involved representatives of all branches of Ohio law enforcement and Gov. John Kasich.

The summit allowed the Attorney General and Governor to hear first-hand about the issues of greatest concern to law enforcement leaders. It drew representatives of about 45 agencies to discuss crimes against children, prescription drug abuse, human trafficking, Internet cafés, and other pressing issues.

Also in 2012, Attorney General DeWine concluded a series of Law Enforcement Roundtables that he hosted throughout the state during his first two years in office. He continues to meet regularly with law enforcement to stay abreast of important issues and trends.



Protecting Ohio's Families

Safeguarding Children

Attorney General DeWine conducted Child Safety Summits **throughout the state** to encourage improvements to Ohio's child welfare system.

Targeting child predators

Attorney General DeWine launched a Crimes Against Children Initiative in late 2011 to identify, arrest, and convict people who prey on children through sexual and other forms of abuse, child pornography, solicitation of minors, and similar crimes. Progress in the first year was significant.

The Attorney General formed a Crimes Against Children Unit of BCI that includes special agents, criminal investigators, and others who investigate these heinous crimes. The unit receives assistance from other BCI units as well as the Attorney General's Special Prosecutions Unit and Crime Victim Services.

Staff members troll the Internet for predators, lead and assist with investigations statewide, and make high-tech resources and training available to local law enforcement agencies. In its first year of operation, the Crimes Against Children Unit opened 117 cases, executed 14 search warrants, and made 10 arrests.

A Rapid Response Team was developed to immediately respond when help is needed with cases involving child victims anywhere in Ohio. The team includes a BCI special agent, a victim advocate, and an on-call prosecutor.

To pool intelligence and encourage collaboration among agencies across the state, the Ohio Attorney General's Office held a Pursuing Internet Predators Symposium in October in partnership with the U.S. Attorney's Office and Ohio's Internet Crimes Against Children Task Forces. The three-hour forum drew more than 50 law enforcement officers and prosecutors who handle Internet exploitation cases. As a result of the event's success, the Attorney General's Office will expand the symposium to a full day and hold it annually, giving local law enforcement and prosecutors an ongoing forum to discuss current trends and investigations.

The Attorney General's Office also held six free training courses on online investigations and child pornography in conjunction with the Franklin County Internet Crimes Against Children Task Force. Representatives of 20 law enforcement agencies and prosecutors' offices in 13 counties attended.



A Rapid Response Team is on call to respond statewide when help is needed with cases involving child victims.

Strengthening sex offender monitoring

Attorney General DeWine announced three new initiatives to better monitor Ohio's approximately 19,000 convicted sex offenders.

The Attorney General's Office is providing county sheriffs with new technology that will allow sex offenders to update their registration information online. Offenders then will have five days to confirm that information in person. The measure will help expedite the sex offender reporting process.

The office also is providing sheriffs' investigators with a smart phone application to search for sex offenders' addresses within a quarter-mile radius. This will be especially helpful in sexual assault or missing person cases. Investigators who conduct on-site compliance checks can immediately upload the status of a noncompliant sex offender directly to the state sex offender database.

To better track and estimate the number of convicted sex offenders who are homeless, the Attorney General's Office is working to provide sheriffs with a standard way to note in the registration software that an offender is homeless. The update will be available in early 2013.

In addition, agents with BCI's Crimes Against Children Unit will work with the U.S. Marshals Service to locate and extradite noncompliant offenders who in the past may not have been pursued because of budget limitations. The efforts are funded in part by a grant from the Department of Justice's Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking Office.

The Attorney General's Office also launched a campaign to publicize warrants for noncompliant sex offenders who have been convicted of committing crimes against children.

The office regularly provides media outlets with details and photographs of wanted sex offenders. Several arrests have resulted from tips generated by the coverage, while other suspects were arrested thanks to good follow-up work by local law enforcement agencies.

Submit a tip

To submit a tip about an unregistered sex offender or related concern, visit www.OhioAttorneyGeneral.gov/LETips.



Alliances combat human trafficking

Human trafficking is a horrendous crime that affects some of the most vulnerable members of society, many of them children. The Attorney General's Office attacks the problem from multiple fronts through its Human Trafficking Commission, BCI, Ohio Organized Crime Investigations Commission (OOCIC), Ohio Peace Officer Training Academy (OPOTA), and Crime Victim Services.

In August, Attorney General DeWine announced formation of the Central Ohio Human Trafficking Task Force, authorized through OOCIC and made up of officers and agents from BCI, the FBI, Department of Homeland Security Investigations, Columbus Division of Police, Powell Police Department, and Ohio State Highway Patrol. By year's end, the task force had indicted five individuals on 28 counts, including the first criminal charges under Ohio's new Safe Harbor Law.

Passage of that law in June marked a major victory for the Human Trafficking Commission, which advocated for the tougher penalties the law imposes on traffickers and the additional services it provides for victims.

OPOTA provides online and classroom-based curricula on human trafficking. In 2012, Ohio law enforcement officers completed more than 24,000 online course sessions and hundreds more attended regional trainings.

The Attorney General's Office joined with the Salvation Army of Central Ohio to form the Central Ohio Human Trafficking Collaborative, aimed at increasing cooperation between law enforcement and victim service providers. Funded by the U.S. Department of Justice, the project allows two BCI agents and a victim service provider to work closely with the Central Ohio Human Trafficking Task Force to investigate cases and ensure victims receive proper assistance at the point of rescue.

Also in 2012, the Human Trafficking Commission researched the prevalence of and trends associated with trafficking in Ohio. The group found individuals who are trafficked as minors are more likely to have run away from home, experienced child abuse and rape, and had previous encounters with law enforcement.

The commission's Law Enforcement Human Trafficking Summit attracted almost 50 investigators from across the state to exchange information on trafficking and hear updates.

Resources to fight human trafficking

For online training and other resources to address human trafficking, visit www.OhioAttorneyGeneral.gov/HumanTrafficking.

Enhancing school safety, training teachers

The need to create the safest possible learning environments for children has never been more apparent. Attorney General DeWine works to accomplish that goal through his office's School Safety Task Force, alliances with the Ohio Department of Education (ODE) and others, and training for law enforcement and educators.

Formed after the Chardon school shooting in February, the task force is made up of educators, school association representatives, law enforcement officers, and first responders. In December, the group issued recommended guidelines schools can follow in creating school safety plans, which must be on file with the Attorney General's Office. Law enforcement and first responders can download the safety plans, which outline schools' intended emergency responses and maps of all buildings, from the Attorney General's online Ohio Law Enforcement Gateway.

In addition, OPOTA developed a new course for educators and law enforcement across the state. The free course, presented in collaboration with ODE, provides guidance on responding to an active shooting and taking preventive measures. Attorney General DeWine encouraged law enforcement and educators to attend the course together to enhance safety planning and foster communication within their communities.

Focusing on child welfare and foster care



To gain a better understanding of issues affecting Ohio's child welfare system and better protect children, Attorney General DeWine held eight Child Safety Summits, a Foster Youth

Symposium, and discussions with relevant parties across the state throughout 2012.

Several major themes emerged, and the Attorney General formed a Foster Care Advisory Group to further investigate and make specific recommendations on those issues in early 2013.

The group will follow up on findings concerning the involvement of foster parents in the court process, standards for guardian ad litem who represent abused and neglected children, foster children's opportunities to participate in normal activities with their peers, and other issues.

"Nothing is more important than the safety and well-being of our children," the Attorney General said in announcing the Foster Care Advisory Group. "The goal of this group is to come up with bold new ideas to address the issues uncovered in this (Child Safety Summit) Report and beyond. Now is the time for innovative changes to ensure that every child has a safe, loving, and permanent home. Every child deserves nothing less."



Battling Drug Abuse

BCI analyzed drug case submissions for local law enforcement in an average of **10** days in December 2012, down from **42** days two years earlier.

Attorney General DeWine has approached Ohio's drug abuse problem with intense determination and from many angles, including law enforcement, prosecution, education, and outreach. Efforts in 2012 focused largely on stemming the abuse and sale of synthetic drugs, a growing problem that can place users, family members, friends, law enforcement, and medical personnel at great risk. The Attorney General's investigators and prosecutors also kept a laser focus on the prescription drug diversion and methamphetamine problems, while other staff members worked with local communities to raise awareness of drug trends and abuse.

New law takes aim at synthetic drugs

The Attorney General's Office worked closely with legislators on a tough new law banning certain synthetic drugs, many of which have been widely available through the Internet and in convenience stores, head shops, and gas stations. The measure gives law enforcement a much wider and flexible net to go after manufacturers, distributors, and users of harmful substances masquerading under labels claiming they're bath salts, herbal incense, glass cleaner, plant food, or novelty items.

"People mistakenly think that, because this stuff comes in what appear to be commercial packages and is readily available over the counter and on the Internet, it's safe. It's not," said Attorney General DeWine, who testified before the General Assembly in support of the legislation.

Lawmakers passed the bill unanimously, and it took effect in December. The law builds on a 2011 statute that banned substances law enforcement and crime lab personnel were seeing at that time.

"Clever chemists stayed a step ahead of us. By just tweaking the recipe — adding several molecules here or changing several molecules there — chemists

create a brand new drug," the Attorney General testified. "The synthetic drug problem is constantly evolving, and we can't afford to risk falling behind."

The law creates the offense of trafficking in and possession of controlled substance analogs and sets uniform bulk amounts for determining penalties, providing better guidance for courts. By banning whole classes of drugs, the measure brings Ohio law in line with federal laws concerning controlled substances.

The Attorney General sent a letter to retailers statewide in November advising them of the risk involved in selling synthetic drugs.

A team within the Attorney General's Office specializes in drug cases. In one, a head shop owner was charged with trafficking for selling various synthetic drugs, including the brands Barely Legal, Wicked XXX, and Ultra Zombie Matter. A number of law enforcement agencies collaborated on the case, and the Attorney General's Office and Lawrence County Prosecutor's Office jointly prosecuted it. The case was one of the first prosecuted under the state's 2011 controlled substance analog law, which the court ruled constitutional. The defendant was convicted of three felony trafficking charges.

Resources for local authorities

The Attorney General's Office helps local law enforcement and prosecutors with drug investigations, cases, and training.

- The Bureau of Criminal Investigation provides investigative assistance, including undercover agents, money for drug buys, and technological resources. Law enforcement needing help should call **855-BCI-OHIO (224-6446)**. Members of the public wishing to share a drug tip may call **800-282-DRUG (282-3784)**.
- The Special Prosecutions Unit assists in bringing cases and consulting with prosecutors. For assistance, prosecutors can call **614-644-7233**.
- The Ohio Peace Officer Training Academy offers courses on drug investigations. They are listed at **www.OhioAttorneyGeneral.gov/OPOTA**.



Prescription drug work wide-ranging

Curtailing prescription drug abuse is a major focus, and many sections of the office are involved in the work.

The Attorney General's Office and Scioto County Prosecutor's Office prosecuted the last known pill mill in that county, considered the epicenter of Ohio's prescription drug problem. Four defendants — a doctor, owner, former owner, and employee — were charged following an investigation by the Ohio State Pharmacy Board, BCI, and Scioto County Sheriff's Office. The doctor committed suicide before the case went to trial. The others pleaded guilty.

In another case, a doctor charged with improperly prescribing opioids to 16 patients — including 10 who died from overdoses — had his medical license permanently revoked. Representing the Ohio State Medical Board, attorneys demonstrated that about 90 percent of the doctor's patients were prescribed opioids, some up to five times the recommended maximum dosage.

The Attorney General's Office also provided 66 Ohio law enforcement agencies — mostly in Southeast Ohio — with prescription drug drop boxes under a pilot program launched in 2012. Housed in agency lobbies, the boxes allow residents to safely dispose of unneeded prescriptions to keep them from falling into the wrong hands.

Office reminds facilities of reporting duty

Attorney General DeWine made a special effort in 2012 to remind Ohio residential care facilities of their legal obligation to report suspected prescription drug diversion. Acts that deprive a patient of prescribed medication are a form of patient neglect and must be reported.

The Attorney General's Office investigates allegations of patient abuse and neglect involving care facility residents. It recently helped investigate and prosecute these cases:

- A Fairfield County nursing assistant was convicted of pulling pain patches off the body of a patient.
- Three nurses in Meigs County were convicted of stealing prescription pain patches and pills after being caught on surveillance camera.
- A Cuyahoga County nurse was convicted of stealing Percocet and Oxycodone and replacing them with other medications.

Report suspected drug diversion

To report suspected drug diversion in any Ohio long-term care facility, call the Attorney General's Office at **800-282-0515**.

Special agents respond statewide

BCI agents coordinated the response to a record 600 methamphetamine labs in 2012. In almost all instances, the "cooks" used the one-pot production method in which meth is made in a 2-liter or 32-ounce plastic bottle. The bottles can turn up anywhere — in cars, along roadsides — and are highly volatile, making expert response vital.

Special agents respond in vehicles equipped with breathing apparatuses, decontamination equipment, and other tools to assess, process, and dismantle labs. BCI trains and coordinates with law enforcement throughout the state, increasing the number of experts able to respond to the labs. Agents also train social workers, road crews, and others who could encounter meth labs on the job.

In a narcotics case, a seven-year investigation in Northwest Ohio resulted in 48 indictments for conspiracy to distribute cocaine and marijuana. BCI worked with local, state, and federal law enforcement on the case, which led to the seizure of more than 100 kilos of cocaine, about 1,000 pounds of marijuana, and \$2.5 million in cash. The defendants could face sentences of 15 years to life in prison.



Law enforcement requests the help of BCI's Narcotics Unit more than any other unit.

Efforts encourage grassroots initiatives

Communities play a significant role in battling drug abuse. Attorney General DeWine encourages grassroots efforts through the work of a drug abuse awareness coordinator on his staff. Among the projects that have resulted:

- Two community groups — Tyler's Light in Central Ohio and Hope Blooms in Southeast Ohio — worked with the Attorney General's Office to produce videos featuring local teens and parents to raise awareness of opiate abuse and encourage young people to be part of the solution. Thousands have seen the videos at community events and on the Internet, and clips will appear on the state's Don't Get Me Started website. Discussions are under way with several other community and state-wide organizations about similar projects.
- The office participates in several collaborative statewide efforts, including the Ohio Cabinet Opiate Education Committee and the Ohio Opiate Summit. In addition, the Attorney General's Rx Advisory Council meets regularly to discuss how best to address the opiate epidemic.
- Two Attorney General's Office staff members serve on the management team of IMPACT60, a Union County organization that emphasizes drug awareness and outreach. The group encourages residents to give 60 minutes, or even 60 seconds, each week to the community and is working to provide programs and services across the county.



Protecting Ohio's Families

Supporting Law Enforcement

Ohio law enforcement officers completed about **65,000** online course sessions through eOPOTA, a **150** percent increase over the year before.

OPOTA puts Mobile Academy on the road

The Attorney General's Ohio Peace Officer Training Academy (OPOTA) rolled out a new Mobile Academy that makes firearms and driving courses available free of charge to law enforcement across the state. The courses are taught on location using six new, state-of-the-art simulators. Eight more simulators are being purchased as a result of local law enforcement agencies' response.

The firearms simulators feature more than 425 scenarios, scenario-authoring software, and a library of use-of-force drills and exercises. The driving simulators feature scenarios focusing on answering high-risk calls, conducting pursuits, clearing intersections, and other skills.

"We've ramped up OPOTA's regional trainings significantly in the past two years, and by adding these new courses that address particularly high-risk situations, we're making an even greater commitment," Attorney General DeWine said. "This kind of training enhances decision-making and saves lives."

The Mobile Academy also offers a wide array of regional trainings that help local agencies contain costs and keep officers close to home. In 2012, OPOTA offered 177 regional courses to 6,867 peace officers at locations around the state, up from 120 classes and about 4,300 officers enrolled the year before.

OPOTA works to keep its training in step with the law enforcement field's ever-changing needs, and this past year regional trainings covered such pertinent topics as how law enforcement and school personnel should respond to active shootings, synthetic drug investigations, autism, and gathering evidence from cell phones and other digital devices.

Nearly 21,000 officers took advantage of the academy's free eOPOTA online courses in 2012. The total represents more than 60 percent of all Ohio law enforcement officers, and is up dramatically from about 8,400 officers served the year before. They completed about 65,000 course sessions, two and a half times the number of sessions completed a year earlier.

More than 9,700 peace officers took 472 courses at OPOTA facilities in Richfield and London. The academy also provides educational and networking opportunities at the Attorney General's Law Enforcement Conference, which nearly 900 officers attended.



OPOTA's regional trainings have more than doubled in the past two years.

Commission oversees multiple curricula

The Ohio Peace Officer Training Commission (OPOTC) helps the Attorney General shape training and compliance standards for more than 30,000 peace officers from nearly 1,000 agencies. In addition to overseeing OPOTA, it provides direction for the public and private academies that offer peace officer basic training and sets the curricula for jailers, bailiffs, humane agents, and parole, probation, corrections, and private security officers.

In 2012, the commission and its staff oversaw 570 basic training school openings, issued 6,866 basic training certificates, and administered 2,644 final examinations.

Until recently, the curriculum for Ohio's 45-year-old peace officer basic training had never undergone a comprehensive, systematic review and revision. The commission — to provide current, pertinent, and industry best-practice materials to basic academy students — now releases new lesson plans twice a year.

The work is aimed at ensuring that the training of peace officers and other public safety professionals meets wide-ranging local needs and puts officer safety at the forefront. In 2012, OPOTC issued 74 updated lesson plans for peace officer basic, private security, and corrections students.

Fugitive Safe Surrender offers new start

A Texas man who traveled 1,400 miles for a fresh start was among 347 people who turned themselves in during three Fugitive Safe Surrender events in Ohio in 2012. Formerly from Cortland, he flew home to resolve a warrant for failing to appear in court on speeding and driving without a license charges.

"I needed to clear this warrant to get on my feet," he said. "Now I can get a job and get my license."

The Ohio Attorney General's Office began funding Fugitive Safe Surrender in Ohio in 2011 after federal funds for the program were cut. The program gives individuals sought on outstanding warrants the opportunity to surrender peacefully in a neutral location, typically a church. Since its inception in 2005, Fugitive Safe Surrender has helped tens of thousands of people around the country resolve problems and clear their records.

The Attorney General's Office conducted Fugitive Safe Surrender events in Trumbull, Columbiana, and Mahoning counties in 2012. Nine of those who surrendered were wanted on felony warrants, including one man sought on six warrants from three states for theft, criminal damaging, arson, and burglary. Columbiana County authorities said he was on their list of top 10 most-wanted suspects.



Program connects kids, local officers

Nearly 400 youngsters benefited from Ohio's inaugural season of Badges for Baseball, a program that pairs kids with local law enforcement officers to learn baseball fundamentals along with leadership, respect, communications, and other life skills. Sponsored by the Attorney General and the Cal Ripken Sr. Foundation, Ohio's Badges for Baseball program served 10- through 12-year-olds in Canton, Youngstown, and Zanesville in 2012.

The kids teamed up with members of the Canton and Youngstown police departments and Muskingum County Sheriff's Office. Program hosts were the YMCA and J. Babe Stearn Center in Canton, the Boys and Girls Club of Youngstown, and Big Brothers, Big Sisters of Zanesville.

Patrolman Sam Mosca, an organizer with the Youngstown Police Department, said the program helps officers make a positive impression on kids in their communities. "They can see that we care about them as individuals and want to see them succeed in life," Mosca said. "It's been very fulfilling for me and the other officers involved."

Five Canton area youngsters were selected to attend the Badges for Baseball Camp in Washington, D.C., in July. As their plane readied for takeoff, the flight crew announced the kids' accomplishment to other passengers, who gave the youngsters a round of applause. When the pilot learned four of the children had never flown before, he gave them a tour of the cockpit.

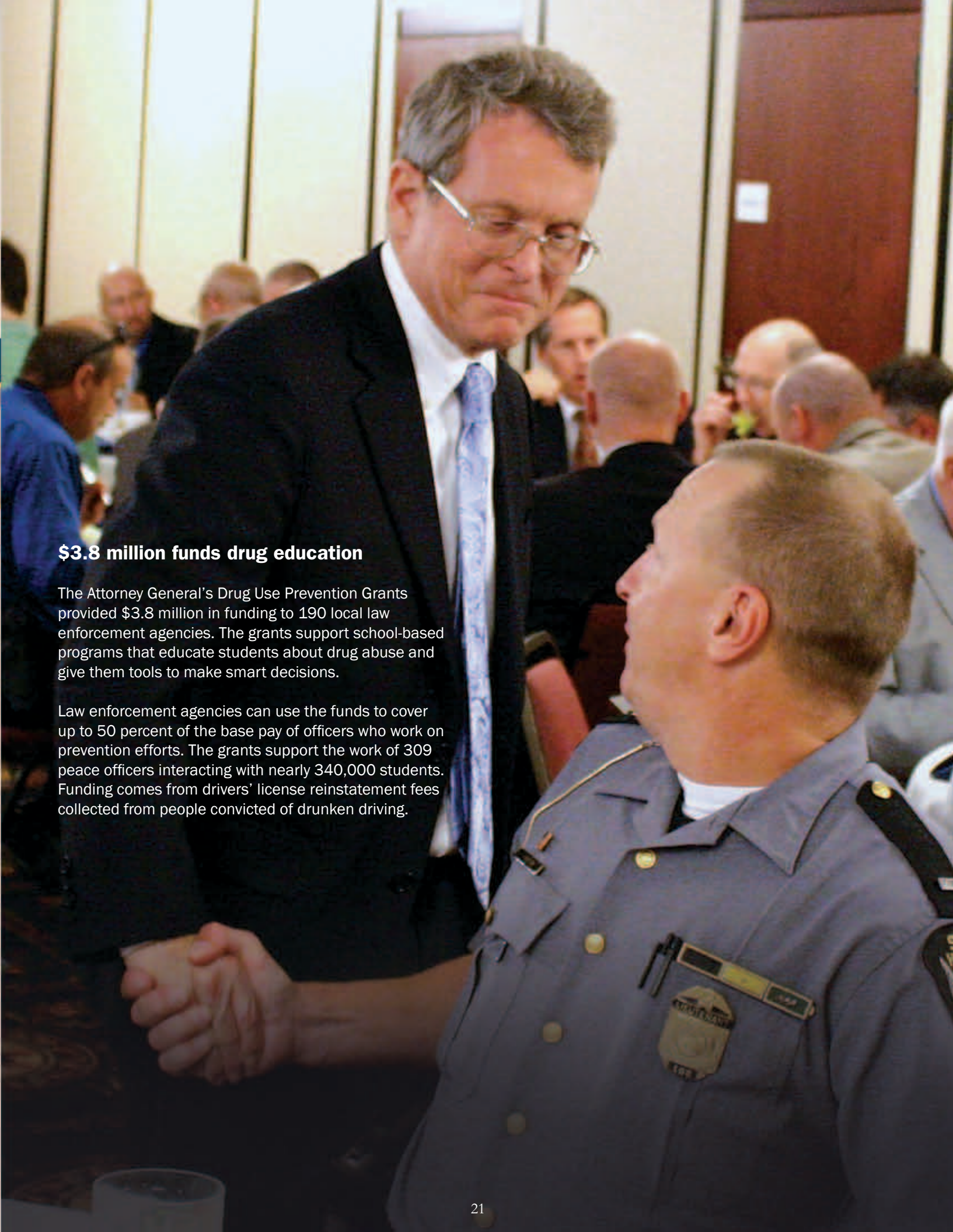
Helping Ohioans with mental illness

The Attorney General's Office announced grants totaling nearly \$500,000 to benefit programs that help Ohioans with mental illness avoid becoming trapped in the criminal justice system.

Six programs were designated to receive the funding at the recommendation of the Attorney General's Task Force on Criminal Justice and Mental Illness. The task force is a collaborative effort of Attorney General DeWine and former Supreme Court Justice Evelyn Stratton, both longtime advocates for those facing mental illness.

The task force is made up of 10 subcommittees that are making progress on a number of longstanding problems. For instance, one subcommittee is working with local communities to encourage law enforcement training that focuses on responding to people with mental illness in crisis and increasing public safety.

The grants made in 2012 will fund a number of valuable initiatives, including crisis counseling and discharge planning for jail inmates, statewide elder abuse training, and a standardized screening tool to help identify mental health issues and recommend treatment for youth in juvenile detention centers.



\$3.8 million funds drug education

The Attorney General's Drug Use Prevention Grants provided \$3.8 million in funding to 190 local law enforcement agencies. The grants support school-based programs that educate students about drug abuse and give them tools to make smart decisions.

Law enforcement agencies can use the funds to cover up to 50 percent of the base pay of officers who work on prevention efforts. The grants support the work of 309 peace officers interacting with nearly 340,000 students. Funding comes from drivers' license reinstatement fees collected from people convicted of drunken driving.

Assisting Crime Victims

The Attorney General's Office assists crime victims and their families in many ways. A new advocacy arm helps victims learn about their rights and connect with a range of state and local resources. The office also offers programming, funding, and training to victims and victim service providers and reaches out to other state compensation programs facing critical incidents to offer on-the-ground assistance and support.

The impact can be significant. A family member of a drunken driving victim told staff members an award from the compensation fund "meant everything" to his recovery. A woman who escaped domestic violence said, "I just want to thank you for helping me. My life has changed so much." A victim service provider praised the Attorney General's Cleveland office for its "flexibility and willingness to help" after a shooting incident.

Helping victims and their families

The Ohio Victims of Crime Compensation Fund can help victims and their families cover medical expenses, lost wages, funeral costs, and similar expenditures.

Since its inception in 1976, the fund has paid out more than \$332 million in compensation, including \$9.1 million in 2012. Total claims were up 13 percent from the year before, to 6,131, and new claims were up 44 percent, to 5,246. The average claim totaled \$2,677.

Supporting victim advocates' work

The Attorney General's Office also administers state and federal grants to victim service providers. These State Victims Assistance Act (SVAA) and federal Victims of Crime Act (VOCA) grants are derived from court costs and fees, not taxpayer dollars. Recipients generally include domestic violence shelters, rape crisis centers, victim/witness assistance programs, advocacy organizations for child victims, and similar government and nonprofit agencies that provide direct services to crime victims. In all, 274 providers throughout Ohio received 207 SVAA and 244 VOCA grants totaling more than \$17 million during the 2012-13 funding year.

The programs serve hundreds of thousands of victims each year, providing support and guidance at a time when they are most vulnerable. New grant recipients included the Children's Center of Medina County, the Child Advocacy Center of Warren County, and similar programs that serve children who have been physically or sexually abused. The programs' innovative approaches pull representatives of law enforcement, criminal justice, child protective services, medical and mental health services, and victim advocacy groups into one coordinated team.

The Ohio Victims of Crime Compensation Fund has paid more than **\$332** million in compensation to victims and family members over the past 36 years, including **\$9.1** million in 2012.

Training thousands of Ohioans

Staff members trained nearly 8,000 people on victim compensation, sexual assault response, domestic violence, elder abuse, child abuse, and other topics.

The Attorney General's Two Days in May Conference on Victim Assistance is one of the nation's largest training events on crime victim advocacy. More than 1,000 victim advocates and criminal justice professionals attended the 2012 conference, which featured nationally recognized speakers and 33 workshops. It also included a Foster Youth Symposium, during which practitioners and policy makers identified challenges facing foster youth and recommended ways to enhance their futures.

The Attorney General's Elder Abuse Commission raises awareness, advances research, and improves policies related to elder abuse. Elder abuse training efforts reached 550 peace officers, prosecutors, judges, and victim advocates throughout the years.



The Attorney General awarded more than \$17 million in state and federal grants to Ohio victim advocacy groups in 2012-13.

Improving sexual assault response

The Attorney General's Office focused on improving Ohio's response to sexual assault in 2012. Through a grant from the U.S. Department of Justice, Office of Violence Against Women, staff recruited experts from law enforcement, advocacy, health care, and prosecutors' offices to develop training models and identify best practices. The team presented four regional trainings on non-stranger sexual assault, drawing more than 100 participants from predominantly rural areas. At least three participants returned to their communities to form Sexual Assault Response Teams.

The office trained nearly 300 law enforcement officers on how best to investigate sexual assault. A session on prosecuting non-stranger sexual assault drew about 70 prosecutors and peace officers and prompted requests for future trainings.

The office also administers the Sexual Assault Forensic Exam (SAFE) program, which is essential to improving outcomes for sexual assault victims. The SAFE program is statutorily mandated to cover the medical expenses of victims examined after a sexual assault for the collection of physical evidence for possible prosecution. The SAFE program reimbursed medical facilities for 6,143 exams at a cost of more than \$3.2 million in fiscal 2012, the most recent reporting period.



Protecting Ohio's Families

Protecting Consumers

The Ohio Attorney General's Office fielded more than **30,500** consumer complaints from individuals, small businesses, and nonprofits in 2012.

Consumers who end up on the short end of a business transaction don't want a hassle when they turn for help. They want their money back. Or their home improvement project finished. Or their credit report set right. They want to know they're paying a fair price for goods and services. And they want someone to watch out for the con artists who seem to appear at every turn with an "offer too good to refuse" that's nothing more than a scam. The day-to-day work of the Attorney General's Office addresses each of these consumer concerns and more.

AG shuts down huge fraud ring

The Attorney General's Office cracked a case involving a huge, multistate telemarketing ring that swindled more than \$2 million from thousands of victims over a five-year period. The last of the 18 ring members was arrested in September, and by year's end, 10 had pleaded guilty to felonies and agreed to testify against the remaining defendants. Most will be sentenced in 2013.

Victims in the case, many of them elderly, owned inexpensive, vacant land throughout the United States. Ring members led them to believe their property was worth up to 15 times its assessed value.

The property owners were told to pay fees as high as \$16,000 to guarantee the sale of their land for the inflated value. Other victims were told that a solar energy plant had agreed to purchase their land for the overstated price, but in order to finalize the sale, they had to pay closing costs.

Based in Miami County, the criminal ring began operating in 2007. The Consumer Protection Section's Economic Crimes Unit — which Attorney General DeWine launched in 2011 — discovered the scheme and led the investigation with extensive cooperation from law enforcement agencies in Ohio and Florida, the Florida Attorney General's Office, and the U.S. Postal Inspection Service.

To further advance the office's capabilities, Attorney General DeWine joined with state legislators in calling for tougher laws and additional investigative tools to fight cyber fraud. The resulting legislation passed and became effective in 2012, giving the Attorney General the authority to subpoena phone records, Internet Protocol (IP) addresses, and payment information in suspected cyber fraud cases. The law enables the Attorney General's Office to better assist local law enforcement with investigations relating to cyber crimes.

Forums shine spotlight on scams

To build collaboration and awareness in the fight against fraud, Attorney General DeWine held five community fraud forums in 2012. The gatherings gave law enforcement, prosecutors, social workers, nonprofit representatives, and business owners a chance to learn about the latest scams and find avenues to work together.

Held in Dayton, Cincinnati, Toledo, Columbus, and Youngstown, the forums attracted more than 300 participants in all. They highlighted the office's services in the areas of consumer protection, economic crimes, charities, and health care fraud along with the work of partner organizations. Breakout sessions focused on collaborative investigations, financial exploitation of the elderly, fraud affecting charities and care facilities, and scams that target small business.



The office opened 322 consumer-related investigations throughout the year.

Top 10 Complaints of 2012

The Ohio Attorney General's Office fielded more than 30,500 consumer complaints from individuals, small businesses, and nonprofits during the year. Here are 2012's top complaint categories:

1. Motorized vehicles
2. Collections, credit reporting, or financial services
3. Do Not Call List violations
4. Household goods or property improvement
5. Internet, phone, or TV services
6. Professional services
7. Shopping, food, or beverages
8. Sweepstakes or prizes
9. Entertainment or travel
10. Health and beauty

- To file a consumer complaint, call 800-282-0515 or visit www.OhioAttorneyGeneral.gov/ConsumerComplaint.
- For monthly updates on scams and consumer issues, sign up at www.OhioAttorneyGeneral.gov/ConsumerAdvocate.



Services assist identity theft victims

The effects of identity theft can linger for years, causing damage to victims' credit reports and financial security. To help them repair the damage and move on, the Attorney General's Office launched an Identity Theft Unit.

The unit provides two programs. Under a traditional assistance program, an advocate works on behalf of a victim to contact credit reporting agencies, creditors, collectors, and other entities that may have obtained the individual's personal information under fraudulent circumstances. Through a self-help program, the office provides victims the tools they need to help resolve issues on their own.

Current and former foster youth can be especially vulnerable to identity theft because many individuals and organizations have access to their personal information. Recognizing this, Attorney General DeWine offered the Identity Theft Unit's assistance to the Ohio Department of Job and Family Services to correct errors discovered on these vulnerable individuals' credit reports.

Office helped reach landmark settlements

The Attorney General's Office worked with other state attorneys general to achieve landmark settlements involving off-label marketing of pharmaceutical drugs.

In August, the Attorney General announced Ohio and 36 other states had reached a record \$181 million settlement with a large pharmaceutical company regarding the marketing of several antipsychotic drugs. Negotiations in the case produced the largest multi-state consumer protection pharmaceutical settlement on record; Ohio's share totaled more than \$7.8 million.

In May, the Ohio Attorney General's Office joined 44 other states and the District of Columbia in announcing a settlement with another company involving the improper marketing of an anti-seizure drug. Ohio received more than \$3.7 million.

In November, Attorney General DeWine and 37 other state attorneys general announced a \$90 million settlement with a pharmaceutical company to resolve allegations that it unlawfully promoted a diabetes drug. Ohio's share totaled \$3 million.

Actions safeguard consumer interests

The Attorney General's Office enforces state and federal antitrust law to ensure a competitive marketplace and protects taxpayers from anti-competitive activity in public projects.

In March 2012, Attorney General DeWine filed an antitrust lawsuit against Cargill Inc. and Morton Salt Inc. after an investigation revealed evidence that the two companies divided the Ohio rock salt market and agreed not to compete with one another. As a result, the Ohio Department of Transportation and other government entities throughout Ohio likely paid above-market prices for rock salt used to treat winter roads. The lawsuit calls on the companies to forfeit illegally acquired gains, which could total up to \$50 million.

In another case, Attorney General DeWine and other attorneys general reached a \$69 million settlement with three major publishers following allegations that they conspired to fix the price of electronic books. The publishers' alleged illegal arrangement, which Apple Inc. facilitated, meant retailers could no longer set the prices of the e-books they sold. The arrangement gave them only a percentage of the sale price determined by the publishers. As a result, *New York Times* Bestseller e-books previously priced at \$9.99 cost \$12.99 or more. About \$2 million will go to Ohio consumers who were overcharged for past purchases. A lawsuit against Apple and two publishers is ongoing.

Help Center fields thousands of calls

Ohioans sought assistance on more than 130,000 occasions through the Attorney General's Help Center, which has worked hard to make access more convenient. A constituent can call a toll-free number, file an inquiry via the Internet, or — through a new method introduced in 2012 — conduct a live chat with a member of the center's staff. Few other government officials, and only one other attorney general, offer live chat.

Introduced in May, the live chat option resulted in 2,595 conversations between constituents and Help Center staff. In addition, the unit answered 113,408 telephone calls, 13,597 e-mails, and 1,175 letters. Ohioans can file a consumer complaint, learn about foreclosure prevention programs and settlement details, submit a Medicaid fraud tip, obtain educational materials and useful referrals, and conduct other business with the office through any of these methods.

To reach the Help Center

- Call 800-282-0515
- Visit www.OhioAttorneyGeneral.gov and click on "contact"
- Write to Ohio Attorney General's Office, Help Center, 30 E. Broad St., 14th Floor, Columbus, OH 43215



Improving Ohio communities



Ohioans statewide are benefitting from a \$25 billion national mortgage settlement, which state attorneys general and the federal government reached in 2012 with the country's five largest mortgage servicers. Ohio's share of the settlement is \$330 million.

The Ohio Attorney General's Office played a key role in investigating the unacceptable mortgage servicing practices that led to the settlement with Ally/GMAC, Bank of America, Citi, JPMorgan Chase, and Wells Fargo.

Attorney General DeWine designated \$75 million — more than any other attorney general — for residential demolition to reduce neighborhood blight. The Moving Ohio Forward Program is funding the demolition of up to 10,000 abandoned houses. All 88 counties are taking part, and those receiving large allocations are contributing \$43 million.

The Attorney General designated up to \$17 million for programs that help those affected by the foreclosure crisis. The rest went directly to Ohioans who were foreclosed on or is benefitting homeowners through loan modifications and refinancing options.

More information is available at www.OhioAttorneyGeneral.gov/Foreclosure.

Online access raises charities' transparency

One goal of the Attorney General's Office is to increase the transparency of the charitable sector to help donors make sound, informed decisions.

The Online Charitable Registration Search, which made information for more than 31,000 charitable organizations widely accessible for the first time, marked its first anniversary in December 2012. Thanks to the new system, charities can direct potential donors to the Attorney General's website to confirm that the organization is in compliance with registration requirements and find out more about the charities.

Prior to adoption of the online filing system, hard-copy filings could not be converted into a usable database. In addition to being able to share information online, the Attorney General's Office also can generate reports, analyze data, and conduct other tests to further examine information provided in the filings.



The Attorney General's Office offers training for board members of nonprofit organizations. For information, e-mail CharitableLaw@OhioAttorneyGeneral.gov.

Reining in Internet cafés

Attorney General DeWine worked to enforce state requirements of Internet cafés, also known as electronic sweepstakes parlors. The office processed more than 800 establishments' notarized affidavits, which were required under a new law that also halted the opening of any new establishments. Without additional regulations, Ohioans have no assurance that the games are legitimate, and the businesses have the potential to unlawfully generate hundreds of millions of dollars each year.

Resources for charities and donors

- Useful resources for donors and charities are available at www.OhioAttorneyGeneral.gov/Charities.
- To confirm whether a charity is registered with the Attorney General's Office, visit www.OhioAttorneyGeneral.gov/CharitableSearch.
- Sign up for *Nonprofit News*, a newsletter of interest to those who lead or donate to nonprofit organizations, at www.OhioAttorneyGeneral.gov/NonprofitNews.

Settlement helps compensate investors

In September, Attorney General DeWine announced a historic settlement of more than \$2.4 billion in a class-action lawsuit against Bank of America. The lawsuit was filed in 2009 after the bank made misstatements and omitted information regarding its acquisition of Merrill Lynch. When the truth came to light, the bank's stock prices plunged, leading to losses for investors.

Among its investors were the State Teachers Retirement System of Ohio and the Ohio Public Employees Retirement System, which the Attorney General represents. The pension systems are expected to receive about \$20 million from the landmark settlement. Up to 70,000 other Ohioans also are potential class members in the case.

"Investing involves risk. But investors, whether pension funds or individuals, expect companies to provide accurate information so they can judge that risk," Attorney General DeWine said. "Misleading investors with wrong or incomplete information is unacceptable and costly."

The settlement is one of the four largest settlements ever paid by a single corporate defendant.



Protecting Ohio's Families

Supporting Economic Growth

The Attorney General's Office helped small businesses adjust, recover, or save about **\$160,000** during the year.

The Ohio Attorney General's Office helps businesses by working to ensure that the state's legal climate supports their efforts to create and sustain jobs for Ohioans.

In 2012, Attorney General DeWine worked to make Ohio's legal landscape more predictable for our state's businesses, helped smooth the contractual transition between academic research and marketplace ventures, advocated for business interests in court, and protected small businesses from fraud, scams, and unfair practices.

Helping move innovation to market

Partnering with working groups connected with the Ohio Board of Regents, the Attorney General's Office developed sample contracts for Ohio's colleges and universities to use when collaborating with private industry on research and commercialization projects.

Wright State University regularly uses the documents as part of its technology transfer process. Readily accepted by industry and entrepreneurs, they enable the parties to establish nondisclosure agreements and start building relationships immediately rather than spending weeks or even months negotiating terms.

At the University of Toledo, use of the sample contracts has streamlined the commercialization process and encouraged faculty participation. In one situation, a company approached a faculty member about testing, and within two days, the university had nondisclosure and testing agreements in place with the firm. The faculty member was able to undertake the work almost immediately.

Advocating for business interests

When a district court affirmed the Sierra Club's right to bring a citizen suit against the Ohio Environmental Protection Agency director to force the state to impose more stringent regulations on small businesses emitting only small amounts of certain substances, the Ohio Attorney General's office appealed the decision.

The U.S. Court of Appeals for the Sixth Circuit agreed that the state can determine a reasonable approach to protecting air quality with regulations appropriate for businesses of all sizes and instructed the district court to dismiss the Sierra Club's complaint.

In another case, the Attorney General's Office worked with physician and hospital trade groups to defend Ohio's statute of repose, which requires that lawsuits claiming medical malpractice be filed within four years. The court agreed that the law was constitutional and rejected a plaintiff's attempt to file a lawsuit far after that timeframe.

Helping businesses avoid deception

The Attorney General's Office works to protect small businesses and others from fraud, scams, deceptive behavior, and unfair business practices. The same dispute resolution services offered to consumers also are available to small businesses and nonprofit organizations.

In 2012, the office received more than 1,000 complaints and helped adjust, recover, or save some \$160,000 for small businesses.

The Attorney General's staff also helps inform businesses about Ohio's consumer protection laws and delivers dozens of presentations to small business groups throughout the state to help them understand the laws. In addition, the office offers a guide that helps businesses comply with Ohio consumer law.

Resources for businesses

A business guide and other resources are available at www.OhioAttorneyGeneral.gov/Business.

Fighting Health Care Fraud

The Attorney General's Office had a record-setting **\$119** million in recoveries, **239** indictments, and **218** convictions in health care fraud cases in 2012.

Uncovering Medicaid fraud

The Attorney General's Office had a record-setting year going after Medicaid fraud, generating 161 indictments, 135 convictions, and more than \$117 million in recoveries. The totals exceed previous records by 15 indictments, 10 convictions, and more than \$29 million. The office also investigates patient abuse and neglect in long-term care facilities.

The office is a driving force behind the Ohio Medicaid Program Integrity Group, which brings together representatives from state agencies with complementary program integrity responsibilities. Group members share and analyze data to identify fraudulent Medicaid providers and coordinate on the response, which is aimed at saving taxpayer dollars and bringing scammers to justice.

Report fraud and abuse

To report possible Medicaid fraud or patient abuse in a care facility, call **800-282-0515** or visit www.OhioAttorneyGeneral.gov/ReportMedicaidFraud or www.OhioAttorneyGeneral.gov/ReportPatientAbuse.

The endeavor was among 111 programs recognized as a "Bright Idea" in 2012 by the Ash Center for Democratic Governance and Innovation at Harvard University's John F. Kennedy School of Government. Award winners were chosen based on their ability to demonstrate a creative range of solutions.

Here are details of some significant cases:

- The Attorney General's Office worked with state and federal agencies following the death of a 14-year-old girl who suffered from cerebral palsy and other disabilities. She died from malnutrition and medical neglect. Notes of the child's longtime in-home nurse indicated the nurse provided adequate daily care and that the girl was in satisfactory condition. In reality, the nurse rarely, if ever, provided services. She pleaded guilty to involuntary manslaughter, failing to provide for a functionally impaired person, and tampering with records and was sentenced to 10 years in prison. The girl's mother pleaded guilty to involuntary manslaughter and child endangerment and received a nine-year prison term. Investigators believe the two schemed to share Medicaid funds intended to help the child. Two nursing supervisors also were found guilty, and action is possible against the child's doctor.

- A large pharmaceutical company paid kickbacks to physicians as part of a scheme to illegally market some of its medications for indications not approved by the Food and Drug Administration. To resolve the claims, the company agreed to pay nearly \$2 billion to the federal and state governments. The Ohio Medicaid program received \$40.4 million.
- Two nursing assistants in a Cleveland area nursing facility were caught abusing an elderly resident. One pushed the patient's face into her bed while assisting with personal hygiene and handling the patient roughly during transfers to and from her bed and wheelchair. She pleaded guilty to seven counts of patient abuse and was sentenced to more than 10 years in prison. The other, who was caught spraying deodorant on the patient's face and body, pleaded guilty to one count of assault and was sentenced to six months in jail.

Investigating workers' comp fraud

The Attorney General's Office produced 78 indictments, 83 convictions, and more than \$1.8 million in recoveries in workers' compensation cases during 2012.

- A husband and wife greatly exaggerated injuries the woman allegedly suffered while working in a nursing home, claiming she was confined to a wheelchair with reflex sympathetic dystrophy from a shoulder injury. The disease spread throughout her body, they said, leaving her unable to use her arms and legs. Surveillance video contradicted the couple's claims, showing her walking unassisted, driving, climbing stairs, holding and carrying items, and grocery shopping. The couple fled Ohio after an interview with Bureau of Workers' Compensation agents, and nationwide arrest warrants were issued. They were located and extradited to Ohio, and both pleaded guilty to felonies. The woman was sentenced to a year in prison, while her husband received five years of community control. They must pay \$173,332 in restitution.
- An individual was injured while working as a truck driver in 1982 and received permanent total disability benefits. An investigation revealed he had worked for six different employers while fraudulently receiving benefits. Following an investigation by the Attorney General's Office, he pleaded guilty to fraud, was sentenced to serve four years of community control, and was ordered to repay \$143,203.

Representing Ohio

The Ohio Attorney General's Office represents the state of Ohio and its numerous agencies, offices, boards, and commissions in significant legal matters. In 2012, the office helped bring criminal and civil defendants to justice, support citizens' rights and interests, and ensure Ohioans' safety.

Advocating for Ohio in the highest courts

The Attorney General's Office represents Ohio at the highest levels of the judicial system.

In 2012, the office presented arguments in *Tibbals v. Carter* before the U.S. Supreme Court. In a ruling handed down in early 2013, the justices unanimously agreed with the Attorney General that indefinite stays on the sentences of people convicted of capital crimes should not be permitted. The Supreme Court overturned two lower courts' rulings that would have postponed proceedings until the prisoner regained his mental competency.

In *Wymyslo v. Bartec Inc.*, the Attorney General successfully defended Ohio's Smoke Free Workplace Act, which helps protect Ohioans from the dangers of secondhand tobacco smoke. The Ohio Supreme Court unanimously agreed that the act, which voters adopted to ban smoking inside most public places, is constitutional and properly enforced. The ruling affirmed that voters had a "legitimate purpose in protecting the general welfare and health of Ohio citizens."

In a case involving four men who broke into a Cleveland apartment and robbed several occupants, one defendant was convicted of several crimes, including armed robbery and murder (one of the perpetrators was killed in the incident). Prosecutors offered the defendant's cell phone records to show how the robbers called each other frequently to plan and commit the crime, but an appeals court ruled in *State v. Hood* that the cell phone records were not used properly as evidence. Together with the Cuyahoga County prosecutor, the Attorney General's Office persuaded the Ohio Supreme Court that the cell phone records were valid evidence and established the admissibility of criminals' cell phone records in trials.



The Attorney General's new Public Records Mediation Program **helps resolve disputes** between local governments and individuals or media outlets.

Amicus practice supports Ohioans' interests

The Attorney General has an extensive amicus practice before the U.S. and Ohio Supreme Courts and prepares briefs to inform the courts how their decisions will affect the state and citizens who are not parties to certain cases.

The office also actively supports county prosecutors in cases before the Ohio Supreme Court to help clarify the law relating to criminal prosecutions and law enforcement.

In *Williams v. Illinois*, Ohio led 43 states in supporting Illinois with an amicus brief that helped persuade the U.S. Supreme Court to allow expert testimony about DNA testing. The defendant in a rape case had argued that the expert's testimony was unconstitutional because the witness did not personally perform the DNA testing. The court agreed with Illinois, Ohio, and the other states that expert witnesses need not perform the work to be able to explain a lab's process. In allowing the testimony, the court preserved the ability of forensic scientists to testify about cases that they don't personally handle.

In *Gagne v. Booker*, Ohio filed an amicus brief supporting the validity of Michigan's "rape shield law." That law, which is similar to Ohio's, prevents defendants charged with rape from trying to discredit their victims by introducing irrelevant information about the victims' sex lives. A federal appeals court ruled Michigan's law violated a defendant's right to a fair trial. Ohio joined with Michigan to argue in favor of the law, thereby protecting rape victims and supporting law enforcement. The U.S. Court of Appeals for the Sixth Circuit sided with Michigan and Ohio and upheld the rape shield law.

State v. Dunn involved police officers' response after being tipped off about an armed driver believed to be suicidal; they located the man and immediately pulled him over to prevent him from harming himself. A lower court found the police had violated the Fourth Amendment's guarantee against unreasonable search and seizure because they had neither a warrant nor information that the driver had committed a crime. The Attorney General joined with the Montgomery County Prosecutor's Office in arguing that police can act without a warrant when they render emergency aid to protect life or prevent serious injury. The Ohio Supreme Court agreed.



Standing up for Ohioans' civil rights

The Attorney General's Office prosecutes violations of Ohio's civil rights laws involving discrimination in employment, housing, and public accommodations. It also attempts to resolve cases informally and may seek monetary or other remedies such as training, policy changes, and monitoring.

In its capacity as legal counsel to the Ohio Civil Rights Commission, the office secured about \$475,000 for victims of discrimination through settlements in 2012.

In one case, the Attorney General's Office obtained a cease and desist order against a business that fired an employee after she became pregnant. A manager claimed she performed poorly, but discipline or termination had not been consistently administered among the staff for similar conduct, and the woman was not fired until she disclosed her pregnancy.

To arrange training

The Attorney General's Office conducts free training for employers, human resources professionals, landlords, condominium associations, and small businesses throughout Ohio to promote compliance with fair employment and fair housing laws. To arrange for training, call **614-466-7900**.

Free public records mediation begins

To help resolve disputes between local governments and individuals or media outlets requesting public records, Attorney General DeWine launched a free, voluntary Public Records Mediation Program in June. Attorneys conduct mediation sessions between the parties that disagree, often over whether records have been improperly withheld or delayed. Twenty-five disputes were resolved prior to mediation, and six were resolved through telephone mediation.

In addition, the staff processed 1,164 requests for public records of the Attorney General's Office and answered about 725 inquiries from public officials, constituents, and the media regarding public records law.

The office also updated its "Ohio Sunshine Laws: An Open Government Resource Manual" and provided about 1,700 copies to the public and clients. Staff offered 21 open government training sessions that drew about 1,248 elected officials and members of the public.

Protecting workers' interests

In representing the Ohio Bureau of Workers' Compensation, the office filed an action against an employer who failed to pay more than \$200,000 in workers' compensation premiums over the course of several years. Several employees have filed workers' compensation claims against the employer, including a death claim. The trial court granted an injunction ordering the employer to close. The employer appealed, but failed to post a required bond or file necessary documents, leaving the injunction to cease business in effect.

Efforts ensure qualified firm wins contract

The Attorney General's Office worked with outside counsel to defend the Ohio Department of Job and Family Services (ODJFS) against claims that it abused its discretion by refusing to award a multibillion-dollar Medicaid managed care contract to a company with insufficient experience in the work. In early 2012, ODJFS sought proposals to provide Medicaid managed care services to more than a million Ohio Medicaid recipients. It determined that one company's application had misrepresented its experience with such endeavors in other states, knocking it out of the running for the Ohio contract. The company sued in an effort to gain the contract, but the judge agreed with ODJFS and dismissed the suit.

Case affirms employer's rights

The office helped Marion Technical College win a judgment affirming its ability to terminate the employment of a staff member for poor performance. The plaintiff's performance declined noticeably after the college introduced new software. In addition to resisting the system's implementation and missing several trainings, she often was absent, refused to answer customer questions, and was insubordinate. After being counseled and failing to improve, her employment was terminated. She sued for alleged age discrimination, retaliation, breach of policy, and emotional distress. The U.S. Sixth Circuit Court of Appeals affirmed the district court's grant of summary judgment to the college, finding no basis for the former employee's claims of discrimination and retaliation.

Advancing transportation needs

The office represents the Ohio Department of Transportation (ODOT) in property acquisition issues for highway construction or improvement projects, environmental cases, and contractor bid disputes. In 2012, staff in Cleveland and Columbus completed the acquisition of a new right of way for the first phase of the Cuyahoga River Bridge and I-90 Innerbelt Project, the largest construction project ODOT has ever undertaken. Staff members navigated several complex and difficult acquisitions in a timely and efficient manner, enabling a vital construction project to proceed on schedule.



Funds returned to defrauded investors

An Ohio man initiated an investment program under the guise of raising funds to help small businesses. However, the Ohio Division of Securities uncovered evidence that none of the funds were designated for that purpose, but rather were used solely for his personal and professional expenses. He had orchestrated a de facto Ponzi scheme through which he attempted to defraud dozens of Ohio investors. The Attorney General's Office gained court orders to stop him from exploiting investors, freeze his accounts, and name a receiver to administer the enterprises. All of the victims were reimbursed, and the businessman was ordered not to engage in securities and investment activity. Additional proceedings are under consideration.

Watching out for utility customers

The office represents the Public Utilities Commission of Ohio (PUCO) in matters regarding telephones, electricity, natural gas, motor carrier transportation, railroads, and water. In 2012, the office successfully defended the PUCO's ratemaking authority before the Ohio Supreme Court. The court rejected constitutional "home rule" arguments raised by a Central Ohio city in favor of a PUCO-approved tariff that required the city, rather than all AEP customers, to pay for burying overhead power lines in the city's central business district.

Helping safeguard the environment

The Attorney General's Office investigates and prosecutes those who break environmental laws and represents state agencies that safeguard Ohio's natural resources. In 2012, the office won a \$19 million judgment against a landfill owner and operator who for years ignored a court order to clean up and secure the landfill, which was no longer operating. The judgment was the largest single penalty for solid waste violations in Ohio history.

Verdict allows ODOT to recoup project costs

The Attorney General helped ODOT recoup \$2.64 million in purchase and installation costs for a metal roof that began showing extensive rust and corrosion shortly after it was installed on the agency's district headquarters in New Philadelphia. Attorneys provided scientific evidence that the Kansas City, Mo., manufacturer had failed to properly rustproof the 167,000-square-foot roof, leading to a unanimous jury verdict supporting ODOT's stance.



Investigating credit report problems

Attorney General DeWine is advocating for Ohioans who have experienced errors on their credit reports. Following an in-depth *Columbus Dispatch* series of articles on the problem, the Attorney General launched an investigation into the issue and began talking with other state attorneys general and legislators. Steve Kroft of "60 Minutes" (above left) is among those who have interviewed Attorney General DeWine on the topic. Ohioans who spot errors on their credit reports from any of the three major providers are encouraged to report them to the Ohio Attorney General's Office by calling **800-282-0515** or visiting **www.OhioAttorneyGeneral.gov**.

by the Numbers 2012

\$9.1 million

Compensation provided to crime victims and families

30,500

Total consumer complaints the office fielded

3.5 million

Searches law enforcement officers conducted on the Attorney General's Ohio Law Enforcement Gateway, which contains criminal history records and other resources

130,000+

Number of times Ohioans sought assistance from the Attorney General's Help Center

98%

The office's success rate in defending against 380 suits brought by inmates who claimed their convictions or sentences were unconstitutional



1,675

Number of Sunshine Law manuals the office provided to government officials and the public

42

Official opinions the Attorney General issued in response to questions from the Ohio General Assembly, state agencies and departments, county prosecutors, and township law directors



2,595

Live chat conversations between constituents and Help Center staff after the chat option's launch in May



9 of 10

Capital crimes cases in which the U.S. Court of Appeals for the Sixth Circuit affirmed the state's judgments of conviction and sentence. In the 10th case, the Sixth Circuit remanded the case to the lower court for further proceedings.

407, 358, and 340

Number of indictments, arrests, and convictions, respectively, for which Ohio Organized Crime Investigations Commission task forces were responsible in 2012



\$453.8 million

Amount the office collected in outstanding debt owed to the state

\$119 million

Record-setting total recovered from fraudulent Medicaid and Workers' Compensation claims, topping the previous record by more than \$29 million

31,000

Charitable organizations with data available through the office's Online Charitable Registration Search, aimed at increasing transparency and aiding contributors



1,800+

Contracts the office reviewed for internal and external clients

FOR ASSISTANCE

The Ohio Attorney General's most frequently requested services:

Reach our Help Center

800-282-0515

www.OhioAttorneyGeneral.gov/Contact

File a consumer complaint

800-282-0515

www.OhioAttorneyGeneral.gov/FileAComplaint

Submit a law enforcement tip

800-BCI-OHIO (224-6446)

www.OhioAttorneyGeneral.gov/LETips

Report a scam

800-282-0515

www.OhioAttorneyGeneral.gov/ReportAScam

Pay a debt to the state

877-607-6400

www.OhioAttorneyGeneral.gov/PayOnline



Ohio Attorney General Mike DeWine

ANNUAL REPORT
2012

Ohio Attorney General's Office
30 E. Broad St., 17th Floor
Columbus, OH 43215

800-282-0515



MIKE DEWINE

OHIO ATTORNEY GENERAL

www.OhioAttorneyGeneral.gov