

PROTECTING ★ THE ★ UNPROTECTED



ANNUAL HIGHLIGHTS



Drug Dropoff Day
2023



NIBIN



Missing Persons Day
2023



New BCI trucks



OPOTA Simulator



DAVE YOST

OHIO ATTORNEY GENERAL



FROM THE ATTORNEY GENERAL

My Fellow Ohioans,

The work of my office affects every person in the state.

In the areas of crime-fighting, environmental enforcement, consumer protection, health care fraud, special prosecutions, charitable law, civil rights and many others, my staff is dedicated to protecting the rights of all Ohioans, often providing a voice for the voiceless and interceding on behalf of our state's most vulnerable residents.

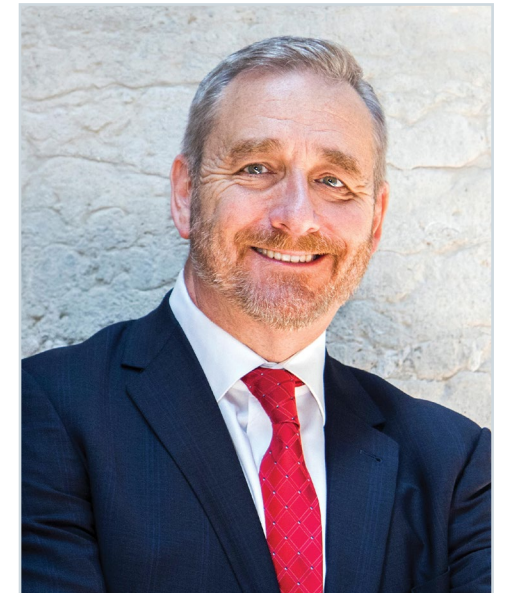
The talented members of this team are driven by a passion for justice and a belief in the universal dignity of all people. They could easily choose careers that reward them with higher pay, but instead they opt for the satisfaction that comes with doing Big Good for their fellow Ohioans.

What follows are some of the successes they logged in 2023.

As you browse through the booklet, please keep in mind that behind each story are real people suffering real harm — the homeowner ripped off by a contractor, the nursing home patient abused by a caregiver, the teenager forced into prostitution, the family of a murder victim longing for answers.

They turn to us, the Attorney General's Office, as a last hope for righting a wrong.

No responsibility could be greater. Speaking on behalf of the 1,500 men and women who make up the many areas of the Ohio Attorney General's Office, we gladly accept that responsibility and are honored by the opportunity to fulfill it.



Yours,

Dave Yost
Ohio Attorney General

MISSION STATEMENT

THE ATTORNEY GENERAL'S OFFICE PROTECTS OHIO
AND ITS FAMILIES.



OUR ACTIONS ARE DRIVEN BY THEIR INTERESTS,
GUIDED BY THE RULE OF LAW
AND THE RELENTLESS PURSUIT OF JUSTICE.



WE WORK TO CONSTRAIN EVIL AND
EMPOWER GOOD, WITHOUT PARTISAN PREFERENCE
OR SUBJECTIVE JUDGMENT, AS DEFINED
BY THE LAW AND BY THE CONSTITUTIONS OF
THE UNITED STATES AND OHIO.

2023

YEAR OF BIG VICTORIES BENEFITS ALL OHIOANS

In his fifth year in office, Ohio Attorney General Dave Yost added to the impressive record he has been building for the past five years.

He and his team unraveled a \$2.9 million fraud scheme by Columbus Zoo officials, and led a multistate antitrust suit against the NCAA aimed at protecting college athletes' ability to market their labor and control their education.

They brought a long-standing case against DuPont to a close by securing a \$110 million environmental settlement for the company's release of hazardous "forever chemicals." And he and other state attorneys general secured approval of a shared \$17.3 billion settlement that will hold two drug makers and two pharmacies accountable for their role in the opioid crisis.

In addition, AG Yost and his team strengthened the training and crime-fighting technology of Ohio's law enforcement community, doubled down on tire dumpers and other polluters, and cracked down on frauds who tried to rip off consumers and Ohio's health care industry.

Of course, several of the fights that Yost took on when he took office in 2019 continued into 2023. For example, battling PBMs that manipulate prescription drug prices, disconnecting robocallers who harass and often cheat Ohioans, and cracking down on human traffickers who trade on hopelessness for profit.

Though only a sampling, this publication explores these and other successes that AG Yost and his team achieved during 2023 — each one an affirmation of his commitment to the people of Ohio.

HELPING LAW ENFORCEMENT PROTECT THE PUBLIC

Fulfilling a promise to Ohioans

From the first day he took office in 2019, AG Yost has been committed to safeguarding Ohio communities by ensuring that law enforcement agencies have the resources and training they need to carry out their critical mission. His efforts have brought about a new era in policing in Ohio, based on three main goals:

- ★ Test and adopt new technology to improve officer safety and speed crime-solving.
- ★ Tie together existing law-enforcement technology to eliminate communication gaps and silos.
- ★ Enhance law-enforcement training and make it consistent across the state.

These are some of the initiatives that AG Yost took in 2023 to advance his goals:

Connecting gun crimes more efficiently

In 2023, Yost fulfilled a pledge to bring new muscle to the fight against gun crime — specifically, against the relatively small number of "serial shooters" who account for a disproportionately large slice of violent crime in Ohio.

By early summer, the Bureau of Criminal Investigation, an arm of the Attorney General's Office, had completed an expansion that vastly increased the number of NIBIN stations at its crime labs around the state.

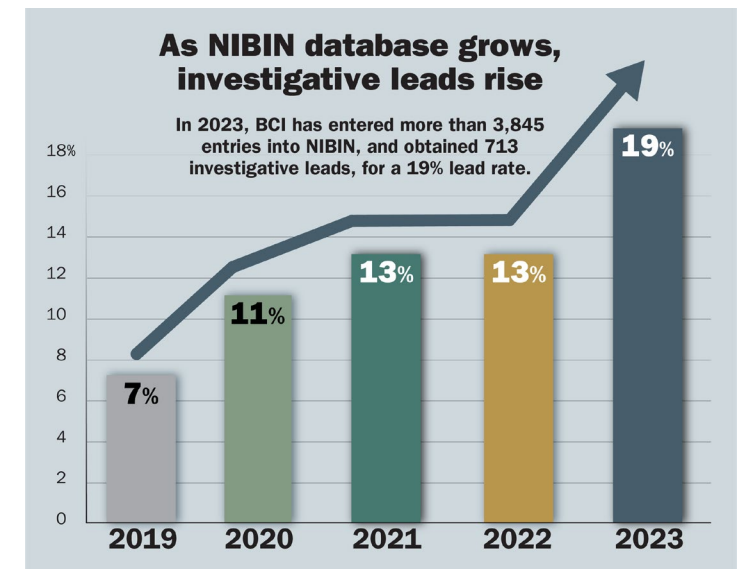
NIBIN, short for National Integrated Ballistic Information Network, is run by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and is the nation's most powerful tool for solving and preventing gun crimes. With the expansion, BCI labs in Bowling Green, London and Richfield now each have two NIBIN stations. Previously, only Richfield had a NIBIN station.

The additional technology makes it much easier for Ohio law enforcement agencies to scan digital images of spent cartridge cases into the national NIBIN database, the first step in determining whether the evidence is linked to other gun crimes in the state or around the nation. The NIBIN expansion is especially useful for smaller agencies which typically don't have their own crime labs.

Jennifer Duvall, who manages the Comparative Sciences Laboratory, said there has been a marked increase in the number of law enforcement agencies submitting ballistics evidence to NIBIN through BCI since the expansion.

In the last six months of 2023, 252 Ohio law enforcement agencies submitted to NIBIN, including 155 that had not previously submitted evidence. BCI has entered more than 3,856 entries into NIBIN and obtained 718 leads, for a 19% lead rate.

"When it comes to getting repeat violent criminals off the street, information is power," AG Yost said. "Now, that power is accessible to a lot more agencies in Ohio."



Besides adding more NIBIN stations, BCI hired more scientists and technicians for the NIBIN labs and, in collaboration with the Ohio Peace Officer Training Academy, developed a series of training videos for law enforcement.

As part of the NIBIN expansion, Yost announced a partnership with the ATF that shifts some ballistic correlation work to the National NIBIN Correlation and Training Center (NNCTC) in Huntsville, Ala.

NNCTC will review the correlations and report any potential leads to the submitting agency, often within hours of entry. Besides speeding up turnaround time, the partnership with NNCTC frees up personnel and assets at BCI labs to handle more NIBIN evidence.

Closing communication gaps

AG Yost extended a Dayton-area pilot program that helps law enforcement track and solve crimes in real time using live-video feeds from public and private sources.

The program, called TALEN (Technology Anonymized Law Enforcement Notification), was launched in August 2022 and involves police departments in Dayton, Miamisburg, Trotwood and West Carrollton, as well as the Montgomery County Sheriff's Office.

The web-based tool at the heart of the program is able to extract live video, data and sensor feeds from virtually any source and fuse it into a single platform, according to Fusus, the company that developed the technology. In short, it creates a virtual real-time crime center that can provide officers with immediate intelligence (and video) during a critical incident, including information to track fleeing suspects.

Because the information is shared across jurisdictional lines, the technology facilitates a coordinated response among agencies.

"TALEN is like a supercharged, technology-enabled neighborhood watch," AG Yost said.

The program was extended through June 2024.

Making training fresh and consistent

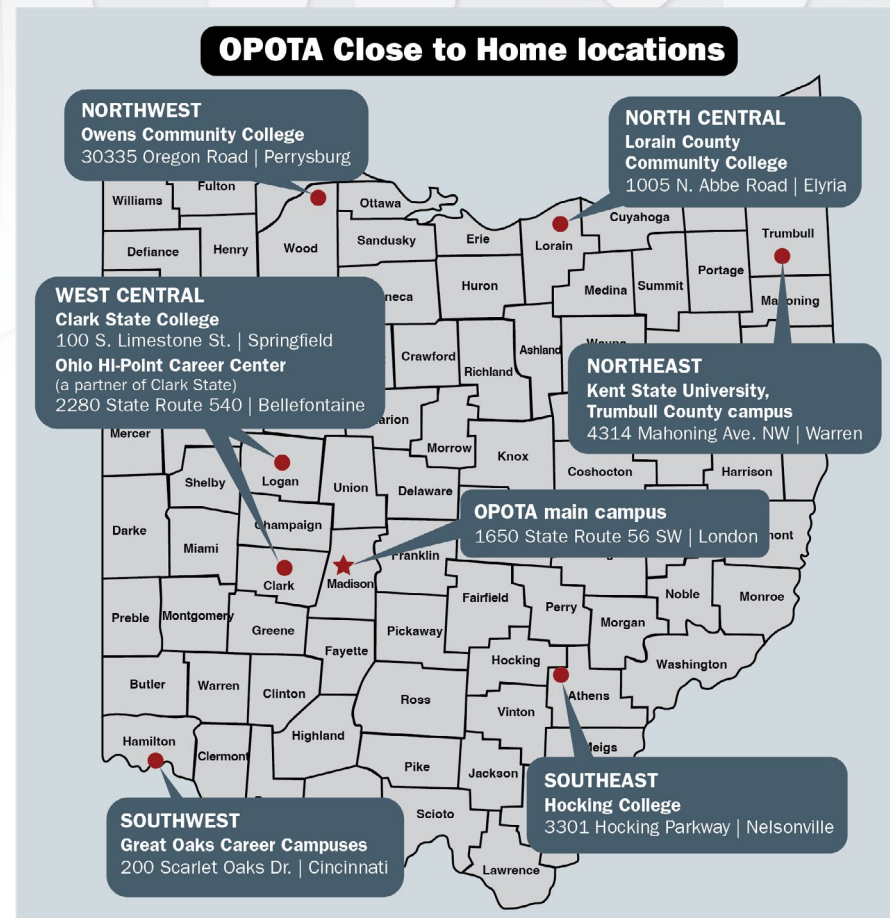
Since taking office, AG Yost has been reimagining how training should evolve to ensure that Ohio's roughly 30,000 law enforcement officers are the best trained in the nation.

In September, he announced the formation of a blue-ribbon task force to examine the future of police training in Ohio and ways to create and deliver world-class continuing education.

He has directed the task force to review emerging trends, examine the realities of law enforcement work, and recommend how best to serve the expectations of local communities. He likewise has asked the group to focus on training that helps law enforcement respond appropriately to incidents of violence and resistance to arrest.

The task force, which is expected to return its recommendations in early 2024, is only the latest step Yost has taken to overhaul law enforcement training:

- ★ From his first days as Attorney General, Yost has been dismantling the old curriculum at the Ohio Peace Officer Training Academy and replacing it with state-of-the-art technology, techniques and courses. To that end, he created an OPOTA pilot program that uses virtual-reality (VR) goggles to help officers learn de-escalation methods. Positive feedback prompted AG Yost to request the creation of full courses. In 2024, OPOTA — working in partnership with Ohio University — expects to offer six virtual reality



scenarios that will be incorporated into police courses. The VR training forces officers to make split-second decisions in various scenarios that, on the job, could prove to be the difference between life and death.

- ★ Also last year, AG Yost continued to expand regional training centers, making it far more convenient for officers to take OPOTA-certified classes without traveling to OPOTA's main campus in London. The first five Close to Home partner sites were established in Elyria, Kent, Springfield, Nelsonville and Cincinnati. A sixth site, at Owens Community College in Toledo, was announced in September.
- ★ AG Yost has been encouraging higher standards at Ohio's 59 basic-training academies through his Star Academy program. So far, 19 academies have been certified after adopting the new requirements, including five in 2023.
- ★ As he has in past years, AG Yost worked to secure funding for annual continuing professional training for all Ohio peace officers. Although the legislature did not establish a permanent source of CPT funding in 2023, it did allocate \$80 million to cover training in 2024 and 2025. The Attorney General has lobbied, and will continue to lobby, for a permanent fund to decouple CPT funding from the biennial state budget process.

Force multiplier, in action

The Attorney General's force multiplier philosophy is built on collaboration. The drug task forces supported by the Ohio Organized Crime Investigations Commission (another arm of the Attorney General's Office) and BCI's Cold Case Unit are just two outstanding examples among many.

Since becoming attorney general in 2019, the task forces have confiscated \$304 million in drugs, with more than \$63 million of that coming in 2023. The task forces often involve local, state and federal law enforcement agencies.

The Cold Case Unit, meanwhile, partners with local law enforcement agencies and brings in experts from BCI's Laboratory, Criminal Intelligence Unit and Special Investigations Unit to solve years-old homicides and sexual assaults. The unit offers a range of specialized knowledge and equipment that most agencies could never expect to have on their own.

Here are some notable cold cases from 2023:

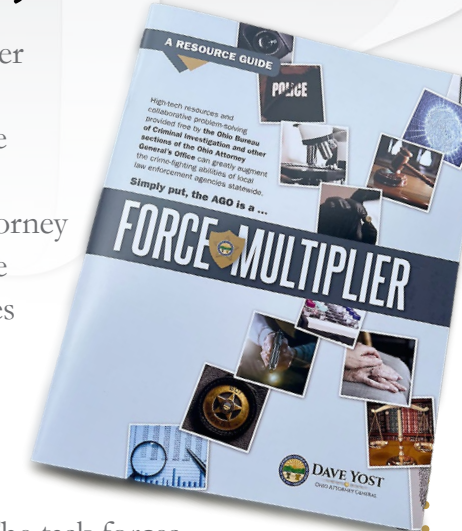
DNA connects murderer to two attacks

The body of 36-year-old Alma Lake was found on June 3, 1991, in southwest Franklin County. Five years later, the body of Michelle Dawson-Pass, 36, was found in Licking County. Both had been strangled to death and left naked. When the investigations went cold, the Franklin County and Licking County sheriff's offices asked BCI's Cold Case Unit for help. BCI's lab was able to develop a DNA profile of the suspect from the evidence, but there were no hits in CODIS. Investigators then began searching the database to see whether they could link the DNA profile to any possible biological relatives, which ultimately led them to **Robert Edwards** in March 2021. In August 2023 he was sentenced to life in prison.



Dayton serial rapist gets 44 years in prison

Between June 2013 and April 2014, four violent sexual assaults occurred in the Dayton area. Physical evidence revealed that DNA from all four cases matched to the same unknown male. Throughout the years, the case was worked but no suspect was identified. In March 2022, Dayton police asked BCI's Cold Case Unit for help. BCI's Criminal Intelligence Unit and Laboratory soon turned up an investigative lead on a suspect, and in October 2022, DNA testing identified the suspect as Tiandre Turner of Dayton. In April 2023, he was sentenced to 44 years in prison.



WORKING BETTER TOGETHER

AG Yost's message to law enforcement is simple and constant: We're here to help.

His office offers highly specific expertise and cutting-edge tools that most agencies simply can't afford to have in-house. That's because technology has changed the way crimes are solved, and the latest advances require expensive equipment, skilled operators, and highly trained analysts and scientists.

In that sense, the Attorney General's Office is a force multiplier, enabling police and sheriffs to accomplish more with the AGO's help than they might achieve alone.

In fall, AG Yost produced a **30-page directory** that listed all the resources available to Ohio law enforcement and encouraged agencies to build on the collaborations they've established with BCI, OPOTA, the Ohio Organized Crime Investigations Commission, and other units of the Attorney General's Office, including the Special Prosecutions, Environmental Enforcement, and Crime Victim Services sections.

The directory is available for download at www.OhioAttorneyGeneral.gov/forcemultiplier.





Attorney General Dave Yost discusses the case of a Mahoning County John Doe, which generated a tip that led to the identification of a different set of human remains, in Fayette County.

Killer of two boys finally identified

With the help of BCI's forensic laboratory, the Boardman Police Department announced in January that Joseph Norman Hill Sr. was responsible for the slaying of two boys three years apart in the early 1970s. Bradley Bellino, 12, was killed in 1972 and David Evans, 13, in 1975. DNA analysis conducted by BCI developed an offender profile, which was used by an independent lab to conduct an investigative genetic genealogy search. A family member of Hill's was located and additional testing confirmed Joseph Hill as Bellino's killer. He had moved to California around 1978 and died there from natural causes in 2019. In April 2023, BCI's DNA technology revealed that Hill also was responsible for Evans' death.

Tip in one case helps solve another

In August 2022, BCI unveiled a 3-D bust of a Mahoning County John Doe found in 1987. Youngstown police began receiving tips, including one they determined did not relate to their case but might be valuable elsewhere. So, detectives sent the information to BCI, which realized its relevance to a Fayette County human remains case. The tip led to the identification in February 2023 of Theodore Long, a 19-year-old from Toledo whose body was found in 1981. The Fayette County Sheriff's Office had partnered with BCI's Cold Case Unit in April 2022 to review potential new leads. Long's case remains an ongoing homicide investigation. In the meantime, Youngstown detectives, with the help of genetic genealogy research, determined the Mahoning County John Doe to be Robert Sanders. He was 22 when reported missing in 1976. His cause of death is undetermined.

PROTECTING OHIOANS' WALLETS

With Dollar General settlement, food pantries receive a timely lift



With 2023 winding down, the fight against hunger in Ohio got a welcome seasonal boost when Attorney General Dave Yost's office began distributing the bulk of a \$1 million settlement with Dollar General to food banks and pantries statewide.

The Love Center Food Pantry in Holmes County, the Family Advocacy Center of Ottawa County, the Brown Bag Food Project in Wood County — these and more than 130 other hunger-relief organizations received checks to help with the purchase and distribution of food and personal-care items.

"The timing couldn't have been better," AG Yost said. "Many people who utilize food pantries may feel the budget squeezed even more during the holidays — so we're especially pleased that we could do something to help in December."

The state's settlement with Dollar General stemmed from a lawsuit filed by Yost on Nov. 1, 2022, accusing the Tennessee-based discount retail chain of deceptive and unfair pricing at its stores throughout Ohio. Dollar General was displaying prices on shelves for certain items but charging higher prices at its registers and not adjusting them to the lower shelf price at the checkout counter, the suit says.

"When a bottle of shampoo that should cost \$1 costs \$2 at the checkout," Yost said, "that's a real problem."

Under the settlement, \$750,000 of the \$1 million was allocated for the food banks and pantries.

In Ottawa County, the Family Advocacy Center received \$6,290.

"That's huge for our agency," said Volunteer Coordinator Ashley Walterbusch, explaining that the center used the money to add stock to its small emergency food pantry and to fund "break bags," which contain nonperishable food for students on the school lunch program to take home over a weekend or holiday break.

At Yost's request, Ohio's 88 county auditors each selected one or more agencies to receive the money for his or her county — the Attorney General's way of acknowledging the central role that the auditors play in price verification at retail businesses throughout the state.



Dollar General has more than 980 stores throughout the state, with every county having at least one. Yost's office ensured that every county received at least \$1,000, with the rest being divided and distributed based on the number of Dollar General stores within a county.

In addition to the money, the settlement requires Dollar General to make a series of changes to ensure that its products ring up at the correct amount, including:

- ★ Staff stores sufficiently to keep shelf tags updated.
- ★ If a consumer points out that a price charged at the register is higher than that listed on the shelf tag, charge the price listed on the tag if the consumer is correct about the discrepancy.
- ★ Require district managers to conduct random price checks every 45 days.
- ★ For any store that receives three "failed" auditor reports within six months, require the store to check the price of every item to ensure accuracy.
- ★ Educate all employees about this policy and post signs in its Ohio stores informing customers of the same.

Judge's use of hammer against scammer an extra-gratifying win for Yost, his team

For Attorney General Dave Yost and his team, the state's case against a Hudson-based home-improvement contractor who broke Ohio consumer-protection laws at least 71 times couldn't have had a more satisfying end.

In May, Cuyahoga County Common Pleas Judge Michael Russo ordered Neil Wolfe and his business, Neil Construction, to pay \$625,873 in restitution to 19 consumers he defrauded.

But the judge wasn't finished.

He also imposed significant civil penalties — \$25,000 for each of the 71 violations the Court found, for a total of \$1,775,000.

“The judge's decision says it all,” Yost said. “And it should serve as a strong deterrent to any business owners who think they can get away with stealing from Ohioans.”

The final judgment resolved a 2021 lawsuit filed against Wolfe and his company — a case in which Wolfe was twice held in contempt of court.

The suit stemmed from an investigation by Yost's Consumer Protection team, which found that Wolfe took customers' down payments for home-improvement work, then either performed no work, shoddy work or incomplete work. He also failed to obtain permits, failed to register as a contractor, wrote unfair and one-sided contracts, and evaded other legal obligations.

Wolfe continues to serve a three-year sentence in the Belmont Correctional Institution for a criminal theft conviction in a separate case involving a consumer he defrauded.

The state's lawsuit against Wolfe was perhaps the most notable home-improvement case handled by Yost's office in 2023 but, unfortunately, it was far from the only one. (See accompanying graphic.)

The Attorney General and his Consumer Protection team are committed to standing up for consumers who are victimized by deceitful business owners and holding bad actors accountable for cheating Ohioans.

A SAMPLING OF OTHER CASES

LUCAS COUNTY February

The contractor: Michael Windle, owner and operator of Rite-On Roofing and Siding in Toledo.

The state's claim: Accepted \$54,000 in deposits from consumers but failed to deliver any goods or services.

Also of note: Multiple consumers filed police reports against Windle, leading to several indictments.

AUGLAIZE COUNTY April

The contractor: Jerry Weeks, a pole barn builder, owner/operator of Grizzly Buildings in Wapakoneta.

The state's claim: Accepted roughly \$200,000 in payments from clients who said the work was never started, was never finished or was done improperly.

Also of note: Yost's office fielded 11 complaints about Grizzly Buildings.

MONTGOMERY COUNTY February

The contractor: Daryl Robert Fraley, owner of Dixie Fence South in Germantown.

The state's claim: Took more than \$111,000 from 21 consumers but didn't build their fences — or, in the few cases in which he did follow up, performed shoddy or incomplete work.

Case resolution: As part of a consent judgment later in the year, the defendants agreed to repay \$124,537 to consumers.

HAMILTON COUNTY September

The contractor: Brian Hamilton, owner/operator of Hamilton Construction.

The state's claim: Swindled six consumers out of more than \$35,500, allegedly soliciting general contracting business through Angi.com, Thumbtack.com and other referral sites but never delivering the services.

CUYAHOGA COUNTY August

The contractors: Thomas Boyd and Brian Stepp, owners of Diamond Ridge Construction Services in Columbia Station.

The state's claim: Pocketed more than \$289,000 in consumers' money but failed to complete the projects; also engaged in other unethical behavior.

Also of note: Yost's office received 34 complaints about Diamond Ridge.

DELAWARE COUNTY August

The contractor: Ryan C. Needels, owner of Clear View Construction, a builder of pole barns and garages.

The criminal charges: Indicted on 51 felony charges for allegedly stealing more than \$500,000 from 21 consumers but never doing any work.

Also of note: The criminal charges follow a civil suit filed in 2022 by Yost's office against Needels and his company for failing to deliver, performing shoddy work, abandoning the worksite, failing to provide proper notice of cancellation rights and failing to provide statutorily required information. The civil case is also pending.

FRANKLIN COUNTY February

The contractors: Peter Ristich and Teneilla Stults, who did business as Central One Paving and a few other names.

The state's claim: Accepted money from consumers for driveway paving and resurfacing services but performed substandard work and failed to correct it.

FRANKLIN COUNTY April

The contractor: Mark Koval, owner of 614 Custom Homes in New Albany.

The state's claim: Walked off with more than \$125,000 in customer deposits but failed to complete or, in some cases, even start the home-remodeling work.

Also of note: Yost's office fielded 24 consumer complaints about 614 Custom Homes.

GREENE COUNTY July

The contractor: Trevor Speck, a Dayton resident and owner of Speck Custom Woodwork, based in Greene County.

The state's claim: Took more than \$33,000 from five customers but failed to deliver their cabinets or provide refunds.

Also of note: Yost's office believes dozens of other consumers may have paid Speck for orders that went unfilled.

WARREN COUNTY July

The contractor: Samuel Nicholas Zawosky, owner of Equality Contractors 1 in Lebanon.

The criminal charges: Indicted on four counts of grand theft after allegedly accepting \$71,622 from three consumers but failing to provide materials and perform the services promised.



DOING DUE DILIGENCE

AG Yost's office recommends that consumers take these steps before signing a contract for home-improvement services:

- ★ Check with the Attorney General's Office and the Better Business Bureau for any complaints against the contractor.
- ★ Make sure your contract includes notice of your right to cancel a door-to-door sale. Contractors generally cannot start working until the three-day “cooling off” period ends.
- ★ Get written estimates from several contractors before making a final decision.
- ★ Check to make sure that the written contract includes any oral promises made by the contractor; start and end dates for the project; and an itemized list of all significant costs, labor and services.
- ★ Be wary if the contract requires a large down payment or requires you to write a check directly to the contractor instead of his or her company.
- ★ Check with the Ohio Secretary of State's Office to confirm that the business is registered properly.

Yost keeps foot on pedal with robocall crackdown

Ohio Attorney General Dave Yost continued to prioritize the fight against illegal robocalls in 2023, announcing a joint state and federal initiative to broaden enforcement efforts and securing court judgments against the final three defendants in a large-scale robocall scheme that blasted Americans with billions of illegal calls, including an alleged 69 million in Ohio.

Here's a chronological review of these and some other robocall-related developments from the year:

January

AG Yost sues six individuals and six companies that relied on illegal robocalls to generate sales leads, subsequently pitching auto "warranties" to Ohio residents.

The complaint alleges that Florida-based Pelican Investment Holdings financed leads to initiate outbound prerecorded calls, which it then used to market and sell "vehicle service contracts." The contracts were administered by Defendants Dimension Service, Autoguard Advantage and National Administrative Service, all based in Dublin.

The case is pending in Franklin County Common Pleas Court, although settlements (including injunctive and monetary relief) have been reached with seven of the defendants.

Among the individuals named in the suit is California resident Stacey E. Yim, who is also among 22 defendants cited in a lawsuit filed in 2022 by Yost against an operation linked to billions of deceptive auto "warranty" robocalls.

May

Along with 46 other state attorneys general, Yost sues an Arizona-based voice service provider, Avid Telecom; its owner, Michael Lansky; and its vice president, Stacy Reeves, for violating two federal laws: the Telephone Consumer Protection Act and the Telemarketing Sales Rule.

The complaint alleges that they knowingly provided substantial assistance or support to sellers and telemarketers engaged in illegal robocalling, including defendants involved in the auto "warranty" lawsuit filed in 2022.

The case marked the first collaborative action by the Anti-Robocall Multistate Litigation Task Force, formed in August 2022 and co-led by Yost and the attorneys general of Indiana and North Carolina.

June

Yost joins 28 other state attorneys general in urging the Federal Communications Commission to close the door on lead generators who sidestepped the rules of the Telephone Consumer Protection Act in gathering purported consent from telephone subscribers to receive autodialed or prerecorded calls.

The attorneys general filed a comment in response to the FCC's notice of proposed rulemaking. The FCC then finalized a new rule making it unequivocally clear that consent must be directly obtained between a telephone subscriber and a seller or telemarketer.

July

Yost joins forces with the Federal Trade Commission and law enforcement partners nationwide to broaden ongoing enforcement efforts to combat the persistent problem of illegal robocalls and other unlawful telemarketing.

"Operation Stop Scam Calls" targets not only telemarketers and the companies that employ them, but also lead generators who deceptively collect and provide consumers' phone numbers to robocallers, falsely representing that these individuals have consented to receive such calls.

In addition, the comprehensive initiative focuses on the Voice over Internet Protocol (VoIP) service providers that facilitate tens of billions of illegal robocalls annually, many of which originate from overseas.

August

For their role in a massive illegal robocall operation based in Texas, Scott Shapiro, Michael Theron Smith Jr. and Health Advisors of America — all of Florida — are permanently prohibited from placing robocalls to Ohio.

The ban, part of a judgment entered by the U.S. District Court for the Southern District of Texas, brought to



Complaints fuel investigation of devious used-car dealerships

Four odometer-tampering cases involving used-car dealerships in the Columbus area underscore both the valuable role that consumers play in helping Attorney General Dave Yost go after dishonest business owners and the commitment that his Consumer Protection team shows in securing justice.

"My office can't act on illegal activity it doesn't know about," Yost said. "Thankfully, dozens of consumers who were victimized reached out for help — and my dedicated team did their jobs very well, eventually uncovering even more egregious wrongdoing."

In separate lawsuits pending in Franklin County Common Pleas Court, S Automotive, Kalango Links, Uncle B Auto and Ohio Mega Group are accused of multiple violations of state consumer and automotive laws.

Most of the consumers who filed complaints about the dealerships cited title-related issues, with many saying they hadn't received a title to the vehicle they'd purchased. In investigating these complaints, however, the AG's team noticed something more flagrant: consistent odometer discrepancies in the vehicles being sold by the dealerships.

The string of lawsuits originated with S Automotive and

a close a lawsuit filed in 2020 by Yost and other state attorneys general. The lawsuit cited violations of the federal Telephone Consumer Protection Act and the federal Telemarketing Sales Rule, as well as various state consumer-protection laws.

Shapiro and Smith are also prohibited for 10 years from doing the following within Ohio: telemarketing, engaging in lead generation, providing or selling telephone numbers, and calling numbers listed on the Do Not Call registry. Shapiro is likewise banned for two years from participating in these activities nationwide.

Also named in the lawsuit were John Caldwell Spiller II and Jakob Mears, owners of Rising Eagle Capital Group, JSquared Telecom and Rising Eagle Capital Group—Cayman, who sent millions of illegal robocalls a month in an effort to sell short-term health insurance plans that they falsely

Kalango Links and grew after the team learned that Uncle B and Ohio Mega Group had each shared a business lot with one of the others.

All four dealerships are accused of:

- ★ Failing to file applications for certificates of title within 30 days after the assignment or delivery of motor vehicles.
- ★ Failing to disclose to consumers that they were buying a rebuilt salvaged vehicle.
- ★ Misrepresenting odometer disclosure statements.
- ★ Failing to provide true and complete odometer disclosures.
- ★ Adjusting, altering, tampering with or setting back an odometer of a motor vehicle.

In addition, S Automotive and Kalango Links are accused of selling motor vehicles to consumers but failing to obtain certificates of title on or before the 40th day after the sale.

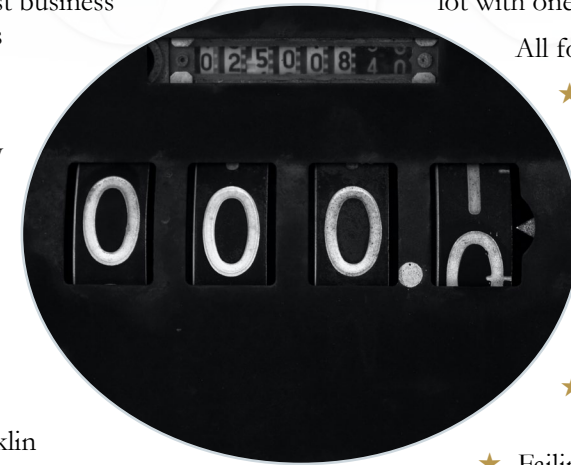
In all four cases, Yost seeks reimbursement for defrauded consumers as well as civil penalties. He is also asking the court to prohibit the business owners from maintaining or applying for auto-dealer or salesperson licenses.

claimed were backed by Cigna and Blue Cross Blue Shield.

An investigation found that Shapiro and Smith had worked with Spiller and Mears, also using robocalls to target unsuspecting individuals who hadn't consented to being contacted by Health Advisors.

The court issued financial judgments against Shapiro, Smith and Health Advisors totaling \$146,153,860. The payments will largely be suspended as long as they comply with the terms of the judgments.

The cases against Spiller and Mears were resolved in March 2023. Both are permanently banned from initiating or facilitating any robocalls, working in or with companies that make robocalls, or engaging in any telemarketing. The court also ordered monetary judgments totaling a combined \$244,658,640 against them.



OTHER NOTABLE CASES

Businesses with lax security pay the price for data breaches

When businesses that maintain sensitive consumer information fail to meet proper standards for security protection, the unpleasant result can be a data breach.

Among its many responsibilities, the Consumer Protection Section of the Ohio Attorney General's Office works to hold companies accountable when they fail to properly safeguard the personal data of Ohioans.

The team's efforts led to settlements in 2023 in three notable multistate cases:

★ **In February**, Ohio and Pennsylvania reached agreements with DNA Diagnostics Center, requiring the Fairfield, Ohio, company to pay a \$200,000 fine and institute a new cybersecurity program that meets industry standards.

The 2021 data breach contained the Social Security numbers and other personal information of roughly 33,000 Ohioans and 12,500 Pennsylvanians.

DNA Diagnostics, which provides paternity and other DNA testing, hired a third party to conduct data-breach monitoring. After detecting a breach in May 2021, the contractor repeatedly attempted to notify DNA Diagnostics through email, but company employees overlooked the emails for more than two months.

During those months, the attackers installed malware to the company's network and extracted data. The stolen information was data that DNA Diagnostics had purchased from another company in order to expand its business portfolio.

★ **In October**, Ohio and 32 other states reached a \$1.4 million settlement with Inmediata over the three-year exposure of the protected health information of 1.5 million consumers.

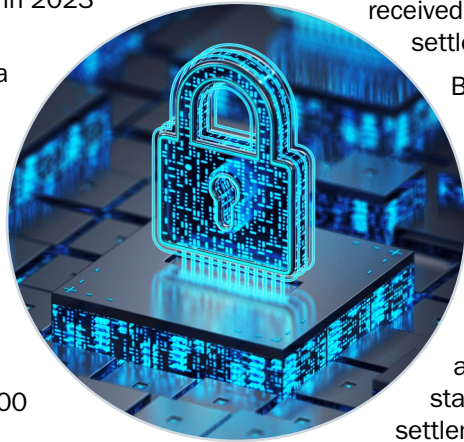
Ohio's portion: \$56,041.

Inmediata, based in San Juan, Puerto Rico, facilitates transactions between health-care providers and insurers throughout the United States.

Under the settlement, the health-care clearinghouse also agreed to fully revamp its data-security protocols and breach-notification procedures.

★ **Also in October**, Ohio and the 49 other states reached a \$49.5 million settlement with Blackbaud Inc. over the software company's data-security practices and its poor response to a breach in 2020 that exposed the personal information of millions of consumers.

Ohio's share: \$1.3 million.



Blackbaud, based in Charleston, South Carolina, provides software solutions to nonprofit organizations to help them connect with donors and manage data about their constituencies.

The 2020 breach exposed the Social Security numbers, driver's license numbers, financial data and other highly sensitive information of more than 13,000 Blackbaud business customers and those businesses' customers — affecting millions of consumers overall.

Ohioans receive checks for TurboTax deception

Ohioans who were tricked into paying for free tax services received their share of a \$141 million multistate settlement paid by Intuit, the owner of TurboTax.

Beginning in May, about \$5.3 million of the settlement money was returned to the 174,000 Ohioans who were deceived by Intuit. Most received about \$30.

"I'm beyond thrilled that cheated Ohioans got some money back into their pockets after Intuit's shameless scheme," Yost said.

Nationwide, 4.4 million people were affected by Intuit's deceptive practices. All 50 states and the District of Columbia joined the settlement.

'Home warranty' company settles misrepresentation case

The Attorney General's Office has resolved a case against a "home warranty" company and its administrator — the target of 1,200+ consumer complaints in recent years.

In January, Yost sued Amazon Home Warranty, a Wyoming company based in New Jersey that uses a Columbus customer-service address, and Amazon Warranty Administrators, which lists a Dublin address but is not, as state law requires, registered with the Ohio Secretary of State's Office.

Neither company is related to Amazon.com, the e-commerce giant. Both are accused of misrepresentation and unconscionable business practices.

Amazon Home Warranty, the lawsuit alleged, used various online platforms and social-media outlets to advertise service contracts to home buyers and sellers, with Amazon Warranty Administrators listed as the administrator of the residential service contracts.

Amazon Home Warranty claimed that its contracts covered the cost of repairs and replacements of major systems (such as an air conditioner) and appliances but did not provide the advertised benefits to consumers — a violation of the Ohio Consumer Sales Practices Act.

Under the settlement, the companies agreed to stop doing business in Ohio, pay \$55,000 in consumer restitution and pay a \$100,000 civil penalty, which was suspended upon compliance with the consent judgment.

PROTECTING OHIO'S ENVIRONMENT

Settlement with DuPont ends 'forever chemicals' litigation

Five years ago, the state of Ohio sued DuPont over the company's alleged history of knowingly releasing into the environment a hazardous manmade chemical that was used for decades at its Washington Works plant.

In November, Attorney General Dave Yost brought the case to a successful close, securing a \$110 million settlement with DuPont and two spinoff companies, Chemours and Corteva.

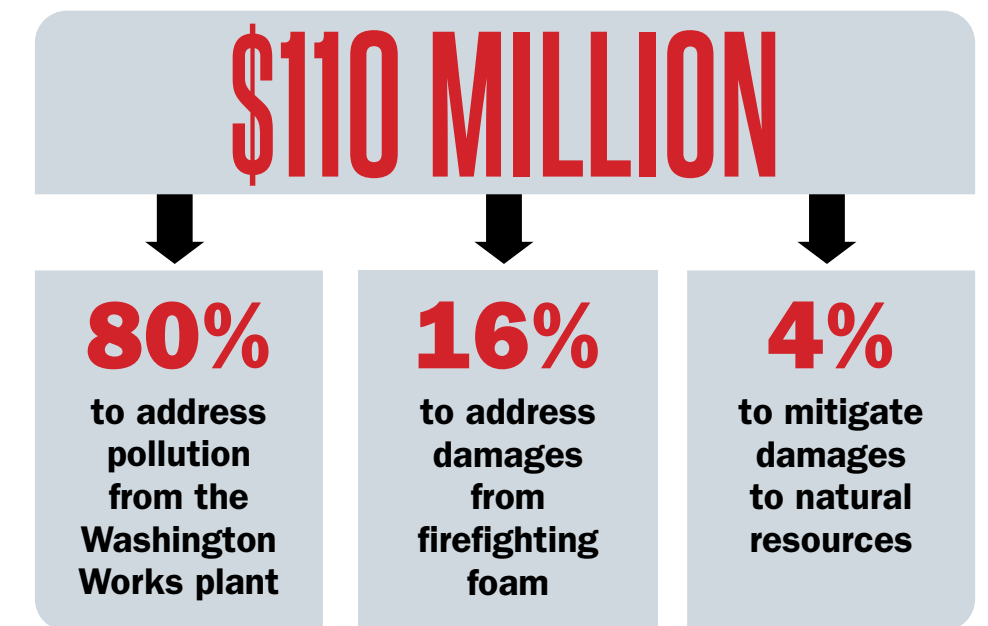
The money will help mitigate damages along the Ohio River caused by the release of perfluorooctanoic acid (PFOA) into the land, water and air near the manufacturing plant, which sits just outside Parkersburg, West Virginia, across from Washington County, Ohio.

AG Yost said the success of the settlement should be measured not only by the dollar amount but, perhaps more important, by the long-term assurances afforded the state under the agreement.

"This settlement has been a long time coming," he said. "We are pleased to have the flexibility to preserve our right to advocate for the health of Ohioans and our state's environment."

From the 1950s through 2013, DuPont made Teflon products using PFOA, one of a group of synthetic per- and polyfluoroalkyl (PFAS) chemicals — called "forever chemicals" because of their resistance to environmental breakdown — used in the production of many consumer and industrial products. PFOA has been linked to serious health problems, including kidney and testicular cancer, thyroid disease, low birth weight and high cholesterol.

Ohio was the first state to legally challenge DuPont for its use of PFOA. The state's lawsuit, filed in 2018 by then-Attorney General Mike DeWine,



alleged that DuPont, in operating the Washington Works plant, released PFOA-containing emissions into the air and PFOA-containing discharges into surrounding land and the Ohio River despite knowing of the chemical's risks to human health and the environment.

The settlement comes six years after DuPont and Chemours, which split off from DuPont in 2015, agreed to pay \$670 million to settle thousands of personal injury lawsuits citing health problems related to the company's use of PFOA.

The history and fallout of the company's use of PFOA, also known as C8, was dramatized in the 2019 film *Dark Waters*, starring Mark Ruffalo.

Besides the \$110 million payment by DuPont, the settlement advances

additional obligations and assurances that allow Ohio to continue to protect its residents and drinking water. The state preserves the authority to set, regulate and enforce more stringent drinking water standards in the future, whether dictated by the U.S. Environmental Protection Agency or the Ohio EPA, for any PFAS or other hazardous substance.

Such flexibility is vital, Yost said, given that regulatory standards are ever-evolving.

Gov. DeWine called the settlement a victory for all Ohioans, especially those living near the Washington Works plant.

"I applaud Attorney General Yost for aggressively pursuing this case and for bringing it to a successful conclusion."



Republic Steel settlement puts residents first

Canton residents who found themselves in the line of fire of excessive lead emissions from the Republic Steel mill will benefit from a \$360,000 settlement to resolve the state's lawsuit against the company over air-pollution violations.

Under the agreement, announced in December by Ohio Attorney General Dave Yost, Republic Steel must pay the city of Canton \$300,000 for a residential house-cleaning program or similar community project. The company must also pay the state \$60,000 for future air monitoring.

"The emissions left black dust scattered across homes and neighborhoods, posing an unacceptable and unhealthy nuisance," Yost said. "The mandated comprehensive cleanup effort, combined with this settlement, is a crucial step toward the long-term well-being of northeastern Ohio."



Before Republic Steel closed the mill in August, it had been under scrutiny from the Ohio EPA, twice facing court-ordered monitoring of lead levels that required the company to immediately shut down production if lead emissions exceeded national air-quality standards.

Three times in four years, those levels exceeded the standards.

Meanwhile, concerns about the high lead levels were growing among residents living near the mill, prompting the Ohio EPA and Canton Public Health's Air Pollution Control Division to place a monitor in the neighborhood to gauge lead emissions there.

Republic Steel, a subsidiary of Mexico-based Grupo Simic, decided to permanently shut down operations at the site.

Under the settlement, the community will continue to be safeguarded during the shutdown process, which the Ohio EPA will vigilantly oversee. In addition, Republic Steel must request termination of its air permits for the site. The company also must follow Ohio air-pollution-control laws and rules, including those regulating emissions that might temporarily continue during the closure process.

Lawyers from Yost's Environmental Enforcement Section represented the Ohio EPA and Canton's Air Pollution Control Division in the case.

OTHER NOTABLE CASES

Polluter's estate to pay for Chagrin River cleanup

A \$300,000 settlement agreement secured by the Attorney General's Office will fund the cleanup of the last of eight piles of illegally discarded dredged materials that polluted the East Branch Chagrin River in northeast Ohio.

The case dates to 2001, when Jerome Osborne and his ready-mix concrete company, Osborne Co., first dredged the river without a permit, ultimately dumping eight spoil piles — each 8 to 20 feet high — in the riverbed and along the riverbank, extensively damaging the waterway.

Spoil piles accelerate erosion and can expose aquatic species to toxic substances when sediment resettles into the river.

Although the dredging ended in 2007, the spoil piles remained until the village of Kirtland Hills removed all but one in 2013. The last pile, known as the Oliva pile, is in a section of the river running next to Baldwin Road.

An ensuing court battle with the state culminated in a civil penalty of \$224,240 and a court order requiring the defendants to submit a plan for removing the Oliva pile. The defendants paid the civil penalty in October 2022 but didn't removed the Oliva pile.

Under the settlement reached in December, Osborne's estate will pay \$300,000 for the Chagrin River Watershed Partners to remove the pile and reverse the resulting erosion.

Property owners make good in hazardous-glass case

The out-of-state owners of two Columbus properties where millions of pounds of hazardous glass were illegally amassed have cleaned up the sites and paid a \$250,000 civil penalty, fulfilling the requirements of a court-approved consent agreement with the state.

Attorney General Yost announced in October that Garrison Southfield Park and Olymbec USA, both incorporated in the state of Delaware, had agreed to pay for the \$16 million cleanup of the lead-containing cathode-ray-tube glass allegedly left on the sites by Closed Loop Glass Solutions and Closed Loop Refining and Recovery.

Documents filed in Franklin County Common Pleas Court maintain that the Closed Loop businesses, which leased the properties for a glass-recycling business, accepted the glass for recycling but did not recycle it. The businesses ceased operations suddenly in 2016, and the operators abandoned the sites — one on Watkins Road, the other on Fairwood Avenue.

Garrison Southfield and Olymbec worked with the Ohio

Environmental Protection Agency to properly shut down the two locations, and the Ohio EPA certified the closures.

Meanwhile, the state continues to pursue legal action against the Closed Loop companies.



3 linked to tire-dumping scheme face criminal charges in Toledo

An illegal tire-dumping operation involving thousands of scrap tires hit a sizable road bump in August when a Lucas County grand jury indicted two Toledo residents in the case and a third person was charged with a related misdemeanor.

Chad Gatter and Amanda Wagner face one felony count each of open dumping solid wastes and transporting scrap tires without a registration certificate. In addition, Osama Al Awkati was charged with two counts of recklessly causing another to transport scrap tires without the state-mandated registration certificate. He pleaded guilty to the misdemeanors in December and was sentenced to one year of inactive probation and a \$500 fine.

The felony indictments naming Gatter and Wagner stem from an investigation begun in September 2022 by the Ohio EPA and the Toledo Police Department. The agencies referred the case to Yost's office after allegations arose that the trio engaged in a scheme involving the illegal transport and dumping of scrap tires at a residential property.

BCI's Environmental Enforcement Unit conducted comprehensive surveillance, capturing Gatter and Wagner gathering scrap tires from tire shops and dumping them in their backyard. Agents also twice observed scrap tires being gathered from Awkati's car-repair shop and found that Gatter and Wagner illegally profited by receiving cash for the collected tires.

The Ohio EPA spent \$15,000 to clean up the site, money the state will seek to recoup from the defendants if they're found guilty.

Greene County 'digester' closure to clear air for nearby residents

The neighbors of an organic-waste-treatment facility in Greene County likely breathed a heavy sigh of relief upon learning that the site's owner, Renergy, is permanently closing it.

Renergy opted to shut down the "digester" after the state accused the company of air- and water-pollution violations at the Greene County facility and at a similar facility it operates in Morrow County.



The state alleges that Renergy illegally accepted and stored excessive organic wastes at the sites without air permits, triggering numerous complaints from area residents about raunchy odors.

Under a settlement agreement announced in September, Renergy stopped accepting waste at the Greene County facility and is emptying the facility's storage and treatment tanks. The company must request termination of its Greene County permits and certify the site's permanent closure by Jan. 31, 2024.

The digesters use bacteria to treat manure and other organic materials, ultimately generating methane and other gases used in electricity production. The decomposition process yields a liquid byproduct, some of which is transported and stored at a third Renergy site and is used as fertilizer in agricultural fields.

The air-pollution violations were addressed through consent orders, but the water-pollution violations remain the subject of a pending enforcement case in Morrow County.

Business owner in Perry County earns jail time for theft, pollution

In June, Attorney General Yost's Environmental Enforcement team secured jail time for a business owner in southeastern Ohio who pleaded guilty to theft and improperly storing or disposing of brine.

A Perry County Common Pleas judge sentenced Benjamin L. Altier to 30 days in jail, three years of community control, \$5,129.16 in restitution to the Ohio Department of Natural Resources (ODNR), and 50 hours of community service.

In addition, Altier's company, Altier Brothers Inc., was ordered to pay \$5,000 in fines as well as \$10,000 in restitution to Rural Action for the remediation of Sunday Creek, and placed under one year of community control.

Altier Brothers drills wells and is a registered brine hauler and owner of oil and gas wells. Brine is a waste byproduct consisting of water, oil and salts that is brought to the surface during the extraction of oil and gas.

Altier created fraudulent wastewater-disposal tickets, then submitted those "tickets" to ODNR so he could be reimbursed for disposal fees he didn't pay. Instead of properly disposing of the wastewater, which he collected during the plugging of multiple orphan wells, he dumped some of it on land and improperly stored the rest.

Initiative targets illegal dumping in neighborhoods across Ohio

In trying to make a buck, Joseph Senk showed little to no regard for Ohio's environment.

Senk illegally picked up scrap tires from businesses in the Cleveland area, hauled them to his property in Northfield Village, cut the tire treads into large pieces and then dumped the tires at an unlicensed disposal facility and in a vacant lot. He even discarded some in a small stream that later flooded, carrying the scrap tires 300 miles downstream.

For his brazen unlawfulness, Senk was found guilty of two unclassified felonies — open dumping of solid wastes and illegal transportation of scrap tires. A Summit County judge sentenced him in June to 90 days in jail and two years of community control and fined \$10,000.

Joseph Senk is exactly the type of “bad actor” Attorney General Yost and his Environmental Enforcement team had in mind when they introduced “Shine a Light on Dumpers,” a statewide initiative designed to help local authorities eradicate illegal dumping in their communities.

Although Senk's legal troubles preceded the initiative's launch, his case — and too many others like it — reinforced the need for a crackdown on the unsightly and unhealthy problem of illegal dumping and open burning of solid wastes.

“There are real consequences to breaking the law and destroying our natural resources,” said Attorney General Yost, whose office plays a vital role in protecting Ohio's environment. “People need to play by the rules so that no one gets hurt and we can all enjoy our great state's natural beauty.”

The multi-pronged Shine a Light on Dumpers encompasses

Shine a light on DUMPERS

Seminar attendance

Since July, when Yost's Environmental Enforcement team began offering free monthly training seminars as part of its “Shine a Light on Dumpers” campaign, 134 people have attended. Here's how that total breaks down:

- ★ 85 employees of law enforcement agencies
- ★ 37 regulators
- ★ 12 employees of prosecutor's offices



To learn more about the “Shine a Light on Dumpers” initiative, go to www.OhioAttorneyGeneral.gov/StopEnvironmentalCrimes

training and education, legal guidance, investigative and prosecutorial assistance, and technical equipment.

The training and education component has been a key early focus of the initiative, with Yost's Environmental Enforcement team offering monthly regional training seminars throughout Ohio since July. Attendees receive tips on how to investigate incidents of open dumping and open burning of solid wastes as well as other environmental crimes. The training also provides the necessary legal framework for prosecuting such crimes and includes case examples for investigators and prosecutors alike.

Through December, the seminars drew a combined 134 attendees from law enforcement agencies, prosecutor's offices and other entities.

AG Yost's Environmental Enforcement Section has two units that deal with environmental crimes throughout the state: the section's Criminal Prosecution Unit and the Bureau of Criminal Investigation's Environmental Enforcement Unit.

Although the units often work cases referred to them by the Ohio Environmental Protection Agency or the Ohio Department of Natural Resources, they also work directly with local law enforcement agencies

and prosecutor's offices.

Since he took office in January 2019, AG Yost has taken seriously his responsibility to safeguard Ohio's environment from those who would pollute our air, water, homes and communities.

“Our aim is to defend, improve and preserve this beautiful place we call home,” he said.

PROTECTING OHIO'S MOST VULNERABLE CITIZENS

No mercy for predators

Government has a critical responsibility to ensure public safety and a special obligation to protect society's most vulnerable citizens.

In 2023, as he has every year since becoming Attorney General, Yost has dedicated extensive resources to rescuing human trafficking victims and to safeguarding children and seniors.

Cracking down on human trafficking

Vulnerable adults and children in Ohio are trafficked for sex or labor, or sometimes for both. AG Yost has made it a priority to track down the criminals perpetuating this modern-day captivity and to ensure that their victims get the help they need to escape their traffickers, recover from trauma and addiction, and build healthier lives.

To accomplish these ends, he relies on the Ohio Organized Crime Investigations Commission (OOCIC) and the Human Trafficking Initiative (HTI). Both are arms of the Attorney General's Office.

OOCIC works with regional task forces typically involving local, state and federal officers to coordinate statewide law enforcement operations aimed at human trafficking.

HTI, on the other hand, works to build awareness, help victims, and ensure that traffickers and johns are brought to justice. In addition to the annual human trafficking summit that it sponsors, HTI in 2023 launched a directory of Ohio-based resources for human trafficking victims, including emergency, transitional, residential and other services. HTI also partnered with Mount Carmel Health System on a new training initiative to help health care professionals identify human trafficking victims.

Additionally, the Attorney General's Office is part of a public-private partnership that established a 52-unit housing community on Columbus' West Side designed specifically for human trafficking survivors and, if needed, for any children they might have. The partnership includes Columbus Metropolitan Housing Authority; CVS Health and OhioRISE, the CVS/Aetna-owned Medicaid program; Beacon 360 Management and many other agencies. The housing project — called Harriet's Hope, in honor of abolitionist Harriet Tubman — was chiefly funded through a \$10.6 million investment by CVS Health. It addresses a key factor that can lure adults and children into human trafficking in the first place — the lack of a safe place to go.



OOCIC human trafficking task forces

For six days in the fall, law enforcement officials swept across every corner of the state, urban and rural, in a coordinated crackdown on human trafficking.

Operation Buyer's Remorse marked the fourth time in four years under AG Yost that law enforcement had collaborated in a massive statewide sting to bring traffickers and johns to justice — and to deliver an unmistakable warning of Ohio's intention to wipe out the “involuntary servitude” perpetuated by the sex trade.

This year's operation was led by eight human trafficking task forces supported by the OOCIC. In total, the collaboration involved more than 70 local, state and federal law enforcement agencies as well as numerous county prosecutors, resulting in 160 arrests on sex, drugs and weapons charges. Additionally, search warrants were conducted at 11 massage parlors suspected of human trafficking activities as part of ongoing, long-term investigations.

Operation Buyer's Remorse also included support for the 104 victims involved. As with past operations, social service agencies and victim advocacy organizations offered health care and other resources intended to help victims regain control of their lives.

TASK FORCES INVOLVED IN OPERATION BUYER'S REMORSE

OOCIC Montgomery County Human Trafficking Task Force
Montgomery County Sheriff's Office
Butler Township Police Department
Miami Township Police Department
Homeland Security Investigations

Southern Ohio Organized and Major Crimes Task Force
Scioto County Sheriff's Office
Portsmouth Police Department
Pike County Sheriff's Office
Lawrence County Sheriff's Office
New Boston Police Department
Scioto County Prosecutor's Office
Pike County Prosecutor's Office

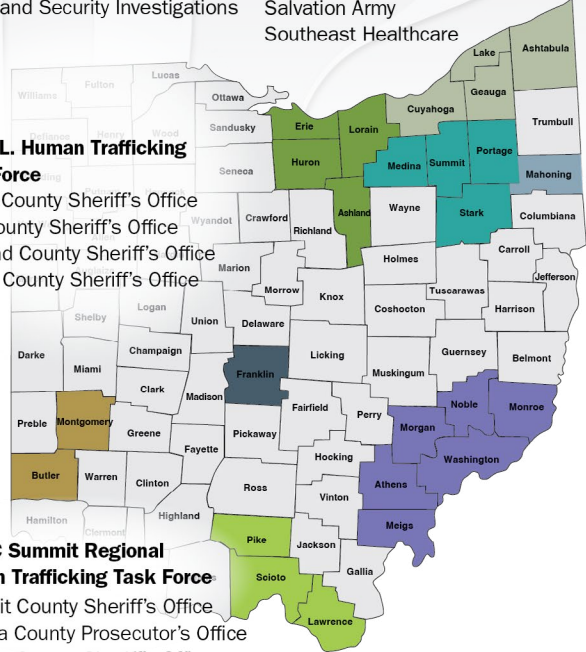
OOCIC Southeast Ohio Human Trafficking Task Force
Washington County Sheriff's Office
Marietta Police Department
Belpre Police Department
Marietta College Police Department
Athens Police Department
Morgan County Sheriff's Office
Noble County Sheriff's Office
Monroe County Sheriff's Office
Athens County Sheriff's Office
Meigs County Sheriff's Office
Athens County Prosecutor's Office
Rescue and Restore Coalition
Ohio State Highway Patrol
Noble County Prosecutor's Office

OOCIC Central Ohio Human Trafficking Task Force
Columbus Division of Police
Homeland Security Investigations
BCI
FBI

H.E.A.L. Human Trafficking Task Force
Huron County Sheriff's Office
Erie County Sheriff's Office
Ashland County Sheriff's Office
Lorain County Sheriff's Office

OOCIC Summit Regional Human Trafficking Task Force
Summit County Sheriff's Office
Medina County Prosecutor's Office
Portage County Sheriff's Office
Stark County Sheriff's Office
Akron Police Department
Stow Police Department
Springfield Township Police Department
Ohio Adult Parole Authority
Summit County Prosecutor's Office

OOCIC Northeast Ohio Human Trafficking Task Force
Ohio State University Police Dept.
Salvation Army
Southeast Healthcare



Mahoning Valley Human Trafficking Task Force
Mahoning County Sheriff's Office
BCI
Ohio Investigative Unit
Youngstown Police Department
East Palestine Police Department
Austintown Township Police Dept.

OOCIC Northeast Ohio Human Trafficking Task Force
Cuyahoga County Sheriff's Office
Lake County Sheriff's Office
Ashtabula County Sheriff's Office
Geauga County Sheriff's Office
East Cleveland Police Department
MetroHealth Police Department
Cleveland Division of Police
Warrensville Heights Police Dept.
North Olmsted Police Department
Westlake Police Department
Ohio Investigative Unit
Homeland Security Investigations
Cuyahoga County Prosecutor's Office
Harriett Tubman Movement
Ohio ICAC
Willoughby Police Department
Lake County Prosecutor's Office
Westshore Enforcement Bureau
Ashtabula Police Department
Canopy Child Advocacy Center
Cleveland Rape Crisis Center
Conneaut Police Department
Solon Police Department

Other cases of note involving human trafficking task forces

JANUARY | Paul Chiles — aka “Tommy Guns” — was sentenced to a minimum of 14 years in prison. The case against Chiles was investigated by the **Central Ohio Human Trafficking Task Force**, which identified several victims, including one who died after overdosing on narcotics that Chiles provided.

FEBRUARY | The **Northeast Ohio Human Trafficking Task Force** conducted an operation with the Wickliffe Police Department and the Lake County Sheriff's Office targeting individuals attempting to purchase sex. Six men were charged with engaging in prostitution, including John Meyers, president of Eastlake City Council.

MARCH | The **Mahoning Valley Human Trafficking Task Force** served search warrants on two spas, in Warren and Austintown, and on residences tied to the employees of these establishments. Hundreds of thousands of dollars in currency, other financial assets, business records, and additional evidence relating to potential human trafficking and money laundering were seized.

MAY | The **Northeast Ohio Human Trafficking Task Force** conducted an operation with the North Olmsted Police Department, Westshore Enforcement Bureau and the Ohio Internet Crimes Against Children Task Force to identify those providing and purchasing commercial sex. Ten men were arrested for engaging in prostitution, including Errol Jackson of Lorain, who was already a registered Tier III sex offender. The same task force also assisted in the investigation and prosecution of Steven Gilbert in Lorain County. Gilbert was sentenced to life in prison.

JULY | The **Summit Regional Human Trafficking Task Force** arrested and charged nine men during a one-day operation. ... The **Mahoning Valley Human Trafficking Task Force** saw a long-term investigation come to close when Joseph Garchar was sentenced in July to 24 years and three months in prison. He was found in possession of child pornography and had pleaded guilty in federal court to sexually exploiting a minor. ... An investigation by the **Northeast Ohio Human Trafficking Task Force** culminated in June with the sentencing of Nicholas Hutchins, who was operating a commercial sex-trafficking operation out of hotels in Warrensville Heights and an apartment building in Maple Heights. He pleaded guilty to trafficking in persons, drug trafficking and possession of criminal tools. He was sentenced to 10 years in prison. Two co-conspirators also pleaded guilty.

DECEMBER | On Dec. 27, six members of a violent crime ring in south Columbus were indicted on a combined 124 felony charges — including murder, human trafficking and many that carry additional firearm specifications — following an investigation by the **Central Ohio Human Trafficking Task Force**.

Protecting children

Multiple areas of the Attorney General's Office work to safeguard Ohio's children from a range of dangers, including sexual predators, attacks at school, and online threats.

Sex crimes against children

The assistance of the AG's Special Prosecutions Section is frequently requested by local prosecutors in cases involving sex crimes against children, including in these notable cases in 2023:

- ★ **In April**, Stewart Stacy, 55, of Ashtabula County was sentenced to life in prison for raping multiple children. Found to be a sexually violent predator, he is not eligible for parole. A jury convicted Stacy of two counts of child rape with force, each a first-degree felony, and four counts of gross sexual imposition, each a third-degree felony. The victims were under 10 years of age. Two co-defendants were previously sentenced in the case: Cherise Griffith was sentenced to life in prison with the possibility of parole after 20 years, and Dannail Obhof was sentenced to 25 years in prison.
- ★ **In June**, a 26-year-old Hillsboro man was sentenced to 19 years to life in prison for the sexual abuse of two children. Clayton Collins was already incarcerated on an unrelated matter when he was indicted by a Highland County grand jury on Feb. 7. An investigation conducted by the Highland County Sheriff's Office found that Collins engaged in sexual contact with a victim under the age of 10 and another victim under 13. He pleaded guilty to one count of rape, a first-degree felony, and one count of gross sexual imposition, a third-degree felony.
- ★ **In December**, the AGO announced the indictment of Caroline Johnson, 36, of South Webster on three counts of sexual battery, each a third-degree felony. An investigation conducted by BCI found that Johnson engaged in sexual activity with a minor during her employment as a coach and intervention specialist with the Bloom-Vernon Local School District in Scioto County.

School safety

In 2023, AG Yost made \$4 million in safety grants available to local school districts to buy technology that links them directly to law enforcement in an effort to improve crisis response and crime prevention. The AG also provided a two-day course on school-response training that was



Attorney General Dave Yost met with artists from the Huckleberry House during the annual Two Days in May conference for crime victims. The Huckleberry House connects and supports young people ages 12 to 24 who have experienced many hardships, including homelessness.



presented around the state by the Ohio Tactical Officers Association.

Both initiatives complement the school-threat assessment training that Yost launched in 2020 for school resource officers,

and the Ohio School Vulnerability Assessment, which provides funds to improve building safety.

Cyber safety

In October, AG Yost and 32 other attorneys general sued Meta alleging that the social-media technology giant designed and deployed harmful features for Facebook and Instagram to addict young users to its platforms and enhance its bottom line.

Just the month before, AG Yost joined his counterparts across the nation in urging Congress to act swiftly to prevent artificial intelligence from being misused to create child sex abuse material or any other material exploiting children. In a separate action, he and other AGs also demanded that Pornhub, a Canadian-owned internet pornography website, close a potential loophole that could let predators share videos of child sex abuse.

Protecting elders

AG Yost dedicates numerous resources to combat abuse and financial exploitation of Ohio's elderly citizens. The Elder Justice Unit is a collaborative effort among BCI and several other sections of his office, including Consumer Protection, Crime Victim Services, Health Care Fraud and Special Prosecutions.

A special team within the Health Care Fraud Section — the Medicaid Fraud Control Unit — investigates and prosecutes patient abuse, neglect and financial exploitation in Ohio's residential care facilities (in addition to Medicaid fraud). The unit's investigators work with local law enforcement, BCI, and public and private partners who collectively serve as a pipeline to report bad actors.

\$882,502

restitution paid to an elderly woman defrauded by her lawyer

\$750,000

stolen from a long-term care couple by their daughter and son-in-law

\$500,000

stolen from an elderly person with dementia

\$50,500

defrauded from an elderly couple for work that was not completed

Notable elder abuse cases involving various units of the Attorney General's Office in 2023:

- ★ A former Knox County sheriff's deputy, **Daniel Bobo**, pleaded guilty to six felony charges related to theft from an elderly woman with Alzheimer's disease. His wife, **Elisabeth Bobo**, pleaded guilty to two felony charges. The Bobos befriended Kay and Richard Hoppe and helped the elderly couple move into a Mount Vernon nursing home. After Richard Hoppe died in 2018, the Bobos used a power of attorney granted by the Hoppes to access their credit and bank accounts. The Bobos used more than \$500,000 for their personal expenses. Suffering from dementia attributed to Alzheimer's disease, Kay Hoppe passed away in 2020 at the age of 78 and Daniel Bobo was named the executor of the estate.
- ★ A Clinton County grand jury indicted **Michael Foster** on three felony charges stemming from a scheme that defrauded an elderly couple of more than \$50,500. Foster, through his business, accepted a down payment to build a house for an elderly couple but did not perform any work, deliver any materials or refund the couple's money. From June 2021 through January 2022, he used text messages to maintain the charade and continue to steal money.
- ★ **Jackie Little** pleaded guilty to stealing more than \$1 million from residents' funds and insurance payments while she worked as the business manager of the Laurels of Hilliard nursing home. She was ordered to pay \$1.14 million in restitution and sentenced to a four-year prison term, which will be suspended after five years of probation and other treatment measures.
- ★ **Mark Thomas** was sentenced in May in U.S. District Court for the Southern District of Ohio to 60 months in prison for his previously entered guilty plea to mail fraud and was ordered to pay \$882,502 in restitution to the victim. A one-time Belmont County commissioner and St. Clairsville councilman, Thomas is a former attorney whose license to practice law in Ohio (and two other states) was suspended in 2015. He served as power of attorney for a 92-year-old resident of a long-term care facility who was suffering from dementia. Thomas used this legal authority to misappropriate the woman's money for his personal use.
- ★ **Aminata Fofana**, a former nurse at Capri Gardens Nursing and Rehabilitation Center in Lewis Center, pleaded guilty to one count of involuntary manslaughter,

a third-degree felony, in the death of a 72-year-old male patient. Fofana had cleaned the man's tracheotomy tube but failed to reconnect his oxygen afterward. The patient was found dead by another nurse about an hour later. She was sentenced in February in Delaware County Common Pleas Court to three years of probation and stripped of her nursing license.

- ★ **Lisa and Joseph Braniff** were each sentenced in April in Knox County Common Pleas Court to two years of community control after being found guilty of theft from a person in a protected class. The Braniffs also were ordered to vacate and forfeit their Knox County horse farm, with the proceeds of the sale going to repay the victims. Lisa Braniff was the power of attorney for her mother and stepfather, who were residents of a long-term care facility. She and her husband, Joseph, drained her parents' bank accounts and failed to pay anything to the long-term facility for their care. In total, the Braniffs stole nearly \$750,000 from Lisa's parents. They used the money to buy their horse farm.
- ★ **Demique Bowers** was sentenced in Hamilton County Common Pleas Court for her previously entered guilty plea to two counts of failing to provide for a functionally impaired person. Bowers was sentenced to three years of community control and 30 days in the Hamilton County Corrections Center. While working as a caregiver at a Cincinnati area long-term care facility, Bowers pushed a 90-year-old resident so violently that she fell and hit her head on the ground. The fall caused a large laceration on the woman's head and a collapsed lung, resulting in hospitalization.
- ★ **Mary Pavlic** was found guilty in Parma Municipal Court of gross patient neglect, patient neglect, and tampering with records. She was ordered to serve 90 days in the Cuyahoga County Jail and 36 months of probation. Pavlic was a nurse at a Parma long-term care facility. She was told by an aide that a resident had what appeared to be the beginning of a bedsore. Pavlic did nothing about it, neither treating the bedsore nor documenting it. The wound was eventually discovered by other staff members a few days later, but by then the bedsore had grown to the size of a fist and would eventually tunnel down to the bone. The resident died one month later due to the severity of the wound.

PRESERVING THE PUBLIC'S TRUST

Sunlight is best disinfectant

AG Yost earns the public's trust by protecting its interests — including by safeguarding taxpayers and charitable donors, promoting ethical public service and rooting out corruption, and ensuring government transparency.

Prosecuting fraud and corruption

Columbus Zoo scheme unraveled

In October, the AGO scored a major win when the former chief financial officer of the Columbus Zoo and Aquarium, Greg Bell, pleaded guilty to his part in a scheme to defraud the zoo and the public of more than \$2.29 million from 2011 to 2021.

Bell was indicted in September with two other former zoo executives, Chief Executive Officer Tom Stalf and Marketing Director Pete Fingerhut.

"In simple terms, the bank hired the robbers to do security," AG Yost said.

Stalf and Fingerhut are accused of operating a criminal enterprise to hijack the zoo's purse strings and colluding to conceal their thievery; they have pleaded not guilty.

The indictment alleges that the former executives manipulated credit-card and check authorization forms for more than a decade, using the nonprofit's public funds for personal use. The Columbus Zoo receives about \$19 million in taxes annually from Franklin County residents.

The stolen money was spent on lavish non-zoo related items, including suites and tickets to concerts and sporting events; golf memberships; trips to multiple states and foreign countries; meals, beverages and alcohol; and motor vehicles.

An investigation by the attorney general's Charitable Law and Antitrust sections, along with the Ohio Auditor's Office, found that the criminal enterprise not only improperly expensed goods but also bartered, bribed and extorted zoo vendors for goods and services.

In one instance, zoo tickets were exchanged for tickets to Game 6 of the 2016 World Series. On another occasion, Fingerhut is accused of threatening harm to a vendor's business opportunities with the zoo unless he was paid large sums of cash.

As the investigation unfolded, Delaware County appointed the Attorney General's Office as special prosecutor in the matter.



Theft from the Columbus Zoo

\$2.29 million



East Palestine 'charity' played on tragedy

The operators of a sham charity purporting to benefit East Palestine residents got a costly lesson in accountability from Ohio Attorney General Dave Yost for exploiting the generosity of thousands of donors in the wake of the Feb. 3 Norfolk Southern train derailment.

By August, Yost's office had secured \$149,000 from the Ohio Clean Water Fund (OCWF), fundraiser WAMA Strategies, and the owners and operators of those companies — the amount they illegally raised in the name of the Second Harvest Food Bank of the Mahoning Valley. The money went to Second Harvest, as donors intended.

Yost sued OCWF and founder Michael Peppel in April in Columbiana County Common Pleas Court after Second Harvest contacted his office to report that OCWF, in soliciting donations via text messages, was fraudulently invoking the food bank's name and suggesting that the money raised would fund emergency aid and bottled water for East Palestine residents.

An ensuing investigation by Yost's Charitable Law Section revealed that OCWF had raised almost \$149,000 from more than 3,000 donors nationwide but given the food bank only \$10,000 — and only after Second Harvest brought OCWF's wrongdoing to light.

On June 1, Yost announced a settlement with the "charity" and one of its board members, Patrick Lee, that required OCWF to dissolve and to pay \$116,904.88 in restitution to the food bank



and a \$15,000 civil penalty. In addition, the judge ordered a review of the fake charity's financial documents, which revealed that OCWF had used WAMA Strategies as its main fundraiser. That review led to a settlement in August requiring:

- ★ Poppel to pay a \$25,000 civil penalty. He is also permanently banned from incorporating, operating or soliciting for any charity in Ohio.
- ★ WAMA and its owners, Isaiah Wartman and Luke Mahoney, to pay \$22,077.48 in restitution to Second Harvest, allowing the attorney general to distribute to the food bank 100% of the donations raised in its name.
- ★ WAMA and its owners to pay \$3,000 in investigative costs and fees to the Ohio Attorney General's Office.
- ★ WAMA to refrain from soliciting for a charity in Ohio for four years. Likewise, Mahoney is prohibited for four years from incorporating, operating or soliciting for a charity in Ohio.

"We're thrilled that we could make the food bank whole," AG Yost said. "That's precisely the outcome we were looking for."

Fostering trust in law enforcement

Jayland Walker case

Shootings and other critical incidents involving law enforcement have the potential to seriously undermine a community's trust in its law enforcement officers. That's why BCI, an arm of the AGO, offers its services to local jurisdictions to ensure a comprehensive, impartial and prompt investigation, and why the Attorney General's Special Prosecutions Section is available

OTHER NOTABLE VICTORIES

- ★ **Former Cleveland Municipal Court Judge Pinkey Carr** was found guilty and sentenced for falsification following an investigation by BCI. Carr pleaded no contest to three counts of falsification, each a first-degree misdemeanor. She was sentenced in September to four months of probation and is required to pay court costs. The criminal charges follow Carr's resignation as a judge and indefinite suspension by the Ohio Supreme Court, barring her from practicing law. BCI's investigation found that Carr conducted arraignment hearings without a prosecutor present and made false statements in the court's records. The case was prosecuted by the Attorney General's Special Prosecution Section.
- ★ **Former Butler County Auditor Roger Reynolds** was sentenced in March for unlawful interest in a public contract, a felony. A jury convicted Reynolds of trying to convince the Lakota Schools to build a golf academy at the golf course community where his family lives; he proposed funding it by using excess auditor fees he routinely returned to taxing bodies. His daughter was on the Lakota High School golf team at the time. Reynolds was forced to vacate his position as a public official and sentenced to 30 days in county jail and five years of community control. He also was fined \$5,000. Reynolds is appealing the sentence. The case was prosecuted by the Attorney General's Special Prosecutions Section and investigated by the Butler County Sheriff's Office, Bureau of Criminal Investigation and the Ohio Ethics Commission.
- ★ **In March, AG Yost shut down eight sham charities** around the state whose names were stolen from reputable organizations in order to defraud donors. Seven of the sham charities took their names from legitimate cancer organizations; the name of the eighth charity suggested an affiliation with the United Way. Five people involved in the "charities" were ordered to pay a combined \$190,000 in civil penalties and banned from associating with any charitable organization in the future.

to take over for a local prosecutor upon request to avoid conflict-of-interest claims.

That's what happened in the case of Jayland Walker, who was fatally shot by Akron police in June 2022. Following an exhaustive investigation by BCI, a Summit County grand jury in April declined to indict the eight Akron officers who fired their guns, concluding their actions were justified. BCI's investigation was referred to the AGO's Special Prosecutions Section at the request of the Summit County prosecutor.

For full transparency, the investigative files of the Walker case are posted on the AG's website, as are files of all fatal officer-involved shootings in which BCI was the primary investigator and/or the Attorney General's Special Prosecution Section presented the case to a grand jury.

In 2023, BCI investigated 58 officer involved shootings, compared to 59 in 2022.

Transparency in police records

AG Yost in November announced changes to the Ohio Peace Officer Training Academy (OPOTA) training and records portal. The most significant change is that the public records portion of the portal now lists the reason for a peace officer's separation from a department, including whether the officer left while in good standing, while under investigation, or following a conviction. While this information has always been a public record, the Ohio Peace Officer Training Commission voted in 2023 to include this information in the portal.

Building trust with education

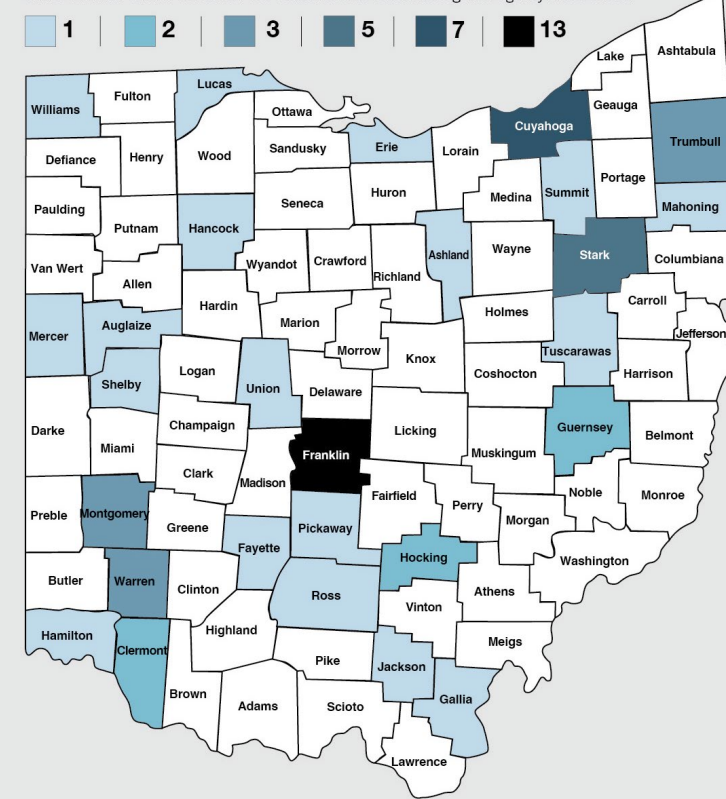
Better charities, public servants

For AG Yost, enhancing trust in those who serve the public is as much about promoting responsible behavior as it is about cracking down on bad behavior. In 2023, his office launched two major educational initiatives.

In January, he opened the AGO's Charitable University or Charitable U, an online learning platform that uses webinars and other resources to educate members of charity

2023 officer-involved critical incidents

In 2023, BCI accepted 56 requests from Ohio law enforcement agencies to investigate officer-involved critical incidents. BCI served as the lead investigative agency in 55 cases.



boards about their legal obligations and to inform them of best practices for running their organizations. Completion of Charitable U. is required for nonprofits who wish to apply for AGO grants. "Every time an Ohioan gives money to charity, he or she is performing act of faith," AG Yost said. "We want to make sure that charity leaders are faithful stewards of the money they receive."

The Attorney General's Charitable Law Section oversees more than 60,000 nonprofit organizations annually, with combined assets of more than \$300 billion.



Building on the success of Charitable U., AG Yost in November 2023 announced the launch of a similar online learning platform — **The Mount Vernon Project: School of Public Service** — designed to assist newly elected officials at all levels of Ohio government. The six videos in the web training focus on constituent relations, ethics, public records, structure of government, civility, and government finance.

"We want to give Ohio's newly elected public servants a head start by sharing valuable information, informal advice, and important resources that experienced officials wish they had on the first day of the job," Yost said. "We are all students of public service, and for us, school is always in session."

Accountability at all levels

In fulfilling its responsibility to protect the rights of Ohioans, the staff of AG Yost has vigorously pursued bad actors who seek to abuse the health care system. His targets range from powerful corporations that influence policy and prices to individual practitioners who seek to exploit the system for their own financial gain.

Taking on PBMs — ‘modern gangsters’

During his tenure, AG Yost and his team have held pharmacy benefit managers to account for manipulating conditions for their own profit, and 2023 was no exception.

In a landmark lawsuit filed in March, the Attorney General accused pharmacy benefit managers Express Scripts and Prime Therapeutics of using a little-known Switzerland-based company to illegally drive up drug prices and ultimately push those higher costs onto patients. The Swiss company, Ascent Health Services, was created by Express Scripts and is partly owned by Prime.

AG Yost’s lawsuit says Express Scripts and Prime Therapeutics have used Ascent to share information on pricing, discounts and rebates with each other and with Humana Pharmacy Solutions, an Ascent customer — all of which served to drive up drug prices even higher.

A pharmacy benefit manager, or PBM, is a third-party company that functions as an intermediary between insurance providers and pharmaceutical manufacturers, ostensibly to reduce the cost of prescription medications for its clients. It typically negotiates discounts and rebates with drug manufacturers, contracts with pharmacies, and develops and maintain drug formularies, which are the lists of drugs a PBM covers.

Because a PBM ultimately decides which drugs are on its formularies, it can bargain for rebates from drug manufacturers who want to get their products listed. By virtue of this leverage, PBMs essentially force drug manufacturers to raise list prices in order to provide PBMs with ever-growing rebates, AG Yost has argued.

“PBMs are modern gangsters,” he said. “They were designed to protect and negotiate on behalf of employers and consumers after Big Pharma was criticized for overpricing medications, but instead they have absolutely destroyed transparency, scheming in the shadows to control drug prices on all sides of the market.”

Yost’s lawsuit, filed in Delaware County Common Pleas Court, stands apart from other similar lawsuits nationwide in that it targets PBMs only, not the pharmacies or manufacturers that are being strong-armed by PBMs.

The suit alleges multiple violations of the Valentine Act, Ohio’s antitrust law, which prohibits price fixing, controlled sales and other agreements that restrain trade and hurt competition.



“PBMs are modern gangsters. They were designed to protect and negotiate on behalf of employers and consumers after Big Pharma was criticized for overpricing medications, but instead they have absolutely destroyed transparency, scheming in the shadows to control drug prices on all sides of the market.”

— Attorney General
Dave Yost

\$808M

settlement with
Cardinal Health,
McKesson and
AmerisourceBergen

\$185M

settlement with
Johnson & Johnson
and Janssen
Pharmaceuticals Inc.

\$24.7M

settlement with
McKinsey & Co.

\$114M

settlement with
Walmart



In addition to Express Scripts, Prime Therapeutics, Ascent and Humana Pharmacy Solutions, Yost’s lawsuit names as co-defendants:

- ★ Cigna Group, parent company of Express Scripts
- ★ Evernorth Health, another subsidiary of Cigna
- ★ Humana, parent company of Humana Pharmacy Solutions

The defendants’ unlawful arrangement, the suit says, has harmed manufacturers, pharmacies, employers and drug consumers.

For example, an estimated 1.1 million Ohioans are diabetics. For hundreds of thousands of them, daily insulin injections are essential to survival, but Express Scripts’ well concealed scheme has fueled an astronomical increase in insulin prices — from roughly \$20 per unit in the late 1990s to between \$300 and \$700 per unit today.

And this practice is not limited to insulin, Yost alleges, but plays out similarly for other drug classes and so-called biosimilars.

This was the second lawsuit by the Attorney General’s Office against Express Scripts. In July 2020, he sued on behalf of the Ohio Highway Patrol Retirement System accusing Express Scripts of multiple contract breaches that enabled the company to pocket millions in overcharges.

The lawsuits are part of an ongoing battle by AG Yost to protect Ohioans from the abuses of PBMs:

- ★ In October 2022, OptumRX agreed to repay Ohio \$15 million, though it admitted no wrongdoing or liability. Yost alleged that OptumRx overcharged the Ohio Bureau of Workers Compensation for claims made by injured workers for generic drugs.
- ★ In June 2021, just three months after AG Yost sued Centene Corp., the company agreed to pay Ohio \$88.3 million for overcharges to the Ohio Department of Medicaid. The settlement was the first secured by a state attorney general against a PBM.

Confronting the opioid crisis

The blind pursuit of profit by the pharmaceutical industry has helped fuel the nation’s opioid epidemic, and AG Yost has worked diligently to make sure the companies involved pay dearly to help undo the damage.

In June, he and 21 other attorneys general secured final approval of a combined \$17.3 billion settlement that will hold drug makers Teva and Allergan and pharmacies CVS and Walgreens accountable for their role in the opioid-addiction crisis and help pay for ongoing recovery efforts. Ohio is expected to receive \$679.6 million over 15 years.

As with previous opioid-related settlements, the money will be distributed through the OneOhio plan, with 55% of Ohio’s portion going to the OneOhio Recovery Foundation, 30% to local governments and 15% to the state.

The final agreement also requires:

- ★ Teva’s opioid business to halt all opioid marketing and ensure systems are in place to prevent drug misuse.
- ★ Allergan to stop selling opioids for the next 10 years.
- ★ And CVS and Walgreens pharmacies to monitor, report and share data about suspicious activity related to opioid prescriptions.

This settlement marks the latest in a string of agreements that AG Yost and his staff have brokered to help fund opioid recovery in Ohio. Their previous work includes:

- ★ An \$808 million settlement with opioid distributors Cardinal Health, McKesson and AmerisourceBergen.
- ★ A \$185 million settlement with Johnson & Johnson and Janssen Pharmaceuticals Inc.
- ★ A \$24.7 million settlement with McKinsey & Co.
- ★ A \$114 million settlement with Walmart.

In a separate development related to the opioid crisis, also in June, AG Yost and 41 of his counterparts announced a \$102.5 million multistate settlement with Indivior Inc. — the maker of Suboxone — for violations of state and federal antitrust laws. Ohio will receive about \$5.9 million.

Suboxone is a prescription drug that originated as a tablet and is used to treat addiction by easing cravings for opioids.

The lawsuit claimed Indivior made modest changes to its product in order to extend the patent protections so other companies couldn’t offer cheaper generic alternatives — a practice known as “product hopping.”



The AG is greeted by Ashbrook Center students on Sept. 12, 2023 prior to giving a speech at the annual Ashbrook Center Constitution Day luncheon at Ashland University.

OTHER NOTABLE ACHIEVEMENTS



AG Yost leads case against NCAA to protect rights of college athletes

AG Yost led a multistate antitrust lawsuit to challenge an NCAA rule requiring athletes who transfer among Division I schools to sit out a year before playing in games, unless the NCAA approves a waiver. Since 2021, the NCAA has been automatically exempting first-time transfers but continues to enforce the rule for athletes who are transferring for a second time or more.

Yost and his counterparts in six other states say the rule creates an illegal restraint on student athletes' ability to market their labor and control their education.

In December, a federal judge granted a temporary restraining order — and later, an extension — that allows athletes who have been sidelined by the rule to continue competing.

U.S. District Judge John Preston Bailey said the extension would stay in effect “until a full and final trial and decision on the merits.”

He also prohibited the NCAA from enforcing its Restitution Rule, which otherwise would have allowed the NCAA to punish athletes and their schools by taking away wins, statistics, and other benefits in retaliation for this action.

“We’re challenging the rule to restore fairness, competition and the autonomy of college athletes in their educational pursuits,” Yost said.

Joining Yost in the lawsuit are the attorneys general of Colorado, Illinois, New York, North Carolina, Tennessee, and West Virginia.

The states argue that the rule is applied arbitrarily, with some waivers granted and others denied for no legitimate reason.

Serving those who serve

AG Yost is a steadfast advocate for the men and women who defend our nation’s freedom.

After being elected head of the National Association of Attorneys General (NAAG) for 2023, he drafted a presidential initiative focused on improving how attorneys general nationwide support veterans and connect returning service members with resources and other assistance for a successful re-entry into civilian life.

In Ohio, for example, Yost championed the development

of Veterans Response Programs that bring together law enforcement, the courts, veterans organizations and social service agencies to better help struggling veterans. Law enforcement agencies are a logical means of connecting with veterans, since they have the means to direct vets to resources and are often the first to respond in crisis situations.

“We owe it to our veterans to help bridge the gap between soldier and civilian,” Yost said.

Ohio is home to more than 700,000 military veterans, the fifth-largest veteran population in the United States.

Regional directors from the Attorney General’s Office work directly with law enforcement agencies to help them start a veterans program and to garner the community support to make it successful.

At least 60 law enforcement agencies in Ohio have started veterans programs so far, most of them in 2023.

Fighting addiction at its source

As he works to recover money from the companies whose greed drove the opioid crisis (see Page 25), AG Yost also is focused on fighting addiction at its source. His Scientific Committee on Opioid Prevention & Education (SCOPE) is an evidence-based academic research initiative that brings together experts from medicine, behavioral economics, data analysis and other fields to provide innovative prevention strategies.

In a study published in 2023 in *Clinical Pharmacology and Therapeutics*, his SCOPE team identified multiple genetic markers associated with opioid use disorder (OUD).

Knowing which genes make a person susceptible to opioid addiction and whether a person has them could provide crucial knowledge to health care professionals and patients in need of pain management. For example, those predisposed to addiction could be given alternative treatments, while others could more confidently make use of opioid pain medication.

Cracking down on health care fraud

At the same time that he battles giant PBMs, drug companies and pharmacy chains, AG Yost also keeps watch for criminal misconduct in the health care industry, including Medicaid fraud. The Attorney General’s Medicaid Fraud Control Unit helped investigate these notable cases in 2023, among others:

★ **Dr. Oliver Jenkins and his wife, Sherry-Ann Jenkins**, operators of The Toledo Clinic Cognitive Center, were sentenced in September in U.S. District Court after being convicted of conspiracy, mail fraud, wire fraud, and health care fraud. Dr. Jenkins never saw or treated patients at the Cognitive Center. His wife, who had a Ph.D. but was not licensed to practice medicine, ordered PET scans of patients’ brains, interpreted the scans, and diagnosed patients with Alzheimer’s disease, dementia or other impairments. She also recommended patients take coconut oil to improve memory and instructed certain patients to see her every three to six weeks for the rest of their lives. Dr. Jenkins was sentenced to 41 months in prison; Sherry-Ann Jenkins was sentenced to 71 months in prison.

★ **Alfonzo Bailey** was convicted of conspiracy to commit health care fraud and was sentenced in U.S. District Court in June to serve 36 months in prison. He also was ordered

to pay \$3.5 million in restitution to the Ohio Medicaid Program. Bailey owned Eye for Change Youth and Family Services, a behavioral-health counseling agency based in northeastern Ohio. He encouraged his staff to routinely bill for counseling services that were not provided, create false treatment notes, hire unqualified employees, and entice clients to sign up for services by offering them gift cards, appliances and rent payments. Later that summer, another employee of the nonprofit agency, Eric King, was convicted on similar charges. As a result of King’s conduct, Medicaid paid more than \$483,000 for fraudulent billings. More than 20 employees and managers have been indicted in the case and several sentenced to prison.

★ **Stella Ayensu** of Reynoldsburg was sentenced in U.S. District Court for the Southern District of Ohio to one year in prison for her previously entered guilty plea to conspiracy to commit health care fraud. She also was ordered to pay \$499,927.80 in restitution to the Ohio Department of Medicaid. Ayensu was co-owner of a training center for home health aides and a home health care agency. She issued training certificates to aides without providing the required training, then billed the Ohio Medicaid program for the services allegedly rendered by these untrained and unqualified aides.



The information also can help children and other family members of someone afflicted with substance use disorder understand their own risk.

Additionally, identification of genetic markers may inform the development of new drug targets for treatment of the disease.

The study, conducted between June 2020 and November 2021, involved 1,301 emergency department patients at the University of Cincinnati and The Ohio State University.

Ohio has ranked among the top five states for opioid overdose deaths since 2014.

In a related initiative to stem the opioid crisis, AG Yost continued his Drug Dropoff program in 2023, with events in Chillicothe and Cincinnati. Since he launched the program in 2021, the twice-a-year dropoffs have resulted in the collection and safe disposal of more than 1,850 pounds of unused or expired prescription medications.

The collection sites are selected in part based on research done by SCOPE.

OHIO ATTORNEY GENERAL

DRUG DROPOFF NUMBERS, 2021-23

More than 1,948 pounds of drugs have been collected since the program began July 2021

- ▶ **JULY 2021**
Franklin, Fayette and Scioto counties = 466 lbs.
- ▶ **JANUARY 2022**
Clark and Montgomery counties = 710 lbs.
- ▶ **JULY 2022**
Trumbull and Mahoning counties = 300 lbs.
- ▶ **JANUARY 2023**
Hamilton County = 210 lbs.
- ▶ **JULY 2023**
Ross County = 262 lbs.



DAVE YOST

OHIO ATTORNEY GENERAL

HIGHLIGHTS OF 2023

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OhioProtects.org

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www.OhioAttorneyGeneral.gov/LETips

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