

IN THE SUPREME COURT OF OHIO

State ex rel. Anthony Williams,	:	
#A722707	:	
Northeast Ohio Correctional Center	:	
2240 Hubbard Road	:	
Youngstown, Ohio 44505	:	Case No.
	:	
Petitioner,	:	
	:	
v.	:	
	:	
Dave Bobby,	:	
<i>In his official capacity as</i>	:	
<i>Warden of the Northeast Ohio Correctional</i>	:	
<i>Center,</i>	:	
2240 Hubbard Road	:	
Youngstown, Ohio 44505	:	
	:	
Respondent.	:	

COMPLAINT FOR A WRIT OF HABEAS CORPUS OF ANTHONY WILLIAMS

Office of the Ohio Public Defender

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COUNSEL FOR ANTHONY WILLIAMS

COMPLAINT FOR A WRIT OF HABEAS CORPUS OF ANTHONY WILLIAMS

I. Introduction.

1. Over objections and based on insufficient evidence, the Ohio Parole Board found that Relator Anthony Williams violated his postrelease control and imposed a six month prison sanction.¹ That term expires on September 12, 2022.

2. A parole officer from the Ohio Adult Parole Authority (APA) alleged that Mr. Williams violated his postrelease control by committing a Rule 1 violation²; specifically, by causing or attempting to cause physical harm to K.A. – i.e., committing the criminal offense of assault. *See* R.C. 2903.13(A) (“No person shall knowingly cause or attempt to cause physical harm to another or to another’s unborn”). The APA held an administrative hearing, at which Mr. Williams faced sanctions for the violation if proven by a preponderance of the evidence. The evidence presented against him at this administrative hearing showed only that Mr. Williams spat on K.A.:

- a. The APA called K.A., who testified that while she was working at a plasma clinic in Cincinnati, and while wearing a mask and face shield, she got something wet on her cheek. She later saw on the surveillance video that Mr. Williams had spat at her.
- b. On cross-examination, K.A. testified that she did not seek any medical treatment and did not suffer any physical injury.

¹ Following his hearing, the APA imposed a 144-day sanction on Mr. Williams in addition to the 36 days of jail time credit he accrued while waiting for his hearing, for a total sanction of 180 days. *See* Exhibit A (Sanction Receipt and Prison Term Order (PRC)).

² Rule 1 of Mr. Williams’s postrelease control required him to “obey federal, state, and local laws and ordinances, including those related to illegal drug use and registration with authorities.” Further, it required that he have “no contact with the victim of [his] current offense(s) or any person who has an active protection order against [him].” Exhibit B (Conditions of Supervision).

3. Mr. Williams’s counsel asked the hearing officer to find Mr. Williams not guilty based on insufficient evidence, citing caselaw on spitting and assault, specifically *State v. Sepulveda*, 2016-Ohio-7177, 71 N.E.3d 1240 (3d Dist.), and *State v. Wyland*, 8th Dist. Cuyahoga No. 94463, 2011-Ohio-455, that establish spitting on someone or attempting to spit on someone does not constitute an assault unless the victim suffers pain or if there is evidence that the defendant had a communicable disease that could be transmitted through saliva.

4. This case is about whether, consistent with due process and over objection, the APA can find that a person committed the offense of assault by merely spitting on another without any evidence of harm.

5. This case is also about the availability of a remedy. Mr. Williams argues that he is being imprisoned based on insufficient evidence and consequently seeks release from imprisonment. *See State ex rel. Mango v. Ohio Dept. of Rehab. & Correction*, Slip Opinion No. 2022-Ohio-1559, ¶ 11, fn. 1 (noting that the proper remedy for obtaining release from confinement is habeas as compared to mandamus); *see also* R.C. 2725.01; *State ex rel. Cannon v. Mohr*, 155 Ohio St.3d 213, 2018-Ohio-4184, 120 N.E.3d 776, ¶ 10. Because parolees have a constitutionally protected liberty interest, habeas corpus is the proper procedure “to challenge a decision of the APA in extraordinary cases involving parole revocation.” *State ex rel. Jackson v. McFaul*, 73 Ohio St.3d 185, 652 N.E.2d 746, 748 (1995). In deciding cases where the alleged due process violation involved a delay in holding a revocation hearing, this court held more specifically that habeas corpus is only available in “extreme circumstances involving unreasonable delay,” *Scarberry v. Turner*, 139 Ohio St.3d 111, 2014-Ohio-1587, 9 N.E.3d 1022, ¶ 14. This court then applied that standard, following its precedent, to cases not involving unreasonable delay. *See, e.g., State ex rel. Ellison v. Black*, 165 Ohio St.3d 310, 2021-Ohio-3154, 178 N.E.3d 508, ¶ 12. However, this court should recognize that the broader standard from *McFaul*, not the narrow standard from *Scarberry*,

applies when findings of guilt are made based on insufficient evidence in parole revocations. *Scarberry*'s narrow limitations to the habeas remedy are not appropriate in Mr. Williams's case. Unlike *Scarberry* and *Ellison*, Mr. Williams does not allege that the procedures employed prior to the hearing officer's finding of guilt were inadequate, nor does he seek a new revocation hearing. *Scarberry* at ¶ 14; *Ellison* at ¶ 12. In this case, Mr. Williams alleges that a violation finding based on insufficient evidence violates due process, and the appropriate remedy is immediate release. First, this court should reconsider its previous limitations on granting habeas relief given the posture of this case, or alternately, should hold that Mr. Williams's case constitutes extreme circumstances necessitating habeas relief.

6. Notwithstanding the above, if this court finds mandamus to be the appropriate vehicle for relief for Mr. Williams, he has filed concurrently with this court a writ of mandamus seeking a second hearing to overturn Mr. Williams's illegal incarceration. While a new hearing does provide a potential avenue to attack the sanction finding, it does not provide an adequate remedy because Mr. Williams will remain incarcerated pending a rehearing and the timeline for postrelease control violation sanctions is simply too short to make that a meaningful remedy.

II. The parties and relevant decisions.

7. Relator is Anthony Williams, who is being detained at the Northeast Ohio Correctional Center based on the Parole Board's finding that he violated his postrelease control by committing assault. A copy of the sentencing entries for Mr. Williams's underlying convictions are attached as Exhibit C-1 and C-2. A copy of the sanction receipt and prison order is attached as Exhibit A, and a copy of the violating finding is attached as Exhibit D (Notice of Findings of Release Violation Hearing).

8. Assistant Public Defender Andrew Hartman represented Mr. Williams at the revocation hearing, and Mr. Hartman verifies the allegations in this petition as true. *See* Affidavit of Verification by Attorney Hartman.

9. Respondent is the warden of Northeast Ohio Correctional Center in Youngstown, Ohio, has custody and control of Relator under color of the journal entry of sentence and the Parole Board violation finding, and is restraining his liberty. *See generally* <https://appgateway.drc.ohio.gov/OffenderSearch/Search/Details/> (accessed May 25, 2022) (showing Mr. Williams is incarcerated at the Northeast Ohio Correctional Center).

III. Jurisdiction.

10. Statutory jurisdiction: A person who is “unlawfully restrained of his liberty” is entitled to “prosecute a writ of habeas corpus, to inquire into the cause of such imprisonment, restraint, or deprivation.” R.C. 2725.01. This court is authorized to grant a writ of habeas corpus, because the Northeast Ohio Correctional Center is located within this court’s jurisdiction. R.C. 2725.02 and 2725.03.

11. Constitutional jurisdiction: A person alleging unlawful detention may seek a writ of habeas corpus from this court pursuant to Article IV, Section 2(B)(1)(c) of the Ohio Constitution. This court is authorized to grant a writ of habeas corpus, because the Northeast Ohio Correctional Center is located within this court’s jurisdiction.

12. This court has held that “[h]abeas corpus will lie to challenge certain decisions of the Adult Parole Authority because there is no remedy of appeal available.” *Hernandez v. Kelly*, 108 Ohio St.3d 395, 2006-Ohio-126, 844 N.E.2d 301, ¶ 12, citing *State ex rel. Jackson v. McFaul*, 73 Ohio St.3d 185, 187, 652 N.E.2d 746 (1995). Petitioners are entitled to relief if they “state with particularity the extraordinary circumstances entitling [them] to habeas corpus relief.” *Jackson* at 187, 652 N.E.2d 746, 748 (1995).

13. Respondent is restraining Mr. Williams's personal liberty based solely on the alleged postrelease control violation set forth in this complaint.

14. Mr. Williams has exhausted his administrative remedies. *See* Exhibit E, Affidavit of Attorney Patrick Clark.

15. Mr. Williams is entitled to immediate release.

IV. Facts of alleged postrelease control violation.

16. The facts of the case presented against Mr. Williams by the APA do not constitute assault by a preponderance of the evidence.

17. Mr. Williams was charged with one alleged violation. The APA alleged that Mr. Williams violated his postrelease control by committing the crime of assault after he spat on a technician at a plasma clinic in Cincinnati. The only charge against Mr. Williams reads as follows:

You are alleged to have committed the following violation(s):

RULE 1. I will obey federal, state and local laws and ordinances, including those related to illegal drug use and registration with authorities. I will have no contact with the victim of my current offense(s) or any person who has an active protection order against me.

TO WIT: On or about 3-10-22 in the vicinity of Cincinnati, OH, you caused or attempted to cause physical harm to K.A.

A copy of the charging papers is attached as Exhibit F (Notification of Release Violation Hearing).

18. The APA introduced the testimony of K.A., the alleged victim in this case, and entered into evidence K.A.'s statement, recorded video from the plasma center's surveillance system, a complaint from municipal court, Mr. Williams's postrelease control conditions, and the violation report. Exhibit D.

19. Mr. Williams entered into evidence a docket showing the misdemeanor offense against Mr. Williams from this incident had been dismissed. Exhibit D.

20. K.A. testified that she was working at a plasma clinic on March 10, 2022 in Cincinnati when Mr. Williams came in angry. Exhibit D. Mr. Williams had been deferred from donating plasma the prior day due to a high temperature. Exhibit G (Violation Report).

21. K.A. testified that she was wearing PPE including a face shield and that Mr. Williams spat on her, and his spit hit her shield and the side of her face. Exhibit H (Voluntary Statement of K.A.).

22. On cross examination K.A. testified that she did not seek medical attention and that she did not suffer any physical injury from Mr. Williams's actions. Exhibit D.

23. She did not testify to any physical harm, pain or injury, caused by Mr. Williams's actions.

24. The APA did not present any evidence that Mr. Williams had or thought he had any communicable disease transmissible through saliva.

25. Defense counsel cited caselaw from two appellate courts establishing that merely spitting or attempting to spit on someone, does not constitute assault when there is no evidence of additional harm or communicable disease.

26. Defense counsel objected to a finding of guilt, arguing that the APA had failed to meet its burden to prove by a preponderance of the evidence that Mr. Williams had caused or attempted to cause physical harm to K.A. when he spat on her.

27. Over objection, the hearing officer found Mr. Williams guilty of the Rule 1 violation.

28. Having exhausted administrative remedies, Mr. Williams petitions this court for a writ of habeas corpus.

V. Argument.

29. The Due Process Clause of the Fourteenth Amendment requires that the APA must only convict Mr. Williams where there is sufficient evidence to prove that he violated his postrelease control by a preponderance of the evidence.

30. The United States Supreme Court, based on the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, has held that revocation hearings are needed “to assure that the finding of a parole violation will be based on verified facts and that the exercise of discretion will be informed by an accurate knowledge of the parolee’s behavior.” *Morrissey v. Brewer*, 408 U.S. 471, 484, 92 S.Ct. 2593, 33 L.Ed.2d 484 (1972). The *Morrissey* Court stated, “This discretionary aspect of the revocation decision need not be reached unless there is first an appropriate determination that the individual has in fact breached the conditions of parole.” *Id.* at 483.

31. This court recently recognized that the United States Supreme Court, while it has not held explicitly, has suggested that “due process requires sufficient evidence to support the revocation of parole, probation, or other types of postrelease supervision.” *State ex rel. Mango v. Ohio Dept. of Rehab. & Correction*, Slip Opinion No. 2022-Ohio-1559, ¶ 18 citing *Black v. Romano*, 471 U.S. 606, 615-616, 105 S.Ct. 2254, 85 L.Ed.2d 636 (1985).

32. Sufficient evidence to sustain a revocation of parole exists when there is “substantial evidence” to support the decision. *State v. Delaney*, 11 Ohio St.3d 231, 236, 465 N.E.2d 72 (1984). There is “substantial evidence” to support a finding of a parole violation when the evidence presented by the APA, if believed, is sufficient to satisfy the burden of proof. *State ex rel. Mango*, 2022-Ohio-1559, ¶ 18 citing *Consol. Edison Co. of New York v. Natl. Labor Relations Bd.*, 305 U.S. 197, 59 S.Ct. 206, 83 L.Ed. 126 (1938) and *Our Place, Inc. v. Ohio Liquor Control Comm.*, 63 Ohio St.3d 570, 571, 589 N.E.2d 1303 (1992). The burden of proof required in a postrelease control hearing is preponderance of the evidence. Ohio Adm.Code 5120:1-1-18(A)(3) (“The hearing is to determine whether there is a preponderance of the evidence, taking the record as a whole, that the releasee violated a condition of release or post-release control sanction”).

33. Therefore, finding an individual guilty of violating the conditions of their postrelease control without substantial evidence of the violation by a preponderance of the evidence is a violation of due process. *State ex rel. Mango*, 2022-Ohio-1559, ¶ 18-19.

34. Because Ohio’s “due course of law” provision is the “equivalent of the ‘due process of law’ protections in the United States Constitution,” this also violates Article I, Section 16 of the Ohio Constitution. *Arbino v. Johnson & Johnson*, 116 Ohio St.3d 468, 2007-Ohio-6948, 880 N.E.2d 420, ¶ 48.

35. Here there is not substantial evidence in the record to support the hearing officer’s conclusion that the APA met its burden of proving that Mr. Williams violated his postrelease control when he spat on K.A.

36. The APA alleged that Mr. Williams violated his postrelease control by committing a Rule 1 violation – that he violated the law when he “caused or attempted to cause physical harm to K.A.” Exhibit F. Assault is proscribed by R.C. 2903.13(A): “No person shall knowingly cause or attempt to cause physical harm to another or to another’s unborn.”

37. However, caselaw from Ohio makes it clear that merely spitting on someone’s face does not constitute the criminal offense of assault. *State v. Wyland*, 8th Dist. Cuyahoga No. 94463, 2011-Ohio-455. There must be evidence in the record that the spit caused injury or that the defendant carried a disease that could be transferred through saliva. *Id.*

38. In *State v. Sepulveda*, cited by counsel at Mr. Williams’s hearing, the Third District Court of Appeals held that to convict an individual of assault the state must prove “physical harm” and not mere offensive touching. 2016-Ohio-7177, 71 N.E.3d 1240, ¶ 38 (3d Dist.). The court reasoned that the Ohio Revised Code defines “physical harm” to persons as, “any injury, illness, or other physiological impairment, regardless of its gravity or duration.” R.C. 2901.01(A)(3). And while “physiological impairment” is not further defined in the code, courts have interpreted it

through its plain everyday usage, defining it as “a damaging or lessening of a person’s normal physical functioning.” *State v. Vore*, 12th Dist. Warren No. CA2012-07-065, 2014-Ohio-1583, ¶ 17. Importantly, “A threshold level of ‘physiological impairment’ must be required before one can conclude that an ‘injury’ has occurred; otherwise, the definition of ‘physical harm to persons’ in R.C. 2901.01(A)(3) would be no different than the definition of ‘force’ as applied to persons in R.C. 2901.01(A)(1).” *Sepulveda* at ¶ 19 citing *State v. Frunza*, 8th Dist. Cuyahoga No. 82053, 2003-Ohio-4809, ¶ 8 and *State v. Fritts*, 11th Dist. Lake No. 2003-L-026, 2004-Ohio-3690, ¶ 18.

39. The Third District reviewed the caselaw thoroughly and declined to hold that spitting could never constitute assault, imagining possible scenarios where the spit could land in the victim’s eye and cause pain or where the defendant could have a communicable disease, but acknowledged its review revealed “no cases where a defendant has been convicted of Assault in violation of R.C. 2903.13(A) for simply spitting upon an officer, or attempting to spit on an officer, without additional testimony that the spit could cause harm or did cause harm, no matter how slight.” *Sepulveda* at ¶ 43.

40. Like in *Sepulveda*, the state failed to present any evidence of actual or potential harm to K.A. rather than merely offense. *Sepulveda* at ¶ 43 (“However, the State has shown us no appellate caselaw to establish that mere attempted contact through spit, no matter how repugnant or offensive, constitutes ‘physical harm’ without some testimony from any of the witnesses that there was actual or potential harm rather than merely offense.”)

41. In *State v. Bailey*, the Second District Court of Appeals held that spitting on police officers could not constitute “knowingly caus[ing] or attempt[ing] to cause physical harm to another” under local code when there was no evidence at trial of harm to the officers and no testimony “that the sputum had any potential for bacterial or viral physical harm to the officers.” *State v. Bailey*, 83 Ohio App.3d 544, 547, 615 N.E.2d 322 (2d Dist.1992). Even under the amended

theory of attempting to cause physical harm, the state failed to present sufficient evidence of harm.
Id.

42. Here, like in *Bailey*, the APA presented no evidence that K.A. suffered any physical harm or that Mr. Williams's spit had any potential for bacterial or viral harm. Therefore, he could not be found guilty of either causing or attempting to cause physical harm to K.A.

43. In *State v. Wyland*, also cited by counsel at the hearing, the Eighth District Court of Appeals reversed a defendant's conviction for assault where the defendant spit in the face of a police officer, the same factual scenario raised by this case. There, the police officer went to the hospital to be tested for communicable diseases, and the results came back negative. The court found that "being tested for harm as a result of being spit on does not amount to evidence of 'physical harm' as required under R.C. 2903.13(A)." *Wyland*, 2011-Ohio-455 at ¶ 30. Instead, the court held that "the state must show that the offender who spit had or believed he had the potential to harm another person as a result." *Wyland* at ¶ 33.

44. Again, like in *Wyland*, the state presented no evidence that the spit caused any harm to K.A. or that Mr. Williams had a communicable disease that could be transmitted through saliva.

45. The APA presented no evidence that Mr. Williams harmed K.A. K.A. testified that she did not suffer any injury. Nor did the APA present any evidence that Mr. Williams thought he could harm K.A. through his saliva. At the very most, the APA presented evidence that the day prior to the incident Mr. Williams had an elevated temperature of 100.5 that prevented him from donating plasma. But, there was no evidence at all about the cause of Mr. Williams's elevated temperature the day before, what Mr. Williams's temperature was the day of the incident, or that Mr. Williams had or even thought he had a communicable disease that could be transferred through saliva. In fact, the violation report indicates that the assistant manager of the plasma clinic instructed Mr. Williams to return to the clinic in hopes his temperature would be lower on the day

of the incident. Exhibit G. This evidence does not constitute substantial evidence of attempting to cause physical harm.

46. Further, the APA's reliance on Mr. Williams's threat to bring civil suit against the plasma clinic had no bearing on the finding of physical harm necessary to substantiate the charge of assault. *See* Exhibit D (referencing threats), Exhibit G (noting threats made by Mr. Williams were to file a lawsuit alleging discrimination).

47. The APA was required to prove through substantial evidence that Mr. Williams caused or attempted to cause physical harm when he spat on K.A. But it failed to do so. Spit alone does not constitute physical harm, and the APA failed to present any evidence of actual harm or the potential for harm to K.A. Therefore, the APA presented insufficient evidence to support a finding of guilt on the Rule 1 violation by a preponderance of the evidence.

48. The hearing officer's decision violates Mr. Williams's due process right not to be found to have violated his postrelease control without sufficient evidence.

VI. Relief requested.

49. WHEREFORE, Relator requests the following relief pursuant to Article IV, Section 2(B)(1)(c) of the Ohio Constitution and R.C. 2725:

- 1) That a writ of habeas corpus issue to the Respondent directing Respondent to release Relator from detainment.
- 2) Only if this court declines to initially grant the first request for relief, that an alternative writ issue or that this court order an evidentiary hearing before this court or a special master of this court, and;
- 3) Any other relief to which Relator may be entitled.

Respectfully submitted,

OFFICE OF THE OHIO PUBLIC DEFENDER

/s/ Katherine R. Ross-Kinzie
Katherine R. Ross-Kinzie (0089762)
Assistant State Public Defender
Counsel of Record

/s/ Andrew Hartman
Andrew Hartman (0092651)
Assistant State Public Defender

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COUNSEL FOR ANTHONY WILLIAMS

IN THE SUPREME COURT OF OHIO

County of Franklin)
)
State of Ohio) SS:

Affidavit of Verification

The undersigned, being first duly cautioned and sworn, states as follows:

1. My name is Andrew Hartman and I am an attorney in good standing in the State of Ohio. I am counsel for Anthony Williams.
2. On April 21, 2022, I represented Anthony Williams at a postrelease control violation hearing before Parole Board Hearing Officer Christopher Schorr.
3. I have personal knowledge of the matters set forth in the petition.
4. The facts stated in the petition are true and accurate based on my personal knowledge.

Further affiant sayeth naught.



Andrew D. Hartman
Assistant State Public Defender

Sworn to and subscribed before me this 24th day of May, 2022.


NOTARY PUBLIC

Kimberly Burroughs
Attorney At Law
Notary Public, State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.



Ohio Department of Rehabilitation and Correction

Sanction Receipt and Prison Term Order (PRC)

Unit (To be completed by APA): A0210	Total Prison Term Sanction: 1004	Alternate Site:
Date of Hold (To be completed by APA): 3/16/2022	Prior Jail Time Credit Used: 0	
Where Confined at time of hearing (To be completed by APA): HCJC	Total Prison Sanction Used: 0	
Total Jail Time credit used for current hearing: 36	Remaining Prison Sanction Time: 968	SANCTION IMPOSED: 144

Anthony Williams, No. A722707 was serving a sentence of confinement in a state correctional institution operated by the Department of Rehabilitation and Correction, and was released to post-release control on 3/24/2021
(to be completed by APA)

under the supervision of the Ohio Adult Parole Authority. On 4/21/2022 a hearing was held as pursuant to Section 2967.28 of the Revised Code.

- ☒ As a result of a finding of guilt on Rule(s) # 1, a prison term of 144 days will be served.
- ☐ Alternate Center: I understand that I will be serving my prison sanction in an alternative place of incarceration to a state correctional institution where I will be required to complete any and all programming as ordered by the parole board. I further understand, in the event of my hospitalization or other exigent circumstances, and upon the Adult Parole Authority's authorization, I may be placed on electronic monitoring for some or all of the duration of my prison sanction time, subject to review by the parole board. This review may include a transfer to a state correctional institution to serve my remaining prison sanction.
- ☒ I understand that while serving a prison sanction in a state correctional institution, I may be transferred to an alternative place of incarceration where I will be required to complete any and all programming as ordered by the parole board. I further understand in the event of my hospitalization or other exigent circumstances and upon the Adult Parole Authority's authorization, I may be placed on electronic monitoring for some or all of the duration of my prison sanction time, or subject to review by the parole board. This review may include a transfer to a state correctional institution to serve my remaining prison sanction.
- ☒ The prison term shall begin effective 4/22/22
Upon release, report in person to PO Dwayne Givens
at Cincinnati APA within 1 business day of your release.
- ☒ Other sanctions:
No Contact with K [REDACTED] A [REDACTED]. Complete anger management or any other cognitive behavioral program as directed by the APA.

This recommendation is subject to the approval and/or modification of the Parole Board Chair/designee. If any modifications to the recommendation is made by the Parole Board Chair/designee during the service of the imposed prison sanction, the violator will receive an amended Sanction Receipt.

By Hearing Officer:

Electronically Signed

2022-04-21 1:36 pm EDT

Mail to the above on 4/21/2022 by PBHO.

EXHIBIT

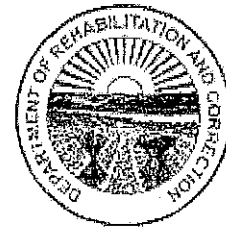
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STATE OF OHIO

Department of Rehabilitation and Correction

Adult Parole Authority

CONDITIONS OF SUPERVISION



In consideration of having been granted supervision on 3/24/21

1. I will obey federal, state and local laws and ordinances, including those related to illegal drug use and registration with authorities. I will have no contact with the victim of my current offense(s) or any person who has an active protection order against me.
2. I will follow all orders given to me by my supervising officer or other authorized representatives of the Court or the Department of Rehabilitation and Correction, including, but not limited to obtaining permission from my supervising officer before changing my residence and submitting to drug testing. Failure to report for drug testing or impeding the collection process will be treated as a positive test result.
3. I will obtain a written travel permit from the Adult Parole Authority before leaving the State of Ohio.
4. I will not purchase, possess, own, use or have under my control, any firearms, ammunition, dangerous ordinance, devices used to immobilize or deadly weapons, or any device that fires or launches a projectile of any kind. I will obtain written permission from the Adult Parole Authority prior to residing in a residence where these items are securely located.
5. I will not enter the grounds of any correctional facility nor attempt to visit any prisoner without the prior written permission of my supervising officer. I will not communicate with any prisoner in any manner without first obtaining written permission from my supervising officer.
6. I will report any arrest, conviction, citation issued to me for violating any law, or any other contact with law enforcement to my supervising officer no later than the next business day following the day on which the contact occurred or, if I am taken into custody as a result of the law enforcement contact, no later than the next business day following my release from custody. I will not enter into any agreement or other arrangement with any law enforcement agency that might place me in the position of violating any law or condition of my supervision without first obtaining written permission to enter into the agreement or other arrangement from the Adult Parole Authority or a court of law.
7. I agree to the warrantless search of my person, motor vehicle, place of residence, personal property, or property that I have been given permission to use, by my supervising officer or other authorized personnel of the Ohio Department of Rehabilitation and Correction at any time.
8. I agree to fully participate in, and comply with, Special Conditions that will include programming/intervention to address high and moderate domains if indicated by a validated risk tool selected by DRC and any other special conditions imposed by the Parole Board, Court, or Interstate Compact:

Mental Health and medication compliance
Substance Abuse screening and programming is
indicated

NOTICE

1. I understand that if I am arrested outside the State of Ohio, my signature as witnessed at the end of the page will be deemed to be a waiver of extradition and that no other formalities will be required for an authorized agent of the State of Ohio to bring about my return. In addition I understand I will be required to reimburse the State of Ohio for any costs associated with my extradition.
2. I understand that I may be required to pay a fee of up to eighty-five dollars (\$85.00) in connection with any application I file for transfer of my supervision to another state pursuant to the Interstate Compact for Adult Offender Supervision.
3. If I am a Parole/PRC/Interstate Compact offender, I will be required to pay supervision fees in the amount of \$20.00 per month unless waived by the Adult Parole Authority. If I am a Community Control/Judicial Release/Treatment in Lieu offender, I will be required to pay financial obligations as determined by the Court and/or as specified in the journal entry(ies).

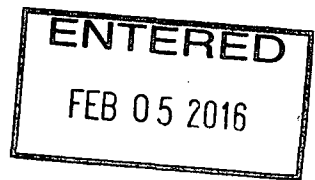
I have read or had read to me the conditions of my PRC. I fully understand these conditions and I agree to follow them. I understand that violation of any of these conditions may result in the revocation of my PRC which may result in additional imposed sanctions, including imprisonment. In addition, I understand that I must follow these conditions until notified by my supervising officer. By my signature I acknowledge that I have received a copy of these conditions of supervision.

Print Witness Name <u>Blake Hunter</u>	Print Offender Name <u>Anthony Williams</u>	Inmate # <u>72-707</u>
Witness Signature <u>Blake Hunter</u>	Date <u>04/08/21</u>	Offender Signature <u>Anthony Williams</u>
		Date <u>04-09-21</u>

Staff Assistance Required: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Language: _____	ADA Accommodations--Type: _____
Literacy: _____	Other: _____
Staff Providing Assistance: _____	Date: _____

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS

date: 02/01/2016
code: GJEI
judge: 255




Judge: JODY M LUEBBERS

NO: B 1505495

STATE OF OHIO
VS.
ANTHONY WILLIAMS

JUDGMENT ENTRY: SENTENCE:
INCARCERATION

Defendant was present in open Court with Counsel **HERBERT J HAAS** on the 1st day of **February 2016** for sentence.

The court informed the defendant that, as the defendant well knew, the defendant had pleaded guilty, and had been found guilty of the offense(s) of:

count 1: ROBBERY, 2911-02A2/ORCN,F2

The Court afforded defendant's counsel an opportunity to speak on behalf of the defendant. The Court addressed the defendant personally and asked if the defendant wished to make a statement in the defendant's behalf, or present any information in mitigation of punishment.

Defendant is sentenced to be imprisoned as follows:

count 1: CONFINEMENT: 4 Yrs, Credit 120 Days DEPARTMENT OF CORRECTIONS



D113422656

THE DEFENDANT IS TO PAY THE COURT COSTS.

THE DEFENDANT IS TO PAY PUBLIC DEFENDER ATTORNEY FEES.

NO FINE IMPOSED.

FURTHER, IN ACCORDANCE WITH RC 2901.07, THE DEFENDANT IS REQUIRED TO SUBMIT A DNA SPECIMEN WHICH WILL BE COLLECTED AT THE PRISON, JAIL, CORRECTIONAL OR DETENTION FACILITY TO WHICH THE DEFENDANT HAS BEEN SENTENCED. IF THE SENTENCE INCLUDES ANY PERIOD OF PROBATION OR COMMUNITY CONTROL, OR IF AT ANY TIME THE DEFENDANT IS ON PAROLE, TRANSITIONAL CONTROL OR POST-RELEASE CONTROL, THE DEFENDANT WILL BE REQUIRED, AS A CONDITION OF PROBATION, COMMUNITY CONTROL, PAROLE, TRANSITIONAL CONTROL OR POST-RELEASE CONTROL, TO SUBMIT A DNA SPECIMEN TO THE PROBATION DEPARTMENT, ADULT PAROLE AUTHORITY, OR OTHER AUTHORITY AS DESIGNATED

EXHIBIT

C-1

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS

date: 02/01/2016
code: GJEI
judge: 255

Judge: JODY M LUEBBERS

NO: B 1505495

STATE OF OHIO
VS.
ANTHONY WILLIAMS

JUDGMENT ENTRY: SENTENCE:
INCARCERATION

IF THE DEFENDANT FAILS OR REFUSES TO SUBMIT TO THE REQUIRED DNA SPECIMEN COLLECTION PROCEDURE, THE DEFENDANT WILL BE SUBJECT TO ARREST AND PUNISHMENT FOR VIOLATING THIS CONDITION OF PROBATION, COMMUNITY CONTROL, PAROLE, TRANSITIONAL CONTROL OR POST-RELEASE CONTROL.

AS PART OF THE SENTENCE IN THIS CASE, THE DEFENDANT SHALL BE SUPERVISED BY THE ADULT PAROLE AUTHORITY AFTER DEFENDANT LEAVES PRISON, WHICH IS REFERRED TO AS POST-RELEASE CONTROL, FOR THREE (3) YEARS.

IF THE DEFENDANT VIOLATES POST-RELEASE CONTROL SUPERVISION OR ANY CONDITION THEREOF, THE ADULT PAROLE AUTHORITY MAY IMPOSE A PRISON TERM, AS PART OF THE SENTENCE, OF UP TO NINE (9) MONTHS, WITH A MAXIMUM FOR REPEATED VIOLATIONS OF FIFTY PERCENT (50%) OF THE STATED PRISON TERM. IF THE DEFENDANT COMMITS A NEW FELONY WHILE SUBJECT TO POST-RELEASE CONTROL, THE DEFENDANT MAY BE SENT TO PRISON FOR THE REMAINING POST-RELEASE CONTROL PERIOD OR TWELVE (12) MONTHS, WHICHEVER IS GREATER. THIS PRISON TERM SHALL BE SERVED CONSECUTIVELY TO ANY PRISON TERM IMPOSED FOR THE NEW FELONY OF WHICH THE DEFENDANT IS CONVICTED.

*** GUILTY PLEA AND AGREED SENTENCE ***

COMMON PLEAS COURT
WARREN COUNTY OHIO
FILED

2017 OCT 18 AM 10:02

JAMES L. SPAETH
CLERK OF COURTS

**STATE OF OHIO, WARREN COUNTY
COMMON PLEAS COURT**

STATE OF OHIO,

Plaintiff,

vs.

ANTHONY WILLIAMS,

Defendant.

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*

CASE NO. 17CR33005

JUDGE ODA

• AGREED

JUDGMENT ENTRY OF SENTENCE

This matter is before the Court on October 17, 2017 for sentencing. Present before the Court was the Defendant, with his/her attorney, Daniel Getty. The Defendant was previously found guilty pursuant to a guilty plea by the Defendant and is to be sentenced for the following offense(s): Attempted Felonious Assault, R.C. 2923.02(A)/2903.11(A)(1), a Felony of the Third Degree.

The Court has considered the record, oral statements, any victim impact statement and presentence report prepared, as well as the principles and purposes of sentencing under R.C. §2929.11. The Court has balanced the seriousness and recidivism factors under R.C. §2929.12 and considered the factors under R.C. §2929.13. The Court inquired if the Defendant had anything to say in mitigation regarding the sentence.

☐ **COMMUNITY CONTROL SENTENCE.** The Court finds the Defendant is amenable to an available community control sanction and that prison is not consistent with the purposes and principles of R.C. §2929.11.

It is hereby **ORDERED** that Defendant be sentenced to three (3) years of community control on basic probation. The Defendant shall be monitored by the Warren County Adult Probation Department, is subject to the rules and conditions filed herein and shall receive the following sanction(s):

- ☐ ____ days in the Warren County Jail, with work release;
- ☐ Fine in the amount of \$ ____ (\$ ____ of which is mandatory);
- ☐ License suspension of ____;
- ☐ Community service of ____;
- ☐ Electronically monitored house arrest for a term of ____ days upon release from CBCF;
- ☐ Restitution in the amount of (\$ ____);
- ☐ Reimbursement in the amount of (\$ ____) to ____;
- ☐ Completion of an inpatient treatment program as arranged by probation
- ☐ Other: ____

EXHIBIT

C-2

Violation of this sentence may lead to a longer or more restrictive sanction, or the Court may impose a prison term of up to _____.

- ☒ **PRISON SENTENCE.** The Court finds the Defendant is not amenable to an available community control sanction and that prison is consistent with the purposes and principles of R.C. §2929.11.

It is hereby **ORDERED** that Defendant be sentenced to **18 months consecutive to the time the Defendant is currently serving** in prison, of which **0** is a mandatory term. The Defendant is further sentenced to:

- ☐ Fine in the amount of \$_____ (\$_____ of which is mandatory);
- ☐ License suspension of _____;
- ☒ Restitution in the amount of (\$242 to Christopher Duncan);
- ☐ Reimbursement in the amount of (\$_____) to _____;
- ☒ Other: No contact with Christopher Duncan

The Defendant is not recommended for a Risk Reduction Sentence pursuant to R.C. § 2929.143.

The Defendant shall be conveyed by the Warren County Sheriff to the custody of the Ohio Department of Rehabilitation and Corrections forthwith.

- ☒ It is further **ORDERED** the Defendant's sentence be served consecutively. The Court finds consecutive sentences are necessary to properly protect the public and to punish the offender, the consecutive sentences are not disproportionate to the seriousness of the offender's conduct or danger posed by the Defendant and (check one) ☐ the Defendant committed one or more of the multiple offenses while awaiting trial or sentencing or statutory sanction; ☐ the offenses were committed as part of one or more courses of conduct, and the harm caused by two or more of the multiple offenses so committed was so great or unusual that no single prison term adequately reflects the seriousness of the offender's conduct, and/or ☒ the Defendant's history demonstrates that consecutive sentences are necessary to protect the public from future crime by the Defendant.

☒ **ADDITIONAL ORDERS.**

- ☒ Defendant shall receive jail time credit in the amount of 0 day(s) as of this date.
- ☒ The Defendant shall submit a DNA sample pursuant to R.C. §2901.07 (felony cases only).
- ☐ The Court finds the Defendant has or is reasonably expected in the future to have the means to pay the financial sanctions, fines and court costs which are hereby imposed and execution is hereby ordered.

Pursuant to R.C. 2947.23, the Defendant is hereby notified that failure to pay the court costs or failure to timely make payments toward the court costs under an approved schedule may result in the imposition of community service, up to forty (40) hours per month, until the court costs are paid or until the Court is satisfied that the defendant is in compliance with the approved payment schedule.

- ☒ The Defendant is also subject to **a mandatory** period of post-release control with a maximum term of **3** years (felony cases only).

The Defendant is hereby notified that a violation of any post-release control rule or condition can result in a more restrictive sanction when released, an increased duration of supervision or control, up to the maximum set out above and/or re-imprisonment even though the Defendant has served the entire stated prison sentence. Re-imprisonment can be imposed in segments of up to 9 months but cannot exceed a maximum of one-half of the total term imposed for all of the offenses set out above. The Defendant was also notified that commission of a new felony while subject to this period of control or supervision may result in an additional prison term consisting of the maximum period of unserved time remaining on post-release control as set out above or 12 months whichever is greater. This prison term must be served consecutively to any term imposed for the new felony. The sentence imposed by the Court automatically includes any extension of the stated prison term by the Parole Board.

The Defendant did cause or threaten to cause physical harm to a person.

Any Temporary Protection Order issued in this case is hereby terminated.

Any defendant sentenced to the Warren County Jail for a non-violent offense may serve his/her time in the MSJ Pod. Any work release afforded the Defendant shall be monitored through the Community Corrections Program.



JUDGE TIMOTHY N. TEPE
Warren County Common Pleas Court



Adult Parole Authority

Notice of Findings of Release Violation Hearing

Name: Anthony Williams	Offender #/ICOTS #: A722707	Date: 4/21/2022
Location: 2075 Avon Belden Road, Grafton, OH 44028		Lock #: B2/SMU/131B

I. This is to advise you that you were charged with the following release violation(s) as written in the Notice of Release Violation Hearing Form.

RULE 1.: On or about 3-10-22 in the vicinity of Cincinnati, OH, you caused or attempted to cause physical harm to K.A.

EXHIBIT

D

Notice of Findings of Release Violation Hearing - Continued

A722707
Offender #/ICOTS #

II. Summary of evidence used in arriving at findings:

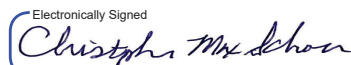
Subject was arrested on 3/16/22 and available to the APA on 3/17/22. He was served notice of violations on 3/23/22 for a violation hearing scheduled for 4/21/22. According to OCSS, offender has a PRC max date of 3/22/24. The APA has met all timeframes in this case.

At the time of service, offender refused to sign the paperwork. OPD staffed and approved. On 4/21/22, offender appeared for a formal violation hearing and was represented by Andrew Hartman Assistant Public Defender. K [REDACTED] A [REDACTED] testified that she had contact with the offender at her place of employment. She reported the offender was refused service the day before and returned 3/10/22. Her manager told her about threats the offender made but she did not hear them. She reported the offender spit on her which landed partially on her face. She advised that she was wearing a shield for work. Ms. A [REDACTED] testified she was not harmed and did not seek medical treatment. She reported she did notify the police. APA entered into evidence victim statement, video of incident, affidavit/complaint municipal court, conditions and violation report. Defense entered into evidence docket showing the criminal case had been dismissed.

Guilt established on the Rule 1 violation by a preponderance of the evidence.

Continue on separate sheet if needed.

Hearing Officer Signature:

Electronically Signed

2022-04-21 1:36 pm EDT

I Certify this notice was mailed to above on: 4/21/22 by PBHO,

IN THE SUPREME COURT OF OHIO

State ex rel. Anthony Williams,	:	
#A722707	:	
Northeast Ohio Correctional Center	:	
2240 Hubbard Road	:	
Youngstown, Ohio 44505	:	Case No.
	:	
Petitioner,	:	
	:	
v.	:	
	:	
Dave Bobby,	:	
<i>In his official capacity as</i>	:	
<i>Warden of the Northeast Ohio Correctional</i>	:	
<i>Center,</i>	:	
2240 Hubbard Road	:	
Youngstown, Ohio 44505	:	
	:	
Respondent.	:	

State of Ohio)	
)	SS:
County of Franklin)	

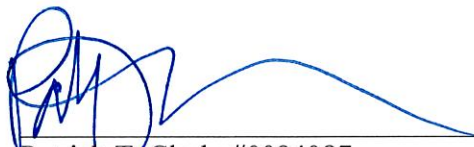
Patrick T. Clark, being duly sworn, swears that the following is true based on personal information:

1. I am an attorney employed as the Managing Counsel of the Legal Department at the Office of the Ohio Public Defender. My attorney registration number is #0094087.
2. In my position as managing counsel, I supervise prison legal services attorneys who represent people facing revocation of their parole or postrelease control.
3. When an attorney conducting revocation hearings identifies an alleged due process violation in the course of that hearing, that attorney speaks with me. If there are grounds to ask for reconsideration of the hearing officer's decision, I ask the Adult Parole Authority's chief hearing officers to reconsider the decision. If this is unsuccessful, I ask the Chair of the Ohio Parole Board to reconsider the decision.
4. The above-described process is an informally-established one for challenging the outcomes of parole or postrelease control revocation hearings. Our office will typically not file an extraordinary writ without first exhausting this process.
5. On Thursday, April 21, 2022, I emailed the Adult Parole Authority's chief hearing officers requesting reconsideration of Anthony Williams's sanction. I argued, citing *State v. Supulveda*, 3d Dist. Mercer No. 10-16-03, 2016-Ohio-7177 and *State v.*

Wyland, 8th Dist. Cuyahoga No. 94463, 2011-Ohio-455, that Mr. Williams' finding of guilt and sanction were supported by insufficient evidence.

6. On April 27, 2022, Chief Hearing Officer Michael Anderson informed me that Mr. Williams's request for reconsideration was denied.
7. On April 27, 2022, I emailed Alicia Handwerk, Chair of the Ohio Parole Board, to request reconsideration of the revocation decision.
8. Chair Handwerk and I spoke on May 16, 2022. In that conversation, I was informed that Mr. Williams's request for reconsideration was denied.

Affiant further sayeth naught.


Patrick T. Clark, #0094087
Managing Counsel-Legal Department

Sworn to and subscribed before me

this 26th day of May, 2022.


NOTARY PUBLIC



LINDSAY SCHMIDT
Notary Public, State of Ohio
My Commission Expires 5/20/24



ADULT PAROLE AUTHORITY

I. Notification of Release Violation Hearing

TO:

Name: Anthony Williams	Offender #/ICOTS#: A722707	Date: 3-22-22
Location: HCJC	City: Cincinnati	State: Ohio

You are hereby notified that a Release Violation Hearing to determine whether or not you have violated the terms/conditions of your release will be held at (if you are being supervised under interstate compact the hearing is to determine whether or not there is probable cause that you violated the terms/conditions of your release):

Location: LORCI 2075 Avon Belden Road Grafton Ohio 44028	Date: 4/21/2022	Time: 11:30 AM
--	--------------------	-------------------

You have the following rights in regards to said hearing:

1. You may appear and testify on your own behalf;
2. You may present letters, reports, or other documentary physical evidence on your behalf, including evidence of mitigation;
3. You may request that persons who can provide relevant information be subpoenaed on your behalf;
4. You may confront and cross examine witnesses who testify against you, unless the Hearing Officer specifically finds good cause for not allowing confrontation;
5. You may seek disclosure of evidence presented against you;
6. You may request representation by counsel either retained by you or through the Ohio Public Defenders office if you meet the criteria set forth for such representation.
7. You may receive a written statement of the evidence relied upon to determine that you violated your release, and the sanction to be imposed.
8. You may request a continuance of the Release Violation Hearing.

If the Parole Board Hearing Officer or representative determines that you violated the conditions/terms of your release, he or she may revoke your release or impose a prison term sanction or other appropriate, less restrictive sanction.

If you are being supervised under interstate compact, it may be ordered that you be held in custody until State of Ohio determines whether to transport you to that state for a revocation hearing. That state may also order you to be released from custody and returned to supervision in Ohio with sanction imposed.

Supervisor/Designee Signature:

Arnette Hamble

Offender's Signature:

Date:

Offender
Refuse to sign hearing papers 3/23/22
Deputy Shannon 0186

EXHIBIT

F

You are alleged to have committed the following violation(s):

RULE 1. I will obey federal, state and local laws and ordinances, including those related to illegal drug use and registration with authorities. I will have no contact with the victim of my current offense(s) or any person who has an active protection order against me.

TO WIT: On or about 3-10-22 in the vicinity of Cincinnati, OH, you caused or attempted to cause physical harm to K.A.

Admit: Initials:

Admit with Mitigation: Initials:

Deny: Initials:

Officer's Signature: 	Date: 3/23/22
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I have read (been read) and understand the foregoing.

Offender's Signature: <input type="text"/>	Number: A722707	Date: <input type="text"/>
--	-----------------	----------------------------

I certify that this notice was hand-delivered to the above on: 3/23/22 Date 12:43pm Time

Supervisor's Signature: 	Date: <input type="text"/>
---	----------------------------

Inmate Number/ICOTS: A722707 Inmate Name: Anthony Williams

offender refuse to sign

Violation Report

Offender's Name/Inmate #: Anthony Williams

A722707

CCIS #: C610998

VIOLATION REPORT

I. INTRODUCTION:

Offender's Name: Anthony Williams		Release Status: PRC
Release Offense: Robbery & Felonious Assault	Supervision Period: 3 years	Date of Release: 3-24-2021
Arrest Date: 3-16-2022	Pending Charges: Assault- Hamilton County, OH	
Arresting Agency: APA		Date of APA Hold: 3/16/2022
Date of Availability: 3/17/2022	Bond Posted: Own recognizance	Date Violations Served: 3-23-22
Date JLS/SANCO Screens Reviewed By Supervisor: 3-23-22		Amount of PRC Prison Sanction Time Remaining (If Applicable): 968 days

II. VIOLATIONS & CORROBORATION:

RULE 1. I will obey federal, state and local laws and ordinances, including those related to illegal drug use and registration with authorities. I will have no contact with the victim of my current offense(s) or any person who has an active protection order against me.

TO WIT: On or about 3-10-22 in the vicinity of Cincinnati, OH, you caused or attempted to cause physical harm to K.A.

According to Octa Plasma Plasma Assistant manager, M. J. [REDACTED]

On 3-9-22, the offender body temperature was 100.5 degrees which was too high to give blood and he was refused services but told to come back the next day hoping his temperature would be lower. However, the offender got upset stating they rigged the temperature machine to not provide service him. He stated they were out to get him, and believed it was a conspiracy between this store and another plasma store that denied him because he was a homosexual. The offender told staff he would file a lawsuit against them for discrimination.

On 3-10-22, the offender came back and at that time the plasma center manager informed the offender due to his anger, false allegations, and threats to file a lawsuit against them he could no longer come onto their facility. When the manager walked away from the offender at the counter, leaving him alone, the offender spat on a staff member (victim), K. [REDACTED] A. [REDACTED] while she was looking away and working several feet away. She did not know where the wet substance came from until she saw on video that the offender spat on her. According to the victim, K. [REDACTED] A. [REDACTED] she did not say anything to the offender when he spat on her, thereby, the offender's actions were unprovoked.

III. OFFENDER'S STATEMENT – See Attached DRC-3086

IV. CRIMINAL HISTORY

Prior Record:

The offender has the following adult criminal record:

Date (e.g. 00/00/0000)	Offense	Place	Disposition
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DRC-3076 E (09/2018)

EXHIBIT

G

Violation Report

Offender's Name/Inmate #: Anthony Williams

A722707

CCIS #: C610998

3-16-2022	Assault	Hamilton County, OH	PENDING CHARGE.
10-3-2015	Robbery	Hamilton County, OH	2-5-2016- Doc 4 years.
10-3-2015	Aggravated Menacing	Hamilton County, OH	10-21-2015- Dismissed
6-2-2015	Assault	Hamilton County, OH	6-10-2015- Dismissed.
6-2-2015-	Drug abuse	Hamilton County, OH	6-10-2015- FINE AND C C.
6-2-2015	Assault	Hamilton County, OH	6-17-2015 - DISMISSED.
3-12-2015	CT1-Aggravated Armed Robbery CT2-Drug abuse	Hamilton County, OH	3-19-2015- Charges dismissed.
12-8-2014	CT1-Robbery CT2-Assault	Hamilton County, OH	4-15-2015- CT1-FINE AND CC. CT2-4 DAYS JAIL.
4-9-2014	Drug abuse	Hamilton County, OH	5-14-2014- FINE AND CC.
4-9-2014	Menacing	Hamilton County, OH	11-5-2014- 30DAYS JAIL, 1year community control.
4-9-2014	Telecommunication Harassment	Hamilton County, OH	11-5-2014- dismissed.
3-27-2014	A: Aggravated Trespassing B: Criminal Damaging or Endangering	Hamilton County, OH	4-30-2014- charges dismissed.
2-11-2012	Disorderly Conduct	Hamilton County, OH	3-1-2012- PAID OUT.
10-17-2002	CT1-Aggravated Armed Robbery CT2- Robbery CT3- Aggravated Robbery CT4-Robbery	Hamilton County, OH	3-12-2003- ct1- Doc 4 years. Ct2-dismissed. Ct3-Doc 3 years. Ct4-dismissed.
6-6-2002	Theft Under \$300.00	Hamilton County, OH	6-24-2002- 10 days jail.
7-13-2000	Ct1- Robbery and ct2-Burglary	Hamilton County, OH	11-4-2000- Doc 1 yr in ct1. 6 months ct2.
7-13-2000	Obstructing Official Business	Hamilton County, OH	7-21-2000- Ignored.
7-12-2000	Theft Under \$300.00	Hamilton County, OH	8-10-2000- 30 days jail.
6-20-2000	Aggravated Menacing	Hamilton County, OH	8-30-2000- dismissed.
6-20-2000	Obstructing Official Business	Hamilton County, OH	8-30-2000- 60 days jail.
2-25-1999	Drug Abuse	Hamilton County, OH	3-15-1999- FINE and cc remitted.
2-12-1999	Carrying Conceal Weapons	Hamilton County, OH	8-16-1999- acquitted.
2-12-1999	Criminal Trespass	Hamilton County, OH	3-1-1999 - 30 days jail.
8-8-1998	Cnt1&2: Carrying conceal weapon	Hamilton County, OH	8-17-1998: Ignored.
9-27-96	Domestic Violence	HAMILTON COUNTY, OH	10-2-1996: 30DAYS JAIL, 1 YR COMMUNITY CONTROL.

V. SUPERVISION ADJUSTMENT:

Violation Report

Offender's Name/Inmate #: Anthony Williams

A722707

CCIS #: C610998

On 3-24-2021, the offender was released on PRC supervision. He has the parole board special condition: SAS&PII and to Maintain MHI and medication compliance. On 3-29-2021, the ORAS initial assessment was a score of 18, moderate risk and supervision level. He completed the SAS&PII on 11-5-2021 with his Fact Team mental health counselor. The offender is diagnosed with a mental disorder schizoaffective and prescribed psychotropic medication. The offender is taking his mental health medication. His mental health Fact team supplies him with services in the community. Despite the offender constantly being angry and confrontational with everyone he was able to maintain employment via a temporary employment agency and he paid for his own apartment. He was actively engaged with APA and his mental health Fact team. The offender did not have any unit sanctions and was eligible for termination from PRC when he was arrested for the current pending assault charge. He is currently at LORCI waiting for his VSP hearing set for 4-21-22.

V. RECOMMENDATION:

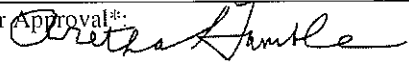
Based on the allegation of the offender spitting on the victim and being charged with assault, the APA and this officer recommends the offender have no contact with the victim, K.A. nor go to her place of employment at Octa Pharma Plasma to give blood, complete anger management/corrective thinking, and serve 270 prison sanction days.

Respectfully submitted,

-Parole Officer
Dwayne Givens

Date: 4/4/2022

* Clicking the Sign Box will make the document READ ONLY.

Final Unit Supervisor Approval*: 

Date: 4/4/2022



Ohio Department of Rehabilitation and Correction

770 West Broad Street
Columbus, OH 43222
614-752-1164

Mike DeWine, Governor

www.drc.ohio.gov

Annette Chambers-Smith, Director

VOLUNTARY STATEMENT

I K [REDACTED] A [REDACTED], Address: [REDACTED]
Date of Birth: 12-31-77 make this voluntary statement to P.O. Duane Swens at:
1:27 pm (time), on: 3-23-22 (date) regarding Offender Anthony Williams
Inmate # A722707

I have been advised of my rights under Miranda vs. Arizona and would like to make the following voluntary statement.

Initial if Miranda issued.

On Wednesday 03/09/22 donor was deferred for a high temperature. I K [REDACTED] A [REDACTED] was not the employee who deferred him for his high temperature I was off at 3pm the day he was deferred on the incident happened after I had left. However he thought that I was the one to defer him so the next day Thursday 03/10/22 I spoke to him he did not speak back. He then told my manager that I deferred him the day before and when my manager came to me about it we both noticed that when he was getting screened I was not there. When he was at the front desk speaking to the manager he asked him to go get a business card and when he walked back to get it I was screening a donor and I felt him spit on my face and noticed it on my face and I looked up to see if something was leaking because I didn't believe he could spit that far but after watching video with management we seen him do it.

Witness & Printed Name: <u>[REDACTED]</u>	Date: <u>23 Mar 22</u>	Witness Phone Number: <u>[REDACTED]</u>
DRC Employee Signature: <u>[Signature]</u>	Date: <u>3-23-22</u>	

EXHIBIT

H