

## Press Release

January 8, 2016

### Police Chief's Association of Sandusky County

Chief James White - Chief Bruce Gower - Chief Roy Whitehead

Chief Paul Whitaker, [President] - Chief Charles Horne - Chief Mark Kaufman

On August 19, 2015 a meeting of the Police Chiefs of Sandusky County (PCASC) convened for a normal monthly meeting. During that meeting Chief Mark Kaufmann disclosed that Sheriff Kyle Overmyer of the Sandusky County Sheriffs Department, had visited the Bellevue Police Department recently and collected prescription pills and capsules taken in from the public in their Drug Take Back Collection box at the Bellevue Police Headquarters. Sheriff Overmyer told Chief Kaufmann that he [Overmyer] had a "agreement" with the Drug Enforcement Administration (DEA) to collect and dispose of the pills. Chief Kaufman turned the collected pills and capsules over to Sheriff Overmyer without any further question.

During this meeting, Police Chief Charles Horne of the Green Springs Police Department disclosed that Sheriff Overmyer had also visited him and collected drug take back pills. {Police Chief Roy Whitehead of the Woodville Police Department also disclosed that Sheriff Overmyer visited his office also collected their drug take back pills.

Note: Chief Bruce Gower of the Clyde Police Department reported during this meeting that he had not been visited by Sheriff Overmyer nor had anyone from the Sheriffs Department collected any of the drugs from the Clyde Police take back program.

The Gibsonburg Police Department did not have a drug take back box until October of 2015 and no drugs were collected by Sheriff Overmyer from the Gibsonburg Police Department.

It was agreed at this meeting that the matter was "very suspicious" and needed to be investigated. Chief Kaufman telephoned DEA Toledo office and notified them of the suspicious circumstances. DEA referred the matter to the FBI. Chief Kaufman had also spoke to Captain O'Connell who told him that the drugs collected by Sheriff Overmyer were missing and could not be found anywhere on Sheriffs Department grounds. On August 20, 2015, Chief Kaufman telephoned the Sandusky Field Office of the FBI and notified them of the circumstances. FBI Sandusky then referred Chief Kaufman to the County Prosecuting Attorney's Office (Tom Stierwalt) and suggested that this would be a state case and better investigated by the Ohio Attorney Generals Office (Mike DeWine and the Bureau of Criminal Identification and Investigation [BCI]).

On August 22, 2015 Chief Kaufman telephoned Sandusky County Prosecuting Attorney Thomas Stierwalt. He informed Mr. Stierwalt of the information discovered and asked Mr. Stierwalt if he

had received any information on this. Mr. Stierwalt told Chief Kaufman that he had indeed received a complaint in the form of documents and statements from Captain Sean O'Connell of the Sandusky County Sheriffs Department detective bureau. Mr. Stierwalt told Chief Kaufman that the information given him by Captain O'Connell had been turned over to BCI and the agent handling the case was Special Agent Jeff Cook of the Bowling Green laboratory.

On September 9, 2015, Chief Charles Horne of Green Springs PD telephoned S/A Cook and told him that he wanted to speak to him as a witness about the case. S/A Cook told him he would be over to talk to him. He did not hear from S/A Cook again until September 28 when he [Horne] initiated a call to S/A Cook. During this conversation, Cook told Chief Horne that the case involving the drugs was "trivial and minor". In that conversation, S/A Cook led Chief Horne to believe that their [BCI] investigation was focusing on more serious matters. Cook did not disclose what that was.

On September 10, 2015 the PCASC met and Chief of Police James White of the Fremont Police Department disclosed that Sheriff Overmyer had also visited him in person and collected drugs from the Fremont PD drug take back program. Chief White turned the drugs over to the Sheriff with the understanding that Sheriff Overmyer had an agreement with the DEA to collect the drugs.

On September 27 Chief Paul Whitaker [President of the Police Chiefs Association] and Chief Bruce Gower, were attending a mayoral campaign rally for one of Chief Whitaker's patrolman. That rally was attended by my Attorney General Mike DeWine. We met with Mr. DeWine and voiced our concern to him that a complaint had been filed regarding suspicious events surrounding the Sheriff and that his office [BCI] was conducting an investigation but it seemed little was being done and opportunities were being missed to collect evidence. Mr. DeWine told me that he was aware of this investigation and that he would have Superintendent of BCI Thomas Stickrath call me first thing Monday.

On September 28 Supt. Stickrath did call Chief Whitaker and we discussed the matter. Mr. Stickrath assured me that an investigation was being done but he could not disclose the progress of the case.

On October 4 a meeting of the PCASC met to discuss the investigation by BCI into the matter. Chiefs were very concerned that no contact has been made by the BCI investigators with the principal people in this investigation with exception of Sheriff Overmyer. It was discovered that BCI had in fact questioned Sheriff Overmyer and requested a urine sample from him. The Chiefs became alarmed that the investigative authority in this case has spoke to the "suspect" before talking to the complainants. The Police Chiefs agreed that this investigation has stalled and may in fact be faulty because no evidence of the normal investigative doctrines such as interviews, subpoena's, search warrants seemed to have been conducted by BCI.

Between October 21, 2015 and November 15, 2015 no less than three (3) telephone calls were made by Chief Whitaker to Superintendent Stickrath bringing to his attention some failures in the investigation becoming very apparent for lack of ANY contact by the investigators with the witnesses in the case. Each time, Mr. Stickrath assured me the case was being handled correctly. During this time, Chief Whitaker had spoken to Attorney General Mike DeWine no less than four (4) times, urging Mr. DeWine to look into the possibility that this investigation was not being handled properly.

On November 19, 2015 a special meeting of the PCASC met with Assistant Superintendent Karen Huey of BCI and Northern Ohio Supervisory Agent Jimmy Ciotti and Prosecuting Attorney Tom Stierwalt. The result of that meeting was that BCI admitted "missed opportunities" in the investigation and "misjudgment" in the execution of the investigation. Asst Supt Huey suggested a second investigation be initiated with agents from other parts of the state in an attempt to get to the truth of what was going on. The Chief's agreed that no press release would be made and that BCI be given another opportunity to conduct another investigation.

On December 3, 2015 a meeting of the PCASC was convened and met two special agents of BCI who were assigned to investigate possible wrongdoing by Sheriff Kyle Overmyer and improperly collected and missing drugs.