

Proponent Testimony
HB 439
House Judiciary Committee
November 30, 2016

Thank you Chair Eklund, Vice-Chair Hughes, ranking member Thomas and members of the Senate Criminal Justice Committee for the opportunity to speak today in support of House Bill 439.

I am Detective Cindy Adkins. Working in the Cleveland Division of Police, as a detective, we have come across many heinous crimes. Many of the crimes have been solved, where we have brought the guilty suspects to justice with the proper punishment. We would like to discuss a recent case that we have worked on in which four juvenile male victims were sexually abused by an adult female.

The Police Report was filed by one of the victim's mothers in July of 2014, a search warrant for electronic devices (cellphones, computers, cameras) was obtained and executed. The forensic analysis of the devices was completed by Internet Crimes Against Children in August 2014.

As a result of the search warrant, several photos were recovered of individuals in a health care facility in a partial state of nudity (displayed genitalia and/or breasts) from the suspect's cellphone.

During the course of the investigation, with all of the obtained information, we had reason to believe that this suspect was attempting to transport these photos into an Ohio Correctional Institution where her boyfriend, a charged sex offender, is currently incarcerated. The suspect was also verified to be an employee at the health care facility in which the photos were taken, and that 12 of the 14 individuals in the photos who were all patients at the health care facility were all under the care of the suspect while she was an employee. We then received the medical diagnosis on the 12 individuals identified in the photos and learned that these individuals had conditions ranging from dementia, Alzheimer's, developmentally disabled, to recovery from strokes.

The individuals were all diagnosed with conditions that rendered them unable to care for themselves and unable to communicate or verbalize what occurred,

therefore we were unable to interview any of these individuals. Unfortunately, the City of Cleveland Division of Police has been informed from Cuyahoga County Prosecutor's Office that the suspect would not face any felony charges for the photos and sexual exploitation of the twelve individuals, who were all victims of being exploited by an employee who was assigned to care for them. It is vital that Ohio correct this loophole in our justice system to better ensure the safety of those individuals who are mentally or physically impaired.

Chairman Eklund and members of the Senate Criminal Justice Committee, we are happy to answer any questions that you may have today. Thank you very much for the opportunity to share my support for House Bill 439.