First Assistant
CHRISTOPHER D. BECKER

Chief-Civil Division
WILLIAM J. DANSO

Chief-Criminal Division
CHARLES L. MORROW

Senior Trial Attorney
MICHAEL A. BURNETT

Chief Appellate Division RYAN J. SANDERS

Chief-Juvenile Division STANLEY A. ELKINS

Investigators
MICHAEL C. KRAFCIK
ROY ANNE MALAK



DENNIS WATKINS

Framball County Prosecuting Allorney

4th FLOOR ADMINISTRATION BUILDING 160 HIGH STREET N.W. * WARREN, OHIO 44481-1092 PHONE: 330-675-2426 * FAX 330-675-2431 Prosecutor@co.trumbull.oh.us Civil Division
LYNN B. GRIFFITH, III
SAMANTHA L. MONROE
JASON M. TOTH
Criminal Division
DEENA L. DeVICO
GINA BUCCINO THOMAS
KEVIN J. TRAPP

Child Assault Division
DIANE L. BARBER, CHIEF
GABRIEL M. WILDMAN

Child Support Division
DAVID E. BOKER, CHIEF
JAMES F. LEWIS

Investigator/Public Information Officer
GUY M. VOGRIN

June 4, 2025

Lisa Hoying, Esq. Parole Board Chair Ohio Adult Parole Authority 4545 Fisher Road, Suite D Columbus, OH 43225

IN RE: BRIAN CLINGERMAN

Inmate: A321070

Trumbull County Case No. 95-CR-391

Continued Hearing: July 2025

Convictions: Count 1: RAPE

Count 2: RAPE (consecutive) SENTENCE: 12 to 50 years

TIME SERVED: 29 years 4 months

Dear Attorney Hoying:

Previously, I have written the Board two letters, on August 12, 2021 and October 1, 2003, with attachments stating that it was my hope that the overwhelming evidence you presently have proving (inmate) Clingerman would be extremely dangerous to women and society at large if released will be sufficient now and in future hearings to keep him in prison until 2046 (maximum sentence). Yesterday, on June 3, 2025, I received a copy from the Ohio Department of Rehabilitation and Correction which shows that his Current Risk Score is (high) at 18. The same as last reported in 2021 with no improvement. Additionally, new behavioral infractions

Trumbull County Prosecuting Attorney

Attorney Lisa Hoying June 4, 2025 Page Two

were found since 2021, including a January 2, 2024 write-up for stealing. As previously stated, this man has proven himself time and time again to be a classic sociopath who must be restricted and confined to protect others.

Sentencing Judge Andrew D. Logan said it all in his five page Judgment Entry finding Brian Clingerman, by a clear and convincing standard of evidence, that Clingerman is a SEXUAL PREDATOR "who is likely to engage in the future in one or more sexually oriented offenses." Please read the entire Entry attached to my letter of August 12, 2021. An important snippet of what the judge had to say regarding his chronic criminal conduct is worth giving:

- (a) The Defendant's foray into the criminal justice system began in 1984 when the Defendant was only 14 years old. He had fifteen (15) separate appearances with the juvenile justice system including Aggravated Burglary, Burglary, Arson, CCW, Theft, Vandalism, Truancy and Parole Violations. As a result of these criminal transgressions he was ultimately sentenced to the Department of Youth Services on three (3) separate occasions, before he was ultimately discharged as an adult.
- (b) From the age of 18 to 24, the Defendant continued in his criminal ways, including committing multiple B&E's, RSP, Arson, and Attempted Burglary, for which he was sentenced to both county jail and prison.

But above and beyond his incorrigibility and being not reformable is his depravity and sheer inhumanity shown to women he did not know and brutally raped. The facts of these episodes are chilling and beyond disgusting. His second victim was attacked with her three year old son and four year old daughter present. Please

Frumbull County Prosecuting Attorney
Attorney Lisa Hoying
June 4, 2025
Page Three

review our October 1, 2003 letter. And to top it all off, and the scientific evidence and mountain of guilt shown against Clingerman, a female relative of this man has come forward to provide new evidence to the Parole Board that she was repeatedly assaulted and raped by Clingerman as a child. So with all of the victims together strongly opposing his release, along with his prison assessment and the very nature of his violent rapes and convictions, it seems clear to us that Clingerman is not suitable for release from prison confinement. He truly is a clear and present danger to any community at age 55! Keep him where he alone and justice put him!

Thank you for your consideration in this matter.

Very truly yours,

DENNIS WATKINS

Trumbull County Prosecuting Attorney

Dennis Watkins

DW/fd Enclosures

COHITA CONTRACTOR

Ohio Department of Rehabilitation and Correction

Current Institutional Report Summary

Inmate Name:	Current Inmate Number:	Date Report Generated:
BRIAN CLINGERMAN	A321070	06/03/2025
Institution:	Current Risk Score:	
NCI	Prison Intake PIT (High)	18
Current Security Threat Group (STG) Participation Level (Level of Gang Participation)::	Current Sex Offender Classification:	Current Security Level:
		2
Purpose for Report:	Report Printed By:	
Court Request	Glenn Elder	

Warrants / Detainers Reported to DRC: DRC Recommends that courts check LEADS, NCIC and OHLEG prior to releasing the inmate as these law enforcement data systems may contain additional detainer and warrant information pertaining to the inmate that are not currently known to DRC.

Type	Agency	Date Placed	Date Canceled

Security Classification Level History:

Effective Date	Level	Туре
7/3/2024	2	Anniversary
7/25/2023	2	Anniversary
7/8/2022	2	Anniversary
7/23/2021	2	Anniversary
7/21/2020	2	Anniversary
7/31/2019	2	Anniversary
7/31/2018	3	Anniversary
7/31/2018	3	Anniversary
7/31/2018	3A	Anniversary
7/31/2017	3A	Anniversary
7/22/2016	3A	Anniversary
7/31/2015	3A	Anniversary
7/28/2014	3A	Anniversary
7/10/2013	3A	Confirmed
7/10/2013	3B	Confirmed
7/10/2013	3	Confirmed
7/9/2013	2A	Anniversary
12/21/2012	1B	Anniversary
12/13/2011	1B	Anniversary
12/13/2011	1B	Anniversary
12/13/2010	1B	Anniversary
12/29/2009	1B	Anniversary
11/16/2008	2	Anniversary
10/12/2007	2	Anniversary
10/25/2006	2	Anniversary
10/25/2005	2	Anniversary
10/27/2004	2	Anniversary
10/31/2003	2	Anniversary
9/3/2002	2	Special
8/13/2001	2	Anniversary
4/11/1996	13	Confirmed

<u>Program Participation:</u> Because of federal education and program treatment information disclosure regulations, program information will not be displayed if the inmate did not agree to release education, mental health, and/or recovery services information.

Program Name	Status	Start Date	Recommended Date	WaitListed Date	Completed Date	Terminated Date	Declined Date	Reason
	表面影響	155						
	_							
		distance in the second						
		120045153						

Thinking for a Change	WaitListed		07/07/2016				
Carey Guide-Behavioral Techniques	Completed	08/01/2018	67/07/2010	8/31/2018			
Carey Guide-Co- Occurring Disorders	Completed	08/01/2018		8/31/2018			
Carey Guide-Managing Sex Offenders	Completed	08/01/2018		8/31/2018			
Carey Guide-	Completed	09/01/2018		9/15/2018			
Responsivity Carey Guide-Prosocial Leisure Activities	Completed	07/01/2018		7/31/2018	1		
Leisure Acuvilles				2422	1		1
Carey Guide-Motivating Others to Change	Completed	07/01/2018		7/31/2018		1	
Carey Guide-Overcoming Family Challenges	Completed	07/01/2018		7/31/2018			
Carey Guide-Responding to Violations	Completed	07/01/2018		7/31/2018			
Carey Guide-What Makes an Effective Corrections Pr	Completed	07/01/2018		7/31/2018			
Carey Guide- Interpersonal Skills	Completed	07/01/2018		7/31/2018			
Carey Guide-Empathy	Completed			9/30/2018			
Materials Coordinator - A (856)	Terminated	01/01/2015		v	03/29/2017		Discipline
Maintenance Repairer, Building - A (310)	Terminated	01/01/2014			03/19/2015		Job Change
Ready to Rent	WaitListed		01/14/2025				
			31				
	SAMM -			71124		h	
				KUKU			
ADVANCED JOB FRAINING	Declined	09/21/2020				08/08/2021	
CAREY GUIDE- ANTISOCIAL ASSOCIATES	Completed	07/01/2018		7/31/2018			
TOPUCU	Completed	12/30/2017		1/28/2018			
Boundaries Program	Completed	09/27/2017		12/6/2017			
MONEY SMART	Completed	04/13/2017		6/1/2017	000000017		
APPRENTICESHIP APPRENTICESHIP	Terminated Terminated	06/01/2015 09/01/2014		 	03/29/2017	-	-
PPRENTICESHIP	reminated	09/01/2014		5 th	03/19/2013		
CU needed	Completed	10/22/2013	Teamsenser.	10/22/2013			
ADVANCED JOB	WaitListed		08/28/2013		<u> </u>		
RAINING nterm Sex Offender	Started	10/30/2012	00/20/2013				-
Program Sex Offender Release	Started	07/30/2012					-
Preparation MONEY SMART	Terminated	06/16/2011			06/22/2011		-
HINKING FOR A CHANGE	Declined	30/10/2011	07/06/2010		ON EZIZUTT ,	07/19/2011	
COMPREHENSIVE SEX OFFENDER PROGRAM	Declined		05/07/2010			05/07/2010	
age your rage	Completed	01/26/2010		4/14/2010			
ICTIM AWARENESS	Completed	11/19/2009		3/4/2010			
MANDATORY SEX OFFENDER PROGRAM	Completed	11/16/2006		1/30/2007			
PERIOR PROGRAM							

Community Service Hours:

Activity	Month Year	Hours	County
Growing Vegetable Plants	August 2017	84	TRUMBULL
Growing Vegetable Plants	July 2017	48	TRUMBULL
Growing Vegetable Plants	June 2017	24	TRUMBULL
MAKE CARDS	April 2017	14	TRUMBULL
FOOD SALES AT COMPOUND	September 2012	16	BELMONT
COMBINED CHARITABLE CAMPAIGN DONATION	May 2012	10	BELMONT
FOOD SALES	February 2012	33	BELMONT
FOOD SALES AT COMPOUND	December 2011	10	BELMONT
FOOD DONATIONS	December 2005	10	BELMONT
FOOD SALES - JUNE	June 2005	73	BELMONT

Advanced Job Training(New):

Inmate Id	Institution	Provider Name

AJT Certifications List:

Institution	AJT Provider Name	AJT Degree/Certificate Name	Certificate Date	AJT Completion	EC HB86 Completion	EC HB49 Completion
8						
122						333

Certifications List:

Course	Date Completed	For Whom	Organization	

Assessments List:

Assessment	Institution	Test Date	Test Code	Score	Pass/	Math Form	Math	Science Form	Science Score	Social Form	Social	Arts Form	Arts Score	Write Form	Write
Туре			Code		Failed	1 01111	Score				Score				Score
200	香椒	数法意识	3												

Evidence Based Tools / Interventions: Because of federal education and program treatment information disclosure regulations, program information will not be displayed if the inmate did not agree to release education, mental health, and/or recovery services information..

Targeted Domain	Tool / Intervention Used	Date Completed

<u>Pro-Social Activity / Group Participation:</u> Because of federal education and program treatment information disclosure regulations, program information will not be displayed if the inmate did not agree to release education, mental health, and/or recovery services information.

Activity Type	Activity Name	Source	Status	Date Completed
Unit Led Activity / Group	Skills to Pay the Bills	Verified	Completed	11/18/2024
Unit Led Activity / Group	Criminal Thinking Errors	Verified	Completed	11/13/2024
Inmate Activity / Group	Cuffs to Careers	Verified	Completed	11/12/2024
Community Partnership Activity / Group	Shining Light - Comleted five 8hr seminars	Verified	Completed	1/29/2024
Inmate Activity / Group	Carey Guide- Violence and Lethality	Verified	Completed	9/16/2020
Inmate Activity / Group	Carey Guide- Anger	Verified	Completed	9/15/2020
Inmate Activity / Group	Carey Guide- Problem Solving	Verified	Completed	8/17/2020
Inmate Activity / Group	Carey Guide- Maximizing Strengths	Verified	Completed	8/17/2020
Independent Study Activity / Group	CAREY GUIDE-ANTISOCIAL ASSOCIATES	Verified	Completed	10/1/2018
Community Partnership Activity / Group	Boundaries	Verified	Completed	3/27/2018
Independent Study Activity / Group	CAREY GUIDES	Self-Reported/Unverified	Ongoing	

Coupons:

Date Issued	Behavior
04/21/2025	completion of program milestones (e.g., obtain job, obtain GED, complete treatment curriculum)

Certificates:

Date Issued	Program Name
09/30/2018	Carey Guide-Empathy
09/15/2018	Carey Guide-Responsivity
08/31/2018	Carey Guide-Behavioral Techniques
08/31/2018	Carey Guide-Co-Occurring Disorders
08/31/2018	Carey Guide-Managing Sex Offenders
07/31/2018	Carey Guide-Prosocial Leisure Activities
07/31/2018	Carey Guide-Drug Dealers
07/31/2018	Carey Guide-Motivating Others to Change
07/31/2018	Carey Guide-Overcoming Family Challenges
07/31/2018	Carey Guide-Responding to Violations
07/31/2018	Carey Guide-What Makes an Effective Corrections Pr
07/31/2018	Carey Guide-Interpersonal Skills

<u>Disciplinary History Including Rule Infraction Board (RIB) / Hearing Officer (HO) Disciplinary Actions:</u>
This section contains information from January 2007 forward when DRC began automating inmate disciplinary history data.

Institution	Date of Infractions	Guilty Infractions	Disposition	HO/RIB	Local Control Y/N
NCI	1/2/2024	12.1	Other	Hearing Officer	
Infraction Summary If Reported :	stealing son stuffing in h	nething from	n this date, 1/2/2024, IP Clingermar the food line. When Manager Newle e IP revealed (2) milks, (10) sugar p utter. EOR.	en asked what he	was
BECI	8/17/2022	23		Rules Infraction Board	NO
Infraction Summary If Reported :	On the abov	e date inmat	e Clingerman 321070 refused to lea	ive TpU.	
BECI	7/19/2022	23		Rules Infraction Board	NO
Infraction Summary If Reported :	On the abov	e date inmat	e Clingerman 321070 refused to lea	ive TpU.	
BECI	7/12/2022	23		Rules Infraction Board	NO
Infraction Summary If Reported :	On 7-12-22 refused to g was here be	o on the com	offender Clingerman 321070 arrived pound. He stated that Mr. Ruiz put a	at Be.C.I. from To a hit out on him w	CI and hen he
BECI	6/18/2013	39	1st rule 39 sanctions	Rules Infraction Board	NO
Infraction Summary If Reported :	segregation be one gallo	.While doing on of hooch m	e and approximate time I, Officer Ba a shakedown on cell C162 this offic nade of peaches and other mix fruit. his. Unit 222 was notified and verific	er found what app Inmate Clingerma	peared to in, 321-
BECI	6/17/2013	23	15 Days D/C time starting on 17 June 2013 ending o	Board	YES
Infraction Summary If Reported :	INMATE WASEGREGAT	TION, INMAT	D THAT HE WAS DUE TO BE REL E STATED THAT HE WOULD NOT	EASED FROM RETURN TO GE	NERAL
BECI	6/7/2013	23	10 Days D/C time starting on 7 June 2013 and endin	Rules Infraction Board	NO
Infraction Summary If Reported :	Clingerman Inmate Cling	321070 Seg	me, I officer Fiquris at the request of C162 and ordered the inmate to be ed to be released from Segregation FOR	released from Se	gregation.

BECI	5/31/2013	23	LE Deve D/C time starting and 2 hard	Dulas Isfantias	TNO
BECI	3/31/2013	23	5 Days D/C time starting on 3 June 2013 and ending	Rules Infraction Board	NO
Infraction Summary If	Inmate Cli	ngerman 321	070 was asked to leave seg for the	main compound a	nd
Reported :	refused.				
BECI	4/21/2013		Verbal Warning	Hearing Officer	NO
Infraction Summary If			pove date and approximate time, I C		
Reported :			ys and quiet areas. While on my rou		
			ngerman 321070 were not in their u		
			back to check the toilet area where		
			the last stall. Upon walking further, t	nis officer observe	d inmate
	Detriard Wa	aiking out or t	he same single person stall. EOR		
BECI	7/15/2009	I 50	recommend contraband #09-0630 be	Hearing Officer	NO
BEOI	1113/2003	130	returned to inmat	riearing Onicer	INO
Infraction Summary If	upon searc	hing clingerm	nan's property, I found him in posses	sion of a sony am	/fm radio
Reported:	with altered	headphones	with inmate #524531. 09-0630		
BECI		48	Recommend Job Change	Hearing Officer	NO
Infraction Summary If	On the abo	ve date and t	ime Clingerman 321070 told me tha	t a pair of gym sho	orts and
Reported :			r shorts were his. Filicky told me tha		
			D cart. I again asked him if they wer		
			take them out of the R&D cart.		
			ere these items came from. Officer h	Helms said the iter	ns did "
	come from	R&D.			
BECI	10/11/2008	LEO	Lind of doctors and the d	Lucaina Office	LNO
Infraction Summary If			verbal, destroy contrband mate Clingerman had in his possess	Hearing Officer	NO
Reported :	Ownership a	could not be	proven. 1 velour blanket (green) inm	ate had two other	porconal
reported.	blankets in	his possessio	on at this time, 13 bed hooks 2 bags	of choc chip cooki	es 2
			tubes of shave gel, 1 jug of Trend		
			showed some reciept but was over t		
	items. Cont	raband # 08-	0978.		
BECI		35	4hrs extra duty	Hearing Officer	NO
Infraction Summary If			at I c/o Johnson observed inmate Cl		
Reported:			s on Bside. Also be advised that this		that there
			movement.When I c/o Johnson moti		
			ne c/o Johnson.Inmate Clingerman	ignored this officer	and
	remained o	n Aside.			
BEC!	8/6/2008	51	Recomends 4hrs extra duty and	Hearing Officer	NO
DECI	0/0/2000	31	contraband is to be	Hearing Officer	NO
Infraction Summary If	Sir please b	e advised tha	at I c/o Johnson did a routine shaked	lown on Inmate C	lingerman
Reported:			ion the following contraband 4 red b		
•	bags of gree	en midnight s	pecial,1 box of black/milds,and 1 mil	ushfake headphon	е
	cord.contral	pand number	is 08-0734.		A Comment of the Comm
		H.C. B. W. A.			
BECI	12/17/2006	51	4 hrs ex-duty/destroyed contraband	Hearing Officer	NO
			#061416		
Infraction Summary If					
Reported :		White the special state of			
THE CAMPUTATION OF THE STREET					

<u>Job History:</u>Because of federal education disclosure regulations, education-related job information will not be displayed if the inmate did not agree to release the information.

Institution	Job Name	Department	Location	Start Date	End Date
NCI	DISHROOM WKR	FOOD SERVICE	IDR B	9/20/2023	9/20/2023
NCI	FOOD SERVICE WKR	FOOD SERVICE	IDR B	9/20/2023	
NCI	PORTER	UNITS	UNIT E2	9/18/2023	9/20/2023
NCI	PORTER	UNITS	UNIT C2	9/13/2023	9/18/2023
					基本
NCI	SC	SEGREGATION	SEGREGATION	7/5/2023	7/7/2023
		4			
NCI	PORTER	UNITS	UNIT A	11/9/2022	12/13/2022
NCI	ORIENTATION	ORIENTATION	ORIENTATION	10/31/2022	11/9/2022

DEGL	TURBARY AIRE	LUDDADY	TURBARY MAIN	1404410000	140/04/0000
BECI	LIBRARY AIDE	LIBRARY	LIBRARY - MAIN	10/14/2022	10/31/2022
BECI	PORTER 5	UNIT-C	5-HOUSE	9/26/2022	9/26/2022
BECI	PORTER 5	UNIT-B	4-HOUSE	9/26/2022	10/14/2022
BECI	SC	SEGREGATION	SC	9/16/2022	9/26/2022
				7/12/2022	7/12/2022
BECI	ORIENTATION	ORIENTATION	ORIENTATION		
BECI	ORIENTATION	ORIENTATION	ORIENTATION	7/12/2022	7/12/2022
BECI	SC	SEGREGATION	SC	7/12/2022	7/12/2022
BECI	DC	SEGREGATION	DC	7/12/2022	9/16/2022
TCI	MAINT REPAIR	MAINTENANCE	MAINT	12/24/2020	7/12/2022
	WKR 7	WAINTENANCE	IVIAINT		
TCI	MAINT REPAIR WKR 2	MAINTENANCE	MAINT	1/9/2020	12/24/2020
TC	MAINT REPAIR WKR 2	MAINTENANCE	MAINT	1/23/2019	1/8/2020
TCI	PORTER	BLOCKS	12 EAST	12/14/2018	1/23/2019
TCI	PORTER 5	BLOCKS	12 EAST	10/5/2018	12/14/2018
	PORTERS	DEOCKS	12 DASI	10/3/2010	1214/2010
TCI	PORTER 2	BLOCKS	12 EAST	7/27/2018	10/5/2018
				6/1/2018	7/27/2018
TCI	PORTER 5	BLOCKS	12 EAST		
TCI	HORTICULTURAL WKR	BLOCKS	12 EAST	6/20/2017	6/1/2018
TCI	PORTER	BLOCKS	12 EAST	5/12/2017	6/20/2017
TCI	PORTER 5	BLOCKS	12 EAST	4/6/2017	5/12/2017
TCI	MATERIAL HANDLER 2	OPERATIONS	COMMISSARY	11/21/2016	4/6/2017
TCI	MATERIAL COORDINATOR - A	OPERATIONS	COMMISSARY	6/19/2015	11/21/2016
TCI	MATERIAL HANDLER	OPERATIONS	COMMISSARY	3/23/2015	6/19/2015
TCI	MAINT REPAIR WKR	MAINTENANCE	MAINT	5/8/2014	3/23/2015
TCI	MAINT REPAIR WKR	MAINTENANCE	MAINT	12/20/2013	5/8/2014
TCI	PORTER	BLOCKS	14 WEST	11/19/2013	12/20/2013
TCI	DC	ADMINISTRATION	C-SEGREGATION	10/29/2013	11/19/2013
	H. CONTRACTOR CONTRACTOR		BING COME WELL STREET		5/51/53/53/5
		DI CONC	_	0/0/2040	40/20/2043
TCI	PORTER 5	BLOCKS	15 EAST	8/9/2013	10/22/2013
TCI	ORIENTATION	ORIENTATION	ORIENTATION	8/6/2013	8/9/2013
BECI	SC	SEGREGATION	SC	7/24/2013	8/6/2013
BECI	LC	SEGREGATION	LC	7/2/2013	7/24/2013
BECI	SC	SEGREGATION	SC	6/17/2013	6/17/2013
BECI	DC	SEGREGATION	DC	6/17/2013	7/2/2013
BECI	DC	SEGREGATION	DC	6/3/2013	6/17/2013
BECI	SC	SEGREGATION	SC	5/16/2013	6/3/2013
			8-HOUSE	1/7/2013	5/16/2013
BECI	PORTER 1	UNIT-D			
BECI	PORTER	UNIT-D	8-HOUSE	6/20/2012	1/7/2013
BECI	PORTER	UNIT-A	1-HOUSE	4/11/2011	6/20/2012
BECI	PORTER 2	HEALTH SERVICE		11/10/2010	4/11/2011
BECI	PORTER	HEALTH SERVICE	HEALTH SERVICE	3/24/2010	11/10/2010
					3/24/2010
BECI	PORTER	UNIT-A	1-HOUSE	3/19/2009	
BECI	LAUNDRY MACH OPER 7	LAUNDRY	LAUNDRY	2/17/2009	3/19/2009
BECI	LAUNDRY ATTN 2	UNIT-D	8-HOUSE	11/17/2008	11/17/2008
		LAUNDRY	LAUNDRY	11/17/2008	11/17/2008
BECI					
BECI	LAUNDRY ATTN	LAUNDRY	LAUNDRY	11/17/2008	2/17/2009
	LAUNDRY ATTN LAUNDRY ATTN 2				
BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN	LAUNDRY	LAUNDRY	11/17/2008 9/29/2008	2/17/2009 11/17/2008
BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2	LAUNDRY LAUNDRY UNIT-D	LAUNDRY LAUNDRY 8-HOUSE	11/17/2008 9/29/2008 6/3/2008	2/17/2009 11/17/2008 9/29/2008
BECI BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2 RUNNER	LAUNDRY LAUNDRY UNIT-D UNIT-D	LAUNDRY LAUNDRY 8-HOUSE 8-HOUSE	11/17/2008 9/29/2008 6/3/2008 7/25/2007	2/17/2009 11/17/2008
BECI BECI BECI BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2 RUNNER RUNNER	Laundry Laundry Unit-d Unit-d Unit-d Unit-d	LAUNDRY LAUNDRY 8-HOUSE 8-HOUSE 8-HOUSE	11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007	2/17/2009 11/17/2008 9/29/2008 6/3/2008
BECI BECI BECI BECI BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2 RUNNER RUNNER RUNNER	Laundry Laundry Unit-d Unit-d Unit-d Unit-d Unit-d Unit-d Unit-b	LAUNDRY 8-HOUSE 8-HOUSE 8-HOUSE 4-HOUSE	11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 5/2/2007	2/17/2009 11/17/2008 9/29/2008 6/3/2008 7/25/2007
BECI BECI BECI BECI BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2 RUNNER RUNNER	Laundry Laundry Unit-d Unit-d Unit-d Unit-d	LAUNDRY LAUNDRY 8-HOUSE 8-HOUSE 8-HOUSE	11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007	2/17/2009 11/17/2008 9/29/2008 6/3/2008
BECI BECI BECI BECI BECI BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2 RUNNER RUNNER RUNNER RUNNER RUNNER	LAUNDRY LAUNDRY UNIT-D UNIT-D UNIT-D UNIT-B UNIT-C	LAUNDRY 8-HOUSE 8-HOUSE 8-HOUSE 4-HOUSE 6-HOUSE	11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 2/10/2006	2/17/2009 11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007
BECI BECI BECI BECI BECI BECI BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2 RUNNER RUNNER RUNNER RUNNER RUNNER AWL	LAUNDRY UNIT-D UNIT-D UNIT-D UNIT-B UNIT-C OTC	LAUNDRY 8-HOUSE 8-HOUSE 8-HOUSE 6-HOUSE 6-HOUSE OTC	11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 5/2/2007 2/10/2006 1/27/2006	2/17/2009 11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 2/10/2006
BECI BECI BECI BECI BECI BECI BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2 RUNNER RUNNER RUNNER RUNNER RUNNER AWL RUNNER	LAUNDRY UNIT-D UNIT-D UNIT-D UNIT-B UNIT-C OTC UNIT-C	LAUNDRY 8-HOUSE 8-HOUSE 8-HOUSE 6-HOUSE 0TC 6-HOUSE	11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 5/2/2007 2/10/2006 1/27/2006 7/28/2004	2/17/2009 11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 2/10/2006 1/27/2006
BECI BECI BECI BECI BECI BECI BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2 RUNNER RUNNER RUNNER RUNNER RUNNER AWL	LAUNDRY UNIT-D UNIT-D UNIT-D UNIT-B UNIT-C OTC	LAUNDRY 8-HOUSE 8-HOUSE 8-HOUSE 6-HOUSE 6-HOUSE OTC	11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 5/2/2007 2/10/2006 1/27/2006	2/17/2009 11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 2/10/2006
BECI BECI BECI BECI BECI BECI BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2 RUNNER RUNNER RUNNER RUNNER RUNNER AWL RUNNER	LAUNDRY LAUNDRY UNIT-D UNIT-D UNIT-B UNIT-C OTC UNIT-C UNIT-C	LAUNDRY 8-HOUSE 8-HOUSE 8-HOUSE 4-HOUSE 6-HOUSE 6-HOUSE 6-HOUSE 6-HOUSE	11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 5/2/2007 2/10/2006 1/27/2006 7/28/2004 2/25/2004	2/17/2009 11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 2/10/2006 1/27/2006
BECI BECI BECI BECI BECI BECI BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2 RUNNER RUNNER RUNNER RUNNER AWL RUNNER PORTER AWL AWL AWL	LAUNDRY LAUNDRY UNIT-D UNIT-D UNIT-B UNIT-C OTC UNIT-C OTC-TRUMBULL CO	LAUNDRY 8-HOUSE 8-HOUSE 8-HOUSE 6-HOUSE 6-HOUSE 6-HOUSE 6-HOUSE 6-HOUSE 0TC-TRUMBULL CO	11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 5/2/2007 2/10/2006 1/27/2006 7/28/2004 2/25/2004 10/27/2003	2/17/2009 11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 2/10/2006 1/27/2006 7/28/2004
BECI BECI BECI BECI BECI BECI BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2 RUNNER RUNNER RUNNER RUNNER AWL RUNNER PORTER AWL AWL AWL	LAUNDRY LAUNDRY UNIT-D UNIT-D UNIT-B UNIT-C OTC UNIT-C UNIT-C OTC-TRUMBULL	LAUNDRY 8-HOUSE 8-HOUSE 8-HOUSE 6-HOUSE 6-HOUSE 6-HOUSE 6-HOUSE 6-HOUSE 6-TOUSE	11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 5/2/2007 2/10/2006 1/27/2006 7/28/2004 2/25/2004	2/17/2009 11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 2/10/2006 1/27/2006 7/28/2004
BECI BECI BECI BECI BECI BECI BECI BECI	LAUNDRY ATTN LAUNDRY ATTN 2 LAUNDRY ATTN PORTER 2 RUNNER RUNNER RUNNER RUNNER AWL RUNNER PORTER AWL PORTER	LAUNDRY LAUNDRY UNIT-D UNIT-D UNIT-B UNIT-C OTC UNIT-C OTC-TRUMBULL CO	LAUNDRY 8-HOUSE 8-HOUSE 8-HOUSE 6-HOUSE 6-HOUSE 6-HOUSE 6-HOUSE 6-HOUSE 0TC-TRUMBULL CO	11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 5/2/2007 2/10/2006 1/27/2006 7/28/2004 2/25/2004 10/27/2003	2/17/2009 11/17/2008 9/29/2008 6/3/2008 7/25/2007 5/2/2007 2/10/2006 1/27/2006 7/28/2004

BECI	DISHWASHER OPER	FOOD SERVICE	IDR	12/29/2000	1/19/2001
BECI	FOOD SERVICE WKR	FOOD SERVICE	IDR	12/7/2000	12/29/2000
BECI	PORTER	INMATE BARBER SHOP	BARBER SHOP	7/15/1999	12/7/2000
BECI	ADD TO COUNT AND ROLLS	BLANK	BLANK	7/8/1999	7/8/1999
BECI	ORIENTATION	ORIENTATION	ORIENTATION	7/8/1999	7/15/1999
TCI	LAUNDRY MACH OPER	OPERATIONS	LAUNDRY	3/30/1999	7/8/1999
TCI	PORTER 5	BLOCKS	13 WEST	2/11/1999	3/30/1999
TCI	UNASSIGNED	TIE	TIE	1/14/1999	2/11/1999
TCI	PORTER	OPERATIONS	COMMISSARY	1/21/1998	1/14/1999
TCI	FOOD SERVICE WKR	FOOD SERVICE	IDR	8/13/1997	1/21/1998
TCI	UNASSIGNED	TIE	TIE	7/28/1997	8/13/1997
TCI	ADJUSTMENT/A	SEG RPGES	SEG RPGES	7/17/1997	7/28/1997
TCI	SC	SEG	ŠĖG	6/6/1997	7/17/1997
TCI	FOOD SERVICE WKR	FOOD SERVICE	IDR	6/4/1997	6/6/1997
TCI	SC	SEG	SEG	6/1/1997	6/4/1997
TCI	FOOD SERVICE WKR	FOOD SERVICE	IDR	10/30/1996	6/1/1997
TCI	ORIENTATION	ORIENTATION	ORIENTATION	10/11/1996	10/30/1996
TCI	ADD TO COUNT AND ROLLS	BLANK	BLANK	10/11/1996	10/11/1996
MACI	ADD TO COUNT AND ROLLS	BLANK	BLANK	5/15/1996	5/15/1996
MACI	RECEPTION	SORRC	SORRC	5/15/1996	10/11/1996
LORCI	RECEPTION	RECEPTION	RECEPTION	4/23/1996	5/15/1996
LORCI	RECEPTION	SC ·	SC	4/14/1996	4/23/1996
LORCI	ADD TO COUNT AND ROLLS	BLANK	BLANK	3/14/1996	3/14/1996
LORCI	RECEPTION	RECEPTION	RECEPTION	3/14/1996	4/14/1996

Release Placement Plans

Created By	Plan Details	Comments
------------	--------------	----------

First Assistant
CHRISTOPHER D. BECKER

Chief-Civil Division WILLIAM J. DANSO

Chief-Criminal Division
CHARLES L. MORROW

Chief-Appellate Division ASHLEIGH J. MUSICK

Chief-Juvenille Division STANLEY A. ELKINS

Investigators
MICHAEL C. KRAFCIK
ROY ANNE RUDOLPH



DENNIS WATKINS

Trumbull County Prosecuting Attorney

4th FLOOR ADMINISTRATION BUILDING
160 HIGH STREET N.W. • WARREN, OHIO 44481-1092
PHONE: 330-675-2426 • FAX 330-675-2431
Prosecutor@co.trumbull.oh.us

Civil Division
MICHAEL J. FREDERICKA
LYNN B. GRIFFITH, III
RYAN J. SANDERS
JASON M. TOTH

Criminal Division
MICHAEL A. BURNETT
DEENA L. DEVICO
GINA BUCCINO THOMAS

Child Assault Division
DIANE L. BARBER, CHIEF
GABRIEL M. WILDMAN

Child Support Division
DAVID E. BOKER, CHIEF
JAMES F. LEWIS

August 12, 2021

Ms. Alicia Handwerk, Chair Ohio Adult Parole Authority 4545 Fisher Road Ste D Columbus, OH 43228

IN RE: BRIAN CLINGERMAN

Inmate: A321070

Trumbull County Case No. 95-CR-391 Continued Hearing: September 2021

Convictions: Count 1: RAPE

Count 2: RAPE (consecutive) SENTENCE: 12 to 50 years

TIME SERVED: 25 years 5 months

Dear Ms. Handwerk:

Please be advised that I am writing you as a follow up to my October 1, 2003 letter to the Ohio Board wherein this office strongly opposed inmate Clingerman's release on parole. As the Board is aware Clingerman is a serial rapist and has a long history of other crimes and imprisonment. See previously mailed records which are itemized in attached October 1, 2003 letter. Further current institutional records show that Clingerman's Current Risk Score as High (18) (Current Institutional Report Summary dated July 7, 2021, attached). Clearly, this individual is very dangerous and at age 51 would likely reoffend if released on parole today!

Trumbull County Prosecuting Attorney

Furthermore, since I sent the board a package of materials in 2003 a new court proceeding was held in Trumbull County Common Pleas for the purpose of determining the appropriate sexual offender classification for inmate Clingerman (the case was reheard after Clingerman won an appeal on the language used by the trial court stating in its first judgment entry that there is "a possibility that the Defendant would continue to commit like acts (i.e. rapes) when released."

Judge Andrew Logan who held a second hearing in this matter wrote in part the following in his second judgment entry dated February 28, 2006:

These convictions (i.e. rapes) resulted from two (2) separate, violent, sexual assaults against two (2) separate victims occurring approximately five (5) months apart in August of 1994 and January of 1995. The Defendant had been released from prison a mere 3 months prior to the first rape on May 23, 1994 after having been sentenced to a one (1) year term of incarceration for Attempted Burglary.

On August 20, 1994, the Defendant used a ladder to enter into the bedroom of the first victim, a 33-year-old divorcee who lived with her aunt. The Defendant attacked her while she slept, putting his hand over her mouth and advising her not to scream. He then digitally penetrated her and bit her breast. When the victim attempted to resist the Defendant assaulted her, striking in the face causing her nose to bleed, and hitting her about the head about five (5) times until she became disoriented. The rapist then began to choke the victim. He then forcibly turned her face down on her bed and then vaginally raped her from behind while still holding her hair, which he later used to pull her off the bed, before leaving her bloody.

On January 18, 1995, the Defendant again forcibly made enter in to the home of the second victim, a 23-year-old mother of two. She too was asleep when the Defendant likewise attacked her in

·Trumbull County Prosecuting Attorney

bed. The victim's 3-year-old son and 4-year-old daughter were both in the bed when the Defendant struck. He placed his hand over her mouth. When she attempted to resist, he again grabbed her by her hair and slammed her head on the bed. He then took her from her bed, into her son's bedroom. He unbuttoned her shirt, fondled her breasts, pulled down her pajama bottoms and sexually assaulted her with both his finger and his penis. He also turned her onto stomach, but he did not sodomize her. ...

The court went on in its 5-page entry in making a determination that Brian Clingerman is a sexual predator as a matter of fact and law by making the following findings of facts:

- (1) The Defendant was born on November 10, 1969 and was 23 and 24 years of age, respectively at the time of the commission of the offenses.
- (2) The Defendants' prior criminal or delinquency record is substantial, including the following:
 - (a) The Defendant's foray into the criminal justice system began in 1984 when the Defendant was only 14 years old. He had fifteen (15) separate appearances with the juvenile justice system including Aggravated Burglary, Burglary, Arson, CCW, Theft, Vandalism, Truancy and Parole Violations. As a result of these criminal transgressions he was ultimately sentenced to the Department of Youth Services on three (3) separate occasions, before he was ultimately discharged as an adult.
 - (b) From the age of 18 to 24, the Defendant continued in his criminal ways, including committing multiple B&E's, RSP, Arson, and Attempted Burglary, for which he was sentenced to both county jail and prison.

- -Trumbull County Prosecuting Alterney
 (3) Both victims were adults at the time of the commission of the offenses. As such, the age of the victims is not an aggravating circumstance.
 - (4) The offenses involved multiple victims, the two women themselves, as well as impacting upon the aunt of the first victim and the two (2) minor children of the second victim.
 - (5) Drugs and alcohol were not used to impair victim.
 - (6) The offender had not been previously convicted or pleaded guilty to a sexually oriented offense, although one of the juvenile adjudications reflect that the Defendant broke into a woman's apartment while she was bathing. However, since having been incarcerated for nearly ten (10) years and recommended by the institution, the Defendant has not completed any sex offender program.
 - (7) Mental illness or mental disability of the Defendant is not present and was not a factor even though the Defendant claims to have received mental health counseling and has attended a mental health program while incarcerated.
 - (8) The nature of the offender's sexual conduct, sexual contact and interaction in a sexual context, (entering into the residence under the cover of darkness, using a ladder to make entry, climbing into bed with the victim, caressing the victims' hair, fondling their breasts, penetrating the victims both digital and with his penis, and entering or attempting to enter from behind) was part of a demonstrated pattern of abuse.
 - (9) During the commission of the sexually oriented offense, the Defendant displayed cruelty, and made one or more threats of cruelty, including hitting, beating, biting, strangling, and threatening the victims.

· Trumbull County Prosecuting Attorney

(10) As to provision (j) the Court finds that The Defendant, in nearly ten (10) years of incarceration has only made "a marginal adjustment". ...

The Court per Judge Logan concluded:

"The sexual predator laws are in effect in order to protect the public from criminals such as this Defendant...

The Court finds:

- 1. The Defendant pleaded guilty to a sexually oriented offense, and
- 2. By clear and convincing evidence, the Defendant is likely to re-offend and/or is likely to engage in the future in one or more sexually oriented offenses. (Emphasis added).

***[and] <u>Upon evaluation of all the evidence before the Court, it is apparent by clear and convincing standard the Defendant is a sexual predator.</u> (See complete entry of the common pleas court included).

Therefore, as prosecutor for Trumbull County, I re-emphasize our position in the 2003 letter recommending that release not be granted to inmate Clingerman... "until the expiration of his entire prison sentence is completed. To release him now would neither further the interests of justice, nor be consistent with the welfare and security of society." Further and importantly my office has been recently contacted by a female relative of inmate Clingerman who strongly opposes his release and fears him. She is prepared to provide new evidence to the parole board that she was repeatedly assaulted and raped by Clingerman as a child. She would be available as a victim if a full board hearing were required.

It is my hope that the overwhelming evidence you presently have proving Clingerman would be extremely dangerous to women and society at large if released will be sufficient now and in future hearings to keep him in prison until 2046. He

DENNIS WATKINS . Trumbull County Prosecuting Attorney

truly is a poster person for the Sexual Predator Period! That's why he is in jail and needs to remain locked up!

Thank you for your consideration in this matter.

Very truly yours,

DENNIS WATKINS

Trumbull County Prosecuting Attorney

Enc.

DW:fah

First Assistant
JAMES J. MISOCKY

Chief — Civil Division
-JAMES T. SAKER

Chief — Criminal Division
CHARLES L. MORROW

Senior Trial Attorneys KENNETH N. BAILEY CHRISTOPHER D. BECKER

Administrator — Criminal Division DIANE L. BARBER

Chief — Appellate Division LuWAYNE ANNOS

Ohio Parole Board Adult Parole Authority 1050 Freeway Drive, North Columbus, Ohio 43229

October 1, 2003

Re

: Brian Clingerman

: Case No. 95-CR-391

160 HIGH STREET N.W.

: Institution Number A321070.00

Dear Sir/Madame;

Please accept this letter in behalf of the Trumbull County Prosecutor's Office adamantly opposing release/clemency for the above named convict.

Factually, the Defendant entered pleas of guilty to two (2) counts of Rape arising from two (2) separate sexual assaults was sentenced pursuant to the plea agreement to consecutive 6 to 25 year sentences for two (2) separate rapes. The State agreed to dismiss two (2) counts of Aggravated Burglary and one (1) count of kidnapping.

On August 20, 1994, the Defendant had gained entry into the first victim's house by climbing a ladder. He then attacked the victim while she slept. He assaulted her, striking in the face causing a nose bleed, and he bit her on the breast. He then forcibly turned her face down on her bed and then vaginally raped her from behind. This also caused her to sustain injuries to her neck.

Approximately five months later, on January 18, 1995 the Defendant again forcibly made enter in to the home of the second victim. She too was asleep when she was attacked in her bed. Additionally, the victim's 3 year old son and 4 year old daughter were both in the bed when the Defendant struck, placing his hand over her mouth, holding her by her hair and slamming her head on to the bed.

He then took her from her bed, into her son's bedroom. He unbuttoned her shirt, pulled down her pajama bottoms and sexually assaulted her. Her also turned her onto her stomach, but he did not sodomize her.

I have also enclosed additional materials which I believe will shed additional light on this



DENNIS WATKINS

Trumbull County Prosecuting Attorney

4th FLOOR ADMINISTRATION BUILDING

PHONE: (330) 675-2426 • FAX: (330) 675-2431

WARREN, OHIO 44481-1092

STANLEY A. ELKINS
SEAN J. O'BRIEN
DAVID M. TOEPFER

Child Assault Division
THOMAS C. WRENN, CHIEF
MICHAEL A. BURNETT

Civil Division JAMES M. BRUTZ JASON C. EARNHART

Child Support Division
DAVID E. BOKER, CHIEF
DO NALD W. HILL

Investigators
SUEELLEN STINEDURF
JAMES L. TEEPLE

DENNIS WATKINS Trumbull County Prosecuting Attorney

Defendant, and whether granting him clemency/release would further the interests of justice, and be consistent with the welfare and security of society. These material include:

- 1. The statement from the first victim Regina. (The victim initially believed that the rapist was a Michael Stemmock, but DNA analysis excluded Stemmock and included Clingerman.);
- 2. The police reports from the first victim, Regina DiCenso, including the statement from a witness, as well as, the DNA reports;
- 3. The medical record of the first victim, Regina DiCenso;
- 4. The statement of the second victim, Traci Renee Rine;
- 5. The police reports from the second victim, Traci Renee Rine; including the blood and DNA reports and witness statements
- 6. The medical records of second victim Traci Renee Rine;
- 7. A copy of the competency evaluation, dated November 10, 1995
- 8. A copy of the social history, dated October 30, 1995.
- 9. Docket sheets from the Defendant's other cases in Trumbull County which include;
 - A. 1987 Breaking and Entering wherein the Defendant was sentenced to 6 months, (An arson charge was dismissed);
 - B. 1989 2 Counts Receiving Stolen Property, 1 Count Arson, 2 Counts Breaking and Entering wherein the Defendant was sentenced to a total of 4 years.
 - C. 1993 Attempted Burglary, (which was reduced from Attempted Aggravated Burglary) wherein the Defendant was sentenced to 1 year.
- 10. Request for Sexual Predator Adjudication dated April 9, 1997;
- 11. Request for Sexual Predator Adjudication dated September 3, 2003;

Most interestingly, the Defendant's criminal history reflect that the Defendant is a repeat offender. Indeed he has committed many of the offenses within a very short time of being released from prison. Furthermore, the severity of the offenses continues to increase as well.

Quite simply, the Defendant is a danger to society. His previous incarcerations have neither rehabilitated nor deterred him from committing increasingly serious criminal offenses. To the contrary, he continues to escalate his criminal activities. As such, he should not be granted any release until the expiration of his entire prison sentence is completed. To release him now would neither further the interests of justice, nor be consistent with the welfare and security of society.

Should you have any questions, please feel free to contact Assistant Prosecutor Charles L. Morrow at 330-675-2902.

Sincerely,

Dennis Watkins

Trumbull County Prosecuting Attorney

Main Waterins

IN THE COURT OF COMMON PLEAS TRUMBULL COUNTY, OHIO

STATE OF OHIO

Case No. 95-CR-391

Plaintiff

Judge Andrew D. Logan

-vs-

JUDGMENT ENTRY

BRIAN CLINGERMAN

Defendant

This matter is again before this Court for purposes of determining the appropriate sexual offender classification of the Defendant pursuant to R.C. 2950.01 et.seq.

The Defendant, Brian Clingerman, was indicted on or about the May term 1995 by the Trumbull County Grand Jury on Counts 1 and 4 of Rape (R.C. 2907.02 (a)(2)), Count 2 of Kidnapping (R.C. 2905.01 (a)(2)), Counts 3 and 6 of Aggravated Burglary (R.C. 2911.11 (a)(3)), Count 5 of Robbery (R.C. 2911.02). On March 12, 1996 Defendant entered a plea to Counts 1 and 4 Rape in violation of R.C. 2907.02(a) (2) and was thereafter sentenced to an indeterminate sentence of 6 to 25 years on each count to run consecutive. In exchange for the plea the State dismissed the remaining counts. The Defendant commenced serving his sentence immediately thereafter.

These convictions resulted from two (2) separate, violent, sexual assaults against two (2) separate victims occurring approximately five (5) months apart in August of 1994 and January of 1995. The Defendant had been released from prison a mere 3 months prior to the first rape on May 23, 1994 after having been sentenced to a one (1) year term of incarceration for Attempted Burglary.

On August 20, 1994, the Defendant used a ladder to enter into the bedroom of the first victim, a 33-year-old divorcee who lived with her aunt. The Defendant attacked her while she

penetrated her and bit her breast. When the victim attempted to resist, the Defendant assaulted her, striking in the face causing her nose to bleed, and hitting her about the head about five (5) times until she became disoriented. The rapist then began to choke the victim. He then forcibly turned her face down on her bed and then vaginally raped her from behind while still holding her hair, which he later used to pull her off of the bed, before leaving her bloody.

On January 18, 1995 the Defendant again forcibly made enter in to the home of the second victim, a 23-year-old mother of two. She too was asleep when the Defendant likewise attacked her in her bed. The victim's 3-year-old son and 4-year-old daughter were both in the bed when the Defendant struck. He placed his hand over her mouth. When she attempted to resist, he again grabbed her by her hair and slammed her head on the bed. He then took her from her bed, into her son's bedroom. He unbuttoned her shirt, fondled her breasts, pulled down her pajama bottoms and sexually assaulted her with both his finger and his penis. Her also turned her onto her stomach, but he did not sodomize her.

While the Defendant was in prison, the Ohio Department of Corrections and Rehabilitation notified the court that it had concluded its screening of the Defendant pursuant to HB 180, and recommended that the Defendant be classified as a sexual predator. This Court subsequently conducted a hearing on the sexual classification issue, as well as a number of other issues raised by the Defendant, none of which are now before the Court.

After the hearing, this Court concluded the Defendant was a sexual predator. However, on appeal, the Eleventh District Court of Appeals opined that this Court's determination that there is "a possibility that the Defendant would continue to commit like acts when released" did not meet the statutorily required language contained in R.C. 2950.01 (E)(1) which provides in

part "Sexual predator means a person ***[who] is likely to engage in the future in one or more sexually oriented offenses." The Eleventh District Court of Appeals in rejecting this Court's use of "alternative language" noted that a trial court is required to find that the Defendant would "likely re-offend." The matter was remanded for a new hearing on the sexual offender classification.

The Defendant was re-conveyed from his state penitentiary incarceration to the Trumbull County Jail. On February 7, 2006, the re-hearing was had, and Defendant was present with counsel. The Court again offered to provide expert assistance to the Defendant, but the Defendant again declined. The case proceeded without an expert on behalf of the Defendant. The State also elected to proceed without an expert and has relied upon the facts of this case, the Defendant's record, and materials introduced at the prior hearing as well as the submissions made during the instant hearing. The Defendant did not object to the admission of the State's materials.

This Court has reviewed this matter pursuant to the provisions of R.C. 2950.09 (C). This Defendant pleaded guilty to a sexually oriented offense prior to January 1, 1997 and was sentenced prior to January 1, 1997 and is serving a term of imprisonment in a state correctional institution.

In reviewing this matter to make a determination as to whether the Defendant is a sexual predator, the Court must review the criteria established in R.C. 2950.09 (B)(3). In addition to the foregoing facts, the Court makes the following findings of facts:

- (1) The Defendant was born on November 10, 1969 and was 23 and 24 years of age, respectively at the time of the commission of the offenses.
- (2) The Defendant's prior criminal or delinquency record is substantial, including the following:

- (a) The Defendant's foray into the criminal justice system began in 1984 when the Defendant was only 14 years old. He had fifteen (15) separate appearances with the juvenile justice system including Aggravated Burglary, Burglary, Arson, CCW, Theft, Vandalism, Truancy, and Parole Violations. As a result of these criminal transgressions he was ultimately sentenced to the Department of Youth Services on three (3) separate occasions, before he was ultimately discharged as an adult.
- (b) From the age of 18 until 24, the Defendant continued in his criminal ways, including committing multiple B & E's, RSP, Arson, and Attempted Burglary, for which he was sentenced to both county jail and prison.
- (3) Both victims were adults at the time of the commission of the offenses. As such, the age of the victims is not an aggravating circumstance.
- (4) The offenses involved multiple victims, the two women themselves, as well as impacting upon the aunt of the first victim and the two (2) minor children of the second victim.
- (5) Drugs and alcohol were not used to impair victims.
- (6) The offender had not been previously convicted or pleaded guilty to a sexually oriented offense, although one of the juvenile adjudications reflect that the Defendant broke into a woman's apartment while she was bathing. However, since having been incarcerated for nearly ten (10) years and recommended by the institution, the Defendant has not completed any sex offender program.
- (7) Mental illness or mental disability of the Defendant is not present and was not a factor even though the Defendant claims to have received mental health counseling and has attended a mental health program while incarcerated.
- (8) The nature of the offender's sexual conduct, sexual contact and interaction in a sexual context, (entering into the residence under the cover of darkness, using a ladder to make entry, climbing into bed with the victims, caressing the victims' hair, fondling their breasts, penetrating the victims both digital and with his penis, and entering or attempting to enter from behind) was part of a demonstrated pattern of abuse.
- (9) During the commission of the sexually oriented offense, the Defendant displayed cruelty, and, made one or more threats of cruelty, including hitting, beating, biting, strangling, and threatening the victims.
- 10) As to provision (j) the Court finds that The Defendant, in nearly ten (10) years of incarceration has only made "a marginal adjustment."

The Court finds that the factual basis of these multiple rapes establishes premeditated and intentional acts. This Court is of the opinion that this pattern would have continued if Defendant had not been captured.

The sexual predator laws are in effect in order to protect the public from criminals such as this Defendant. The public must be protected through registration and reporting as is required pursuant to statute.

The Court finds:

- 1. The Defendant pleaded guilty to committing a sexually oriented offense, an
- 2. By clear and convincing evidence, the Defendant is likely to reoffend and/or is likely to engage in the future in one or more sexually oriented offenses.

Upon evaluation of all the evidence before the Court, it is apparent by a clear and convincing standard that the Defendant is a sexual predator.

IT IS SO ORDERED.

Date: Allery 2

JUDGE ANDREW DILOGAN
Trumbull County Common Pleas Court

TO THE CLERK OF COURTS: You are Ordered to serve copies of this Judgment on all counsel of record the parties who are represented forthwith by ordinary

Ohio Department of Rehabilitation and Correction

Image not found.

Current Institutional Report Summary

Inmate Name:	Current Inmate Number:	Date Report Generated:
BRIAN CLINGERMAN	A321070	07/07/2021
Institution:	Current Risk Score:	
TCI	Prison Intake PIT (High)	18
Current Security Threat Group (STG) Participation Level (Level of Gang Participation)::	Current Sex Offender Classification:	Current Security Level:
Purpose for Report: Report Report		
Court Request	Glenn Elder	

Open (Not Canceled) Warrants / Detainers Reported to DRC: DRC Recommends that courts check LEADS, NCIC and OHLEG prior to releasing the inmate as these law enforcement data systems may contain additional detainer and warrant information pertaining to the inmate that are not currently known to DRC.

Type Agency	Date Placed
-------------	-------------

Security Classification Level History:

Effective Date	Level	Туре
7/21/2020 12:00:00 AM	2	Anniversary
7/31/2019 12:00:00 AM	2	Anniversary
7/31/2018 12:00:00 AM	3	Anniversary
7/31/2018 12:00:00 AM	3	Anniversary
7/31/2018 12:00:00 AM	3A	Anniversary
7/31/2017 12:00:00 AM	3A	Anniversary
7/22/2016 12:00:00 AM	3A	Anniversary
7/31/2015 12:00:00 AM	3A	Anniversary
7/28/2014 12:00:00 AM	3A	Anniversary
7/10/2013 12:00:00 AM	3A	Confirmed
7/10/2013 12:00:00 AM	3B	Confirmed
7/10/2013 12:00:00 AM	3	Confirmed
7/9/2013 12:00:00 AM	2A	Anniversary
12/21/2012 12:00:00 AM	1B	Anniversary
12/13/2011 12:00:00 AM	1B	Anniversary
12/13/2011 12:00:00 AM	1B	Anniversary
12/13/2010 12:00:00 AM	1B	Anniversary
12/29/2009 12:00:00 AM	1B	Anniversary
11/16/2008 12:00:00 AM	2	Anniversary
10/12/2007 12:00:00 AM	2	Anniversary
10/25/2006 12:00:00 AM	2	Anniversary
10/25/2005 12:00:00 AM	2	Anniversary
10/27/2004 12:00:00 AM	2	Anniversary
10/31/2003 12:00:00 AM	2	Anniversary
9/3/2002 12:00:00 AM	2	Special
8/13/2001 12:00:00 AM	2	Anniversary
4/11/1996 12:00:00 AM	3	Confirmed

Program Participation: Because of federal education and program treatment information disclosure regulations, program information will not be displayed if the inmate did not agree to release education, mental health, and/or recovery services information.

Program Name	Status	Completed	Completed On
Thinking for a Change	On Wait List	No	
Carey Guide-Behavioral Techniques	Completed	Yes	8/31/2018
Carey Guide-Co-Occurring Disorders	Completed	Yes	8/31/2018
Carey Guide-Managing Sex Offenders	Completed	Yes	8/31/2018
Carey Guide-Responsivity	Completed	Yes	9/15/2018
Carey Guide-Prosocial Leisure Activities	Completed	Yes	7/31/2018
Carey Guide-Drug Dealers	Completed	Yes	7/31/2018
Carey Guide-Motivating Others to Change	Completed	Yes	7/31/2018
Carey Guide-Overcoming Family Challenges	Completed	Yes	7/31/2018
Carey Guide-Responding to Violations	Completed	Yes	7/31/2018
Carey Guide-What Makes an Effective Corrections Pr	Completed	Yes	7/31/2018
Carey Guide-Interpersonal Skills	Completed	Yes	7/31/2018
Carey Guide-Empathy	Completed	Yes	9/30/2018
CAREY GUIDE-ANTISOCIAL ASSOCIATES	Completed	Yes	7/31/2018
TOPUCU	Completed	Yes	1/28/2018

Boundaries Program	Completed	Yes	12/6/2017
MONEY SMART	Completed	Yes	6/1/2017
APPRENTICESHIP	Started	No	
APPRENTICESHIP	Started	No	
Treatment Readiness Program (TRP)	Waiting List	No	
TCU needed	Completed	Yes	10/22/2013
THINKING FOR A CHANGE	Waiting List	No	
MONEY SMART	Started	No	
COMPREHENSIVE SEX OFFENDER PROGRAM	Waiting List	No	
cage your rage	Completed	Yes	4/14/2010
VICTIM AWARENESS	Completed	Yes	3/4/2010
MANDATORY SEX OFFENDER PROGRAM	Completed	Yes	1/30/2007
ADVANCED JOB TRAINING	Started	No	
CEA PEER LITERACY TUTOR TRAINING	Waiting List	No	
ADVANCED JOB TRAINING	Waiting List	No	
Interm Sex Offender Program	Started	No	
Sex Offender Release Preparation	Started	No	

<u>Evidence Based Tools / Interventions:</u> Because of federal education and program treatment information disclosure regulations, program information will not be displayed if the inmate did not agree to release education, mental health, and/or recovery services information..

Table I land	Date Completed
Tool / Intervention Used	Date Completed

<u>Pro-Social Activity / Group Participation:</u> Because of federal education and program treatment information disclosure regulations, program information will not be displayed if the inmate did not agree to release education, mental health, and/or recovery services information.

Activity Group / Name	Status	Date Completed
Inmate Activity / Group	Completed	9/16/2020
Inmate Activity / Group	Completed	9/15/2020
Inmate Activity / Group	Completed	8/17/2020
Inmate Activity / Group	Completed	8/17/2020
Independent Study Activity / Group	Completed	10/1/2018
Community Partnership Activity / Group	Completed	3/27/2018
Independent Study Activity / Group	Ongoing	

Coupons and Certificate Incentives Issued For Positive Behaviors:

Tool / Intervention Used	Date Completed
Coupon	0
Certificate	12

<u>Disciplinary History Including Rule Infraction Board (RIB) / Hearing Officer (HO) Disciplinary Actions:</u>

This section contains information from January 2007 forward when DRC began automating inmate disciplinary history data.

Institution	Date of Infractions	Guilty Infractions	Disposition	HO/RIB	Local Control Y/N
BECI	6/18/2013	39	1st rule 39 sanctions	Rules Infraction Board	NO
Infraction Summary If Reported :	segregation be one gallo	.While doing on of hooch m	e and approximate time I, Officer Ba a shakedown on cell C162 this offic nade of peaches and other mix fruit. his. Unit 222 was notified and verific	er found what app Inmate Clingerma	eared to n, 321-
			可能是更越的体制等。这是能够现代的意思。		
BECI	6/17/2013	23	15 Days D/C time starting on 17 June 2013 ending o	Rules Infraction Board	YES
Infraction Summary If Reported :		TION, INMAT	ED THAT HE WAS DUE TO BE REL E STATED THAT HE WOULD NOT		NERAL
			"我们就是不是我们的,我们就		
BECI	6/7/2013	23	10 Days D/C time starting on 7 June 2013 and endin	Rules Infraction Board	NO
Infraction Summary If Reported :	Clingerman Inmate Clin	321070 Seg	me, I officer Fiquris at the request o C162 and ordered the inmate to be ed to be released from Segregation EOR	released from Seg	gregation.
		体。这种			
BECI	5/31/2013	23	5 Days D/C time starting on 3 June 2013 and ending	Rules Infraction Board	NO

Infraction Summary If Reported :	Inmate Clir refused.	ngerman 3210	070 was asked to leave seg for the	main compound a	nd
	Cheval Appara			10 Cartago (1986)	
BECI	4/21/2013	35	Verbal Warning	Hearing Officer	NO
Infraction Summary If Reported :	security ch Bethard 59 from my ro Clingermar	eck of the bay 3995 and Clii und, I walked n walk out of t	ove date and approximate time, I C ys and quiet areas. While on my roungerman 321070 were not in their un back to check the toilet area where the last stall. Upon walking further, the same single person stall. EOR	and, I noticed Inma sual areas. Upon I then witnessed	ites returning Inmate
2000年中华中华中华			2. 14. 14. 14. 14. 14. 14. 14. 14. 14. 14		
BECI	7/15/2009	50	recommend contraband #09-0630 be returned to inmat	Hearing Officer	NO
Infraction Summary If Reported :			nan's property, I found him in posses with inmate #524531. 09-0630	ssion of a sony am	n/fm radio
BECI	3/16/2009	48	Recommend Job Change	Hearing Officer	NO
Infraction Summary If Reported :	two pair of them out of were his an	colored boxer the R&I d he did not to find out whe	ime Clingerman 321070 told me that shorts were his. Filicky told me that cart. I again asked him if they were take them out of the R&D cart. ere these items came from. Officer I	at Clingerman 3210 te his. He said that I then took the ite	070 took t they ms to
是的特殊的情况,但是这种					
BECI		50	verbal, destroy contrband	Hearing Officer	NO
Infraction Summary If Reported :	ownership of blankets in cherry drink honey bun.	could not be phis possession in mix, 2 CD, 2	mate Clingerman had in his posses proven. 1 velour blanket (green) inmon at this time, 13 bed hooks 2 bags tubes of shave gel, 1 jug of Trend showed some reciept but was over to 1978.	nate had two other of choc.chip cook det., 1 bag of razo	personal ies, 2 irs, 1
Established and the Status					
BECI	9/22/2008	35	4hrs extra duty	Hearing Officer	NO
Infraction Summary If Reported :	rowe, when	he infact live side to side ar to report to n	at I c/o Johnson observed Inmate C s on Bside. Also be advised that thi movement.When I c/o Johnson mot ne c/o Johnson.Inmate Clingerman	s Inmate was told ioned for Inmate	that there
BECI	8/6/2008	51	Recomends 4hrs extra duty and contraband is to be	Hearing Officer	NO
Infraction Summary If Reported :	and found in bags of gree	his possess	at I c/o Johnson did a routine shake ion the following contraband 4 red be pecial,1 box of black/milds,and 1 m is 08-0734.	pags of midnight s	pecial,3
以为2000年,1900年,1900					
BECI	12/17/2006	51	4 hrs ex-duty/destroyed contraband #061416	Hearing Officer	NO
Infraction Summary If Reported :		美華華語			

<u>Job History:</u>Because of federal education disclosure regulations, education-related job information will not be displayed if the inmate did not agree to release the information.

Institution	Job Name	Department	Location	Start Date	End Date
TCI	MAINT REPAIR WKR 7	MAINTENANCE	MAINT	12/24/2020	
TCI	MAINT REPAIR WKR 2	MAINTENANCE	MAINT	1/9/2020	12/24/2020
TCI	MEDICAL IDLE	T.C.I.	ADMINISTRATION	1/8/2020	1/9/2020
TCI	MAINT REPAIR WKR 2	MAINTENANCE	MAINT	1/23/2019	1/8/2020
TCI	PORTER	BLOCKS	12 EAST	12/14/2018	1/23/2019
TCI	PORTER 5	BLOCKS	12 EAST	10/5/2018	12/14/2018
TCI	STUDENT	EDUCATION	FOOD PROD SPEC	7/27/2018	7/27/2018
TCI	PORTER 2	BLOCKS	12 EAST	7/27/2018	10/5/2018
TCI	PORTER 5	BLOCKS	12 EAST	6/1/2018	7/27/2018
TCI	HORTICULTURAL WKR	BLOCKS	12 EAST	6/20/2017	6/1/2018

TCI	PORTER	BLOCKS	12 EAST	5/12/2017	6/20/2017
TCI	PORTER 5	BLOCKS	12 EAST	4/6/2017	5/12/2017
TCI	MATERIAL HANDLER 2	OPERATIONS	COMMISSARY	11/21/2016	4/6/2017
TCI	MATERIAL COORDINATOR	OPERATIONS	COMMISSARY	6/19/2015	11/21/2016
TCI	MATERIAL HANDLER	OPERATIONS	COMMISSARY	3/23/2015	6/19/2015
TCI	MAINT REPAIR WKR	MAINTENANCE	MAINT	5/8/2014	3/23/2015
TCI	MAINT REPAIR WKR	MAINTENANCE	MAINT	12/20/2013	5/8/2014
TCI	PORTER	BLOCKS	14 WEST	11/19/2013	12/20/2013
TCI	DC	ADMINISTRATION	C-SEGREGATION	10/29/2013	11/19/2013
TCI	MEDICAL IDLE	T.C.I.	ADMINISTRATION	10/22/2013	10/29/2013
TCI	PORTER 5	BLOCKS	15 EAST	8/9/2013	10/22/2013
TCI	ORIENTATION	ORIENTATION	ORIENTATION	8/6/2013	8/9/2013
BECI	SC	SEGREGATION	SC	7/24/2013	8/6/2013
BECI	LC	SEGREGATION	LC	7/2/2013	7/24/2013
BECI	SC	SEGREGATION	SC	6/17/2013	6/17/2013
BECI	DC	SEGREGATION	DC	6/17/2013	7/2/2013
BECI	DC	SEGREGATION	DC	6/3/2013	6/17/2013
BECI	SC	SEGREGATION	SC	5/16/2013	6/3/2013
BECI	PORTER 1	UNIT-D	8-HOUSE	1/7/2013	5/16/2013
BECI	PORTER	UNIT-D	8-HOUSE	6/20/2012	1/7/2013
BECI	PORTER	UNIT-A	1-HOUSE	4/11/2011	6/20/2012
BECI	PORTER 2	HEALTH SERVICE	HEALTH SERVICE	11/10/2010	4/11/2011
BECI	PORTER	HEALTH SERVICE	HEALTH SERVICE	3/24/2010	11/10/2010
BECI	PORTER	UNIT-A	1-HOUSE	3/19/2009	3/24/2010
BECI	LAUNDRY MACH OPER 7	LAUNDRY	LAUNDRY	2/17/2009	3/19/2009
BECI	LAUNDRY ATTN 2	UNIT-D	8-HOUSE	11/17/2008	11/17/2008
BECI	LAUNDRY ATTN	LAUNDRY	LAUNDRY	11/17/2008	11/17/2008
BECI	LAUNDRY ATTN 2	LAUNDRY	LAUNDRY	11/17/2008	2/17/2009
BECI	LAUNDRY ATTN	LAUNDRY	LAUNDRY	9/29/2008	11/17/2008
BECI	PORTER 2	UNIT-D	8-HOUSE	6/3/2008	9/29/2008
BECI	RUNNER	UNIT-D	8-HOUSE	7/25/2007	6/3/2008
BECI	RUNNER	UNIT-D	8-HOUSE	5/2/2007	7/05/0007
BECI	RUNNER	UNIT-B	4-HOUSE	5/2/2007	7/25/2007
BECI	RUNNER	UNIT-C	6-HOUSE	2/10/2006	5/2/2007
BECI	AWL	OTC	OTC	1/27/2006	2/10/2006
BECI	RUNNER	UNIT-C	6-HOUSE	7/28/2004	1/27/2006 7/28/2004
BECI	PORTER	UNIT-C PRE-CLASS	6-HOUSE PRE-CLASS	2/25/2004 2/19/2004	2/25/2004
BECI	PRE-CLASS		OTC-TRUMBULL	10/27/2003	2/19/2004
BECI	AWL	OTC-TRUMBULL CO	CO	10/2//2003	2/19/2004
BECI	PORTER	UNIT-C	6-HOUSE	3/22/2001	10/27/2003
BECI	LINE SERVER 2	IDR	IDR	1/26/2001	3/22/2001
BECI	LINE SERVER	FOOD SERVICE	IDR	1/19/2001	1/26/2001
BECI	DISHWASHER OPER	FOOD SERVICE	IDR	12/29/2000	1/19/2001
BECI	FOOD SERVICE WKR	FOOD SERVICE	IDR	12/7/2000	12/29/2000
BECI	PORTER	INMATE BARBER SHOP	BARBER SHOP	7/15/1999	12/7/2000
BECI	ADD TO COUNT AND ROLLS	BLANK	BLANK	7/8/1999	7/8/1999
BECI	ORIENTATION	ORIENTATION	ORIENTATION	7/8/1999	7/15/1999
TCI	LAUNDRY MACH OPER	OPERATIONS	LAUNDRY	3/30/1999	7/8/1999
TCI	PORTER 5	BLOCKS	13 WEST	2/11/1999	3/30/1999
TCI	UNASSIGNED	TIE	TIE	1/14/1999	2/11/1999
TCI	PORTER	OPERATIONS	COMMISSARY	1/21/1998	1/14/1999
TCI	FOOD SERVICE WKR	FOOD SERVICE	IDR	8/13/1997	1/21/1998
TCI	UNASSIGNED	TIE	TIE	7/28/1997	8/13/1997
TCI	ADJUSTMENT/A	SEG RPGES	SEG RPGES	7/17/1997	7/28/1997
TCI	SC	SEG	SEG	6/6/1997	7/17/1997
TCI	FOOD SERVICE WKR	FOOD SERVICE	IDR	6/4/1997	6/6/1997
TCI	SC	SEG	SEG	6/1/1997	6/4/1997
TCI	FOOD SERVICE	FOOD SERVICE	IDR	10/30/1996	6/1/1997
	WKR				

TCI	ORIENTATION	ORIENTATION	ORIENTATION	10/11/1996	10/30/1996
TCI	ADD TO COUNT	BLANK	BLANK	10/11/1996	10/11/1996
	AND ROLLS				
MACI	ADD TO COUNT	BLANK	BLANK	5/15/1996	5/15/1996
	AND ROLLS				
MACI	RECEPTION	SORRC	SORRC	5/15/1996	10/11/1996
LORCI	RECEPTION	RECEPTION	RECEPTION	4/23/1996	5/15/1996
LORCI	RECEPTION	SC	SC	4/14/1996	4/23/1996
LORCI	ADD TO COUNT	BLANK	BLANK	3/14/1996	3/14/1996
	AND ROLLS				
LORCI	RECEPTION	RECEPTION	RECEPTION	3/14/1996	4/14/1996

Release Placement Plans

Created By Plan Deta	nils Comments
----------------------	---------------