



# Dave Yost • Auditor of State

January 28, 2011

Miles C. Durfey  
Clerk of the Court  
Ohio Court of Claims  
The Ohio Judicial Center  
65 South Front Street, 3<sup>rd</sup> Floor  
Columbus, Ohio 43215

Dear Clerk Durfey:

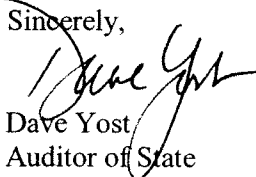
I am writing, as required by Ohio Revised Code (O.R.C.) section 2743.49, to report to you on the adjustments calculated by the Auditor of State's Office regarding the amount owed to an individual who has been found to be wrongfully convicted and imprisoned in the State of Ohio.

O.R.C. §2743.48 provides a process for an individual who has been wrongfully convicted and imprisoned for commission of a felony criminal offense to file a civil action against the state. Included in the statute is an amount which an individual is entitled to recover for each full year in which the person was wrongfully imprisoned. O.R.C. §2743.49, as described below, provides a mechanism for the Auditor of State to adjust the amount of wrongful imprisonment awards every two years based on changes to the Consumer Price Index (CPI). The amount as determined in O.R.C. §2743.49(A)(1) and effective for the years 2009 and 2010 was \$47,09.40

O.R.C. §2743.49 requires that in each odd numbered year, the Auditor of State shall adjust the amount owed to a wrongfully imprisoned individual, based on the yearly average of the CPI for the previous two years, and shall forward a report of the adjusted amount to the Ohio General Assembly, as well as the Ohio Court of Claims. The amount as adjusted by the Auditor of State is to be in effect for the next two years. This letter is intended to satisfy the reporting requirement of this statute.

**Based on the formula provided in O.R.C. §2743.49, the new adjusted amount for wrongful imprisonment awards is \$47,823.12.** This amount is to be in effect for 2011 and 2012. As described in O.R.C. §2743.49, this report and all related documents are public record and are available for copying and inspection in my office. Please do not hesitate to contact my office if you need additional information about this report or if I can be of any further assistance.

Sincerely,

  
Dave Yost  
Auditor of State

Encls.



# Dave Yost • Auditor of State

## CERTIFICATION OF WRONGFUL IMPRISONMENT CALCULATIONS UNDER OHIO REVISED CODE SECTION 2743.49

I, Frederick R. Kruse, Chief Auditor with the Ohio Auditor of State Dave Yost's Accounting and Auditing Division hereby certify the calculations contained in the attached Wrongful Imprisonment report for the effective period 2011-2012 is pursuant to O.R.C. §2743.49(B)(2). The report provides the summary and the method of the calculations performed pursuant to O.R.C. §2743.48(E)(2)(b).

Additionally, I hereby certify that all documents related to this report and the calculations contained therein are available for inspection and copying at the office of the Ohio Auditor of State.

Handwritten signature of Frederick R. Kruse in cursive script.

FREDERICK R. KRUSE, Chief Auditor  
Accounting and Auditing Division  
Ohio Auditor of State Dave Yost

January 28, 2011  
Date

**Certification of Wrongful Imprisonment****2011 (for 2011-2012)**

<b>1</b>	Using the yearly average for the immediately preceding even-numbered year (2010) as the base year, the auditor of state shall compare the most current average consumer price index (2010, determined in 2011) . . .	218.1
<b>2</b>	With that determined in the preceding odd numbered year (2008 determined in 2009) . . .	215.3
<b>3</b>	And shall determine the percentage increase or decrease.	1.3%
<b>4</b>	The auditor of state shall multiply the percentage increase or decrease by the actual dollar figure specified in division (B)(2)(b) of section 2743.48 of the Revised Code (or the actual dollar figure determined from the previous odd-numbered year under this section) . . .	\$ 47,209.40
<b>5</b>	And shall add the product to or subtract the product from . . .	\$ 613.72
<b>6</b>	Its corresponding actual dollar figure, as applicable for the previous odd-numbered year.	\$ 47,209.40
<b>7</b>	<b>Recertified Amount</b>	<b>\$ 47,823.12</b>

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**Ohio Auditor of State Dave Yost  
2011 through 2012 Certification of Wrongful Imprisonment**



AUDITOR OF STATE

Dave Yost

88 East Broad Street  
Columbus, Ohio 43215

RETURN SERVICE REQUESTED

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~~11~~  
11/2/2011  
Miles C. Durfey

**HAND DELIVER**



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