

# Securities Fraud - A Civil or Criminal Matter?

As a law enforcement official, you need to know what to do if you're investigating a claim for possible securities fraud. Oftentimes investors are told that it's a civil matter and to seek an attorney to file a lawsuit. However, there are occasions where the investment is part of a fraud scheme designed to separate people from their hard-earned money. This seminar will show you how the Ohio Division of Securities' Enforcement staff can provide legal assistance - review the case, investigate the seller and the sale itself, determine the level of the criminal offense and take action from administrative proceedings to criminal prosecution - if you suspect that you are investigating a potential violation of the Ohio Securities Act. A case study will be included in the presentation.

## Janice Hitzeman and Harvey McClesky Ohio Division of Securities

### **Janice Hitzeman, Attorney Inspector and Chief of Enforcement, Ohio Division of Securities**

Janice began her work with the Division as an Enforcement Attorney in 2010. Previously, she worked in the Fraud Division of the Ohio Department of Insurance and was an Assistant Prosecuting Attorney with the Delaware County Prosecutor's Office in the Felony Criminal Division.

Prior to joining the law enforcement community, Janice was in private practice for 10 years, focusing on real estate, mortgage lending, and title insurance law. She represents the Division on the North American Securities Administrators Association's (NASAA) Internet Fraud Investigations Project Group and the Advanced Litigation Training Project Group. She is also Chair of the Division's Enforcement Advisory Committee. She graduated from Indiana University Maurer School of Law in Bloomington, Indiana, and is admitted to practice in Ohio, Indiana and Florida.

### **Harvey McCleskey, Deputy Attorney Inspector, Ohio Division of Securities**

Harvey is the Deputy Attorney Inspector with the Enforcement Section of the Ohio Division of Securities. As Deputy Attorney Inspector, he is responsible for managing investigations into all potential violations of the Ohio Securities Act.

Prior to joining the Division, he worked for the Unemployment Compensation Review Commission, and served as Section Chief for the Ohio Department of Public Safety. He also worked in corporate security for The Limited, Inc. and served as an Ohio State Trooper assigned to the Executive Protection Unit for former Ohio Governor Richard Celeste. He earned his Bachelor of Science from Miami University and a Juris Doctorate from The Ohio State University.