

DATE TYPED: December 11, 2012
DATE PUBLISHED: December 14, 2012

IN RE: RONALD POST, FMC #A183-812

**STATE OF OHIO
ADULT PAROLE AUTHORITY
COLUMBUS, OHIO**

Date of Meeting: December 6, 2012

Minutes of the **SPECIAL MEETING** of the
Adult Parole Authority held at 770 West Broad Street,
Columbus, Ohio 43222 on the above date.

IN RE: Ronald Post, FMC #A183-812

SUBJECT: Death Sentence Clemency

CRIME, CONVICTION: Aggravated Robbery with Firearm Specification
Aggravated Murder, Aggravated Murder (merged for sentencing)

DATE, PLACE OF CRIME: December 15, 1983 in Elyria, Ohio

COUNTY: Lorain

CASE NUMBER: 29194

VICTIM: Helen G. Vantz – deceased

INDICTMENT: Counts 1: Aggravated Robbery with gun specification
Count 2: Aggravated Murder under R.C. 2903.01(A) with specification of commission of Aggravated Murder as the principal offender during a felony, gun specification
Count 3: Aggravated Murder under R.C. 2903.01(B) with specification of commission of Aggravated Murder as the principal offender during a felony, gun specification

TRIAL: Plea of No Contest to all charges and specifications in the indictment. Found guilty by a three judge panel of all counts and specifications.

DATE OF SENTENCE: March 13, 1985

SENTENCE: Count 1: 10-25 years w/3 year gun specification
Count 2-3: DEATH (merged for sentencing)

ADMITTED TO INSTITUTION: March 13, 1985

JAIL TIME CREDIT: 331 days

TIME SERVED: 333 months (does not include JTC)

AGE AT ADMISSION: 25 years old

CURRENT AGE: 53 years old
DATE OF BIRTH: August 1, 1959
JUDGE: Honorable Adrian F. Betleski
PROSECUTING ATTORNEY: Gregory A. White

FOREWORD:

Clemency in the case of Ronald Post, A183-812 was initiated by the Ohio Parole Board, pursuant to Sections 2967.03 and 2967.07 of the Ohio Revised Code and Parole Board Policy #105-PBD-01.

On November 20, 2012, Ronald Post was interviewed via videoconference by the Parole Board at the Franklin Medical Center. A Clemency Hearing was then held on December 6, 2012 with eight (8) members of the Ohio Parole Board participating. Arguments in support of and in opposition to clemency were then presented.

The Parole Board considered all of the written submissions, arguments, and information disseminated by presenters at the hearing, as well as judicial decisions and deliberated upon the propriety of clemency in this case. With eight (8) members participating, the Board voted five (5) to three (3) to provide a favorable recommendation for clemency to the Honorable John R. Kasich, Governor of the State of Ohio, to commute the sentence to life without the possibility of parole.

DETAILS OF THE INSTANT OFFENSE (29194): The following account of the instant offense was obtained from the Ohio Supreme Court opinion, decided September 16, 1987:

In the early evening of December 14, 1983, the defendant, Ronald Post, met with Jeff Hoffner in Elyria, Ohio. They picked up Ralph Hall, who brought with him a .22 caliber handgun. The three drove around in Post's car, discussing the possibility of robbing several establishments in the area.

The three made an unsuccessful robbery attempt on the manager of an IGA in North Eaton, Ohio. Driving back to Elyria, they discussed robbing the Slumber Inn and decided to investigate the possibilities. Post parked in the lot next to the inn and went inside while the other two waited in the car.

Inside, Post found Carol Bokar, a previous acquaintance, working as the desk clerk. He told her he had come to inquire into room rates and that he might need a place to stay. When Post returned to the car, the three decided not to rob the Slumber Inn. Post returned Hall to the Colonial Motel at

which time he obtained Hall's handgun. Post then dropped Hoffner off in Elyria.

Alone, and without the knowledge of Hoffner or Hall, Post returned to the Slumber Inn where he initiated another conversation with Carol Bokar. Carol introduced him to Mrs. Helen Vantz, who was to relieve Carol on the desk shift. Post accompanied Carol as she checked motel rooms for a possible problem. Carol then reported the day's activities to Vantz and told her that Post might return for a room. Post and Carol left together and proceeded to the Jackson Hotel where they met Sandy Collins, a friend of Carol. They stayed until about 2:15 a.m.

At approximately 3:00 a.m., Post, armed with the handgun, returned alone to the Slumber Inn. His plan was to kill Vantz and steal whatever he could find. At the Slumber Inn, Post engaged Mrs. Vantz in conversation until past 4:00 a.m., when she made a wake-up call to room number 30. Her next wake-up call, scheduled for 6:00 a.m., was never made.

Sometime between 4:00 a.m. and 6:00 a.m., Vantz, while sitting at her desk working on the nightly accounts, was shot from behind, in the head, by Post. Post shot her a second time to make sure she was dead. The body was later found, slumped at the desk, a pencil clasped in the hand. After shooting Vantz, Post collected certain items of value, including a bank deposit bag containing approximately \$100, and Vantz's handbag.

Post then drove to North Ridgeville where he met with Ralph and Debbie Hall. Post told the Halls what he had done and gave Ralph the gun for disposal. Post then went to the home of James Harsh in order to persuade Harsh to say that Post had been at the Harsh residence between the hours of 2:30 a.m. and 7:30 a.m. that day. Later, Post admitted to Harsh that he had killed and robbed Vantz. Harsh then refused to support the alibi. Post also admitted his involvement in the crime to several others including David Thacker, Richard Slusher, Jeff Hoffner and John Thompson. Post admitted to two Elyria police detectives that he had told Thacker he was the perpetrator of the crimes.

On April 17, 1984, Post was indicted on one count of aggravated robbery with a firearm specification (count one); one count of aggravated murder under R.C. 2903.01(A), with a specification that the offense was committed while Post was committing or attempting to commit aggravated robbery, and that Post was the principal offender or committed the murder with prior calculation and design, and with a firearm specification (count two); and one count of aggravated murder under R.C. 2903.01(B), with the same specifications as enumerated in count two above (count three).

Post pleaded not guilty; however, he changed his plea to no contest pursuant to an agreement that he would be permitted to change a previously submitted motion *in limine* to a motion to suppress, without objection by the state. A panel of three judges accepted Post's plea and received the statement of facts proffered by the state.

On November 30, 1984, the three-judge panel found Post guilty on all counts and specifications contained in the indictment. The state subsequently elected to proceed on counts one and two with specifications for sentencing purposes.

On March 12, 1985, the three-judge panel convened to hear evidence of the aggravating circumstances and mitigating factors, and to impose sentence. The next day the panel announced that the state had proved one aggravating circumstance beyond a reasonable doubt, to wit: that Post was the principal offender and had committed a murder while committing an aggravated robbery and in possession of a firearm.

The panel further found that Post, age twenty-four, was not a youthful offender. It considered Post's history of criminal convictions and delinquency adjudications. While the panel found no delinquency adjudications, it did find the existence of misdemeanor convictions reflecting a tendency to violence. The panel also considered the "no contest" plea and found that such failed as an act of contrition.

The panel unanimously found that the state proved the aggravating circumstance beyond a reasonable doubt, that the defendant did not prove mitigating factors by a preponderance of the evidence, and that the sentence of death should be imposed. As to the aggravated robbery offense, a sentence of ten to twenty-five years imprisonment was imposed and an additional three-year sentence was imposed on the firearm specification.

The court of appeals affirmed the aggravated murder conviction and found that the aggravating circumstance outweighed the mitigating factors beyond a reasonable doubt. The court of appeals unanimously approved the sentence of death as appropriate.

PRIOR RECORD

Juvenile Offenses: Ronald Post has no known juvenile arrest record.

Adult Offenses: Ronald Post has the following known adult arrest record:

<u>Date</u>	<u>Offense</u>	<u>Location</u>	<u>Disposition</u>
12/27/77	Vandalism	Elyria, Ohio	\$100.00
06/24/78	Shoplifting	Lorain, Ohio	\$200.00, cost, 60 days jail Suspended, placed on probation
05/17/79	Disorderly Conduct	Elyria, Ohio	Waivered \$30.00
11/28/80	Possession of a Dangerous Ordinance	Elyria, Ohio	\$50.00 and costs, 30 days jail, gun disposal
03/18/82	Theft	Elyria, Ohio	\$150.00 and costs, 5 days jail suspended
12/15/83 (Age 24)	Aggravated Robbery Aggravated Murder (2 counts, merged for sentencing) (29194)	Elyria, Ohio	INSTANT OFFENSE

The defendant had one traffic violation in Lorain, Ohio in 1978, and seven in Elyria, Ohio between 1977 and 1983.

Institutional Adjustment:

Ronald Post was admitted to the Department of Rehabilitation and Correction (DRC) on March 13, 1985. His work assignments while incarcerated at the Southern Ohio Correctional Facility included Food Service Worker, Clerk, Library Aide, and Porter. His work assignments while incarcerated at the Mansfield Correctional Institution included Porter, Artist, Typing Clerk, Legal Clerk, Tutor, Recreation Worker, Laundry Attendant, Career Technical Aide, Student, and Material Handler.

Post is presently a long term patient at Franklin Medical Center (FMC). It was reported that Post was enrolled in Adult Basic Education classes as well as the Literacy Unit; however, no documents of completion were located. According to the FMC, he attended a Quit Smoking class, which he completed. Post self-reported that he has not completed

any programs during his incarceration. Post received his high school diploma prior to his prison admission.

Since his admission, Post has accumulated the following disciplinary record which resulted in placement in disciplinary control:

- 01/18/98: Disobedience of a direct order. Post had a DRC log book in his possession on the recreation yard and refused to give it to the officer. Post received suspended disciplinary control for this rule infraction.
- 06/18/98: Attempt to establish a relationship with staff. Post received 15 days in disciplinary control for this rule infraction.
- 09/26/98: Attempt to establish a relationship with staff. Post received 15 days in disciplinary control for this rule infraction. Local Control placement was suspended.
- 01/18/99: Attempt to establish a relationship with staff. Post received 15 days in disciplinary control for this rule infraction. He also received 90 days Local Control placement.
- 07/04/99: Disobedience of a direct order. Post refused to give a urine sample and attempted to pour something out of a cup into the urine cup. Post received 7 days in disciplinary control that was suspended in addition to 60 days in a Restricted Movement Unit.
- 11/21/03: Possession or manufacture of a weapon or contraband. A 12-foot rope was found in his room during a shakedown. Post received 15 days disciplinary control for this rule infraction.

Post has received eleven conduct reports that did not result in placement in disciplinary control. Those rule infractions include:

- Violation of visiting or mail rules in 1988.
- Dealing (any transaction for which payment of any kind is made, promised, or expected) in 1989.
- Disobedience of a direct order and encouraging or creating a disturbance (involving another inmate) in 1991.
- Calling an officer a name while in the housing dorm, inadequate job performance, having paper on the cell door window, and having contraband (misuse of authorized medication) in his possession in 1998.
- Having an Office Max catalog sent to the prison under the pretext of legal mail, making a gesture or other behavior that is sexual in nature and would be offensive to a reasonable person in 2001.
- Disrespect to an officer (called an officer a name using an expletive) in 2008.
- Having a C-Pap hose attached to the shower head in 2009.

APPLICANT'S STATEMENT:

On November 20, 2012, nine (9) members of the Ohio Parole Board conducted an interview with Post via video conference from the Franklin Medical Center.

The following individuals observed the interview via videoconference, but did not participate: Brenda Leikala from the office of the Ohio Attorney General; Steve Maher from the office of the Ohio Attorney General; Amanda Bunner from the office of the Ohio Attorney General; Kelle Andrews, Assistant State Public Defender; Samuel Porter from the office of Governor John Kasich; Mehek Cooke from the office of Governor John Kasich; Dennis Will, Lorain County Prosecutor; Tony Sillo, Assistant Lorain County Prosecutor; Mary Slanczka, Assistant Lorain County Prosecutor; Vicki Werneke, Assistant Federal Public Defender; Joseph Wilhelm, Assistant Federal Public Defender; Rachel Troutman, Assistant State Public Defender; and Brenda Bonn, Ohio Parole Board Parole Officer.

Chair Cynthia Mausser opened the interview by introducing herself to Post and thanking him for participating. Chair Mausser introduced the members of the Parole Board to Post and informed him of the identities of those individuals who were present for the interview, but who would not be participating. Post informed Chair Mausser that he was nervous about the interview, but that he would be open and honest with the Board. Post asked the members of the Board to keep an open mind.

Chair Mausser asked Post to describe for the Board what it is he seeks to achieve through the clemency process. Post offered a lengthy response. He began by stating that he felt sympathy for the victim's family. Post noted that he expressed his sympathies to the victim's family during his sentencing. He stated that he would have gotten in touch with the victim's family during the intervening years to again express his remorse were the family to have given him any indication that it wanted direct contact with him. Post then stated that, though he feels sympathy for the victim's family, he did not kill the victim, Helen Vantz. According to Post, his role in the crime was limited to driving the shooter, Ralph Hall, to the crime scene.

Post told the Board that he has tried to make amends for his role in the crime, but that he does not want to pay with his life. Post stated that he believes that he can be of benefit to others were he allowed to live.

Post then described for the Board how his son recently came to visit him in prison. He stated that his son is in the Marines and has recently married. Post described how he himself recently married a woman with whom he has been corresponding for some time. Post stated that he adopted this woman's children as his own. He indicated to the Parole Board that he wants to be around to be a father to those children.

Chair Mausser asked Post to clarify his role in the crime. Post stated that his role in the crime was to drive Hall to the motel. According to Post, he did this in exchange for gas money from Hall. Post told the Board that Hall brought the gun with him. Post stressed

that the gun belonged to Hall. Post stressed, further, that he would not have needed Hall's gun to commit the crime because he owned several guns of his own.

Post stated that he dropped Hall off at the Slumber Inn, parked behind the motel, and waited in the car while Hall went in to commit the robbery. Post stated that Vantz would open the door for Hall because she knew him, as Hall had previously stayed at the motel. According to Post, he never thought Vantz or anyone else was going to be killed.

Post stated that after leaving the motel, Hall bought him a tank of gas. Post denied receiving any of the proceeds from the crime. He denied having any knowledge of the murder until he read about it in a newspaper. Post indicated that his participation in the crime was "stupid," but that he only thought he was driving Hall to the crime scene for the purpose of committing a robbery.

Post noted that the other man involved in the crime was Jeff Hoffner. According to Post, he, Hoffner, and Hall had earlier cased the Slumber Inn as a possible target for a robbery. Post explained that, on the night of the robbery, only he and Hall returned to the motel to commit the crime. Hoffner was not present for the actual robbery, according to Post.

Post told the Board that, after being imprisoned for the crime, Hoffner wrote him a letter in which he expressed his remorse that Post went to prison. Post theorized that Hoffner and Hall conspired against him during his prosecution because Hoffner and Hall were brothers-in-law. According to Post, it was the shared goal of Hoffner and Hall to keep Hall from going to prison. They thus implicated Post as the sole person involved in Vantz's murder.

Chair Mausser then permitted each of the other Parole Board members to pose questions to Post. Several of the Board members posed questions to him.

When asked to describe how he came to plead no contest, Post indicated that this plea was a source of contention between his two trial attorneys. One of those attorneys, Michael Duff, wanted him to plead no contest while the other, Lynett McGough, was urging him to enter a guilty plea. Post noted that Duff was urging the no contest plea because it would allow them to preserve as an issue for appeal the confession that he allegedly made to polygraph examiner Robert Holmok. That alleged confession, which is discussed more fully below, had become the subject of a suppression hearing after which the court determined the confession was admissible.

Post told the Board that his two trial attorneys were always at odds with one another. Post wanted to take the case to trial. However, Duff convinced Post's family that he would receive the death penalty unless he pled no contest. Post stated that he listened to that attorney, pled no contest, and, as he puts it, "got screwed."

Post then discussed his meeting with polygraph examiner Robert Holmok, whom Post's counsel retained to administer a polygraph exam to Post. According to Post, Holmok was retained by his attorney at that time, Ernie Hume. According to Post, Holmok asked him

to sign a document that Holmok represented as being a standard waiver indicating that Post was knowingly and voluntarily submitting to the polygraph. This is the document that was later alleged to be Post's confession to Holmok that he killed Vantz. Post pointed out that this confession was not in his handwriting but that Holmok handwrote the confession, and he asserted that his signature was surreptitiously placed under it.

When asked about the confession allegedly made to jailhouse informant Richard Slusher, Post denied ever making any confession to Slusher. Post stated that Slusher was a police informant who was constantly trying to befriend him while they were jailed together. At this point in his interview, Post stressed to the Board that he never confessed to anyone that he killed Vantz.

One of the Board members asked Post if he ever shared with the police the information that he was currently providing to the Board. Post responded that, while the crime was being investigated, Hall was telling him that the best approach was for Post to keep his mouth shut. Post stated that he explained his limited role in the robbery-murder to his attorneys, but never to the police. According to Post, when he would remind his attorneys that his actual involvement in the crime was far more limited than what was being alleged by the prosecution, his attorneys would respond that Post was the only one who had been indicted.

During the interview, Post was asked about his suicide attempt in 2000. Post stated that he attempted suicide because he was being housed in a prison cell that was not fit for habitation. Post stated that the suicide attempt was not merely an attempt to call attention to his perceived plight but that he was attempting, in earnest, to end his life that day. He further indicated that he regrets the suicide attempt and has never made, and would never make, another attempt at suicide. Post stated that he was off his antidepressants at the time of the suicide attempt.

Post was questioned about some of his institutional misconduct, including his several attempts to establish relationships with staff. Post admitted to sending a love poem to a female staffer. However, he denied ever attempting to establish a relationship with a male staffer. Post stressed to the Board that he is not a homosexual.

Board members questioned Post as to whether he had established correspondence with any women prior to the woman he claims to have recently married. Post responded that there were three women prior to his current wife with whom he previously corresponded. Post stated that each of these three women has died from natural causes.

The Board questioned Post about how he has contributed to the prison system and positively impacted the lives of others during his incarceration. Post told the Board that, for ten years, he taught as an assistant tutor at the Southern Ohio Correctional Facility. Post also stated that he is a member of the African-American Episcopal Church, through which he tries to positively impact young people's lives by working with troubled kids.

At the end of the interview, Post again stated that he regretted the role he played in Vantz's death. He stated that he was sorry that Vantz died.

Chair Mausser asked Post to tell the Board precisely what kind of clemency he is seeking. Post responded that his priority at this point is to spare his life. He further stated that, because he had a role in the crime, he expects to be punished. Post added that, at some point, he would like to have a chance at freedom.

ARGUMENTS IN SUPPORT OF CLEMENCY:

At the hearing held on December 6, 2012, arguments in support of clemency supplementing the written application previously received were presented to the Board by Rachel Troutman, Assistant State Public Defender, and Joseph Wilhelm, Assistant Federal Public Defender.

According to Troutman, the Post case constituted a miscarriage of justice from the moment it began. She asserted that the criminal justice process failed Post at every stage, resulting in an unreliable and unjust outcome.

Troutman identified several reasons for her assertion that Post's case constitutes a miscarriage of justice. First, the prosecutor consistently misrepresented Post's confessions as confessions by Post that he was the sole individual involved in the crime when, in fact, Post had actually represented in those confessions that he was only involved in the crime with unindicted co-offender, Ralph Hall. Troutman stressed that Post's claims that he was involved in the crime with Hall were not, as the state suggests, "brand new" claims being raised by Post in an effort to save his life. Second, Troutman noted that polygraph examiner Robert Holmok played a duplicitous role in this case by acting as a polygraph examiner for both the state and the defense. Holmok's dual role was not only unfair to Post but also calls into question the veracity of Post's confession to him. Third, the system failed Post in relation to Richard Slusher, the jailhouse informant who acted as a state agent and allegedly elicited a confession from Post. Lastly, Troutman asserted that the deficient performances of Post's various attorneys failed Post at every stage of the criminal process.

With respect to the notion that Post's implication of Hall constitutes a "brand new" claim, Troutman noted that Post implicated Hall and Jeff Hoffner in a statement to the police made on April 13, 1984. (Troutman did concede, however, that Post never implicated himself in that statement.)

Troutman took issue with the prosecution's repeated representations to the trial court that Post had, on several occasions, confessed to being the sole individual involved in Vantz's killing. Troutman noted, for instance, that Post never confessed to David Thacker that he killed Vantz. Post only told Thacker that he was involved in the crime. However, the prosecutor told the three-judge panel that Post had confessed sole involvement.

According to Troutman, the prosecutor made the same false representations about Post's sole involvement with respect to another witness in the case, John Thompson. Troutman stressed that Thompson only overheard what Post told Thacker. Because Post had only confessed "involvement" to Thacker and because Thompson only overheard what Post told Thacker, Thompson could not have heard Post confess to sole involvement.

Furthermore, the prosecutor informed the three-judge trial panel that Post had confessed sole involvement to Jeff Hoffner. However, Hoffner told police that Post admitted only to being involved in the robbery.

In relation to Hoffner, Troutman noted that Hoffner's statements contradict the story related to the police by Hall. For instance, Hoffner did not recall Hall ever wanting to sell a gun to Post. In fact, Hoffner stated that Hall would not want to sell that gun because Hall's brother-in-law had purchased it. Hoffner in fact implicated Hall when he reported that Hall was in possession of property from the crime scene and facilitated its destruction.

Troutman noted that polygraph examiner Robert Holmok, who was hired by the defense team and who took a confession from Post, was simultaneously working for the prosecution in this case as a state agent. When Post's attorney sent Holmok to polygraph Post, Post's attorney had no idea that Holmok had already been retained by the prosecution to conduct polygraphs on Ralph Hall and his wife Debra, who were two of the state's witnesses.

As for Post's confession to Holmok, Troutman repeated Post's claims that the confession is a fabrication. Post insists that the confession was written by Holmok and that Post's signature was superimposed upon the confession written by Holmok.

This written confession to Holmok became a point of contention in Post's case as attorneys for both sides argued about its admissibility at trial. Post's attorneys argued that, because Holmok was retained by them to administer a polygraph to Post, any statements made by Post to Holmok were protected under the attorney-client privilege. The trial court ultimately concluded that the confession became admissible when Post later told jailhouse informant Slusher that he had confessed to Holmok.

The confession allegedly taken by Holmok was the impetus for Post's no contest plea. Post entered the no contest plea at the urging of one of his trial attorneys, Michael Duff. Duff's intention in entering the no contest plea was to preserve the admissibility of the Holmok confession as an appellate issue, as a guilty plea would have waived Post's appellate rights with respect to this and other issues. Troutman pointed out that, even at sentencing, Post's counsel made reference to their intention to preserve the Holmok confession as an appellate issue.

Troutman reiterated what Post had told the Parole Board during his interview; namely, that Duff's tactic of pleading no contest to preserve the Holmok confession as an appellate issue was a point of contention between his two attorneys, Duff and McGough. As Post

noted during his Parole Board interview, McGough's position was that Post's interests would be best served by entering a guilty plea.

Troutman challenged the credibility of the jailhouse informant, Richard Slusher, to whom Post is claimed to have confessed killing Vantz and to whom Post is also claimed to have described the confession allegedly made to Holmok. According to Troutman, Slusher had incentive to lie, as he received very favorable consideration in his own pending criminal cases for his cooperation in Post's case.

Slusher could have learned about Post's alleged confession to Holmok from sources other than Post himself, according to Troutman. In support of this contention, Troutman pointed to the fact that Holmok's name was appearing on the state's witness list before the suppression hearing was held, the implication being that there would be no reason for the state to offer Holmok's testimony at trial other than to introduce evidence of Post's confession to him.

Troutman noted that Hall had stayed at the Slumber Inn for 17 days prior to the murder. She stated that this is important because Vantz likely knew the shooter and trusted him. There was no struggle between Vantz and her assailant. She was shot while working at her desk. Troutman pointed out that Vantz had only just met Post and likely would not have trusted him enough to allow him into her office without anyone else present.

Troutman challenged the credibility of Ralph and Debra Hall's statements to the police. She noted that the description of the crime scene as allegedly described by Post to the Halls is not consistent with the way that the crime scene actually appeared. Moreover, the fact that Debra Hall, Ralph Hall's wife, recounted Post's alleged confession to them in much the same way as her husband meant little given their marital relationship. Ralph Hall had an incentive to lie not only to deflect responsibility for Vantz's death from himself onto Post, but also because Hall was, at the time, facing charges on an unrelated robbery and could potentially benefit from cooperating with the police in relation to the Vantz case.

Troutman acknowledged that both of the Halls passed the polygraph exam administered by Holmok. However, Troutman noted that it is impossible to gauge the scientific validity of those results without knowing Holmok's credentials as a polygraph examiner or the content of the questions he posed to the Halls during the examination.

At the trial stage, defense counsel had evidence that Post was not the sole shooter but did not use it. It has been McGough's belief that Hall was, at the very least, an unindicted co-conspirator. Troutman noted that the gun belonged to Hall. So too did the plan to rob the Slumber Inn. Troutman insisted that Post's attorneys failed him when they forfeited the opportunity to present this and other evidence at a trial.

Wilhelm noted that Post's defense attorneys completely failed to contest the state's case despite having relevant evidence at its disposal. Trial counsel could have impeached the prosecution's witnesses. For instance, the credibility of Slusher, a jailhouse informant,

could easily have been impeached. Trial counsel had available to them transcripts of the alleged confessions in which Post admitted to being involved in the crime but not the actual shooter.

Wilhelm stressed that, rather than advance this evidence at a trial, trial counsel simply accepted the prosecution's contention that Post had confessed to everyone that he killed Vantz. Trial counsel could have offered credible evidence suggesting that Hall was, at the very least, involved in the crime. In short, Post's trial attorneys' best opportunity to spare Post's life was by going to trial and presenting the case to a twelve-person jury. The state's case was never tested in any meaningful way, according to Wilhelm, who opined that trial counsel threw in the proverbial towel after concluding that Post's confessions of guilt made the case unwinnable.

Wilhelm argued that Duff urged Post to enter a no contest plea from which he derived no benefit. Pleas are contracts, he pointed out, but Post received absolutely no consideration for the plea he entered. It was, in effect, a gift to the prosecution. According to Wilhelm, trial counsel should never have advised Post to enter a no contest plea without a guarantee that their client's life would be spared. Post is the only inmate on death row to have pled no contest.

The fact that two of the trial judges had informally suggested to defense counsel that they would not consider the no contest plea a mitigating factor in sentencing makes the no contest plea that much more inexplicable, Wilhelm argued. Wilhelm noted that there is evidence in the record suggesting that trial counsel based their strategy, in part, on the belief that one of the trial judge's Catholic beliefs would prevent him from imposing the death penalty. That the decision to enter a no contest plea may have turned, in part, upon assumptions about how one of the trial judge's religious beliefs would affect his sentencing decision compounds the recklessness of Post's plea.

Wilhelm pointed out that the plea did not even fulfill its intended purpose of preserving the Holmok confession as an issue for appeal. Because trial counsel failed to have the Holmok confession included in the statement of facts that became part of the trial record, the admissibility of the confession could not be considered on appeal. In any event, Wilhelm argued, trial counsel acted recklessly when they exchanged Post's no contest plea for a speculative appellate issue. The trial phase, not the appellate phase, was the best opportunity to advocate for Post and ultimately spare his life.

During the mitigation phase, trial counsel did not conduct an independent mitigation investigation, relying instead upon a presentence investigation report completed by the Lorain County Adult Probation Department. Trial counsel had a duty to complete a mitigation investigation. The presentence investigation report that counsel instead relied upon contained inflammatory victim impact information. McGough permitted the admission of additional, prejudicial victim impact information from the victim's son, William Vantz, who asked the court to impose the death penalty.

Wilhelm pointed out that, under Ohio law in effect at the time Post entered his plea, judges were not permitted to hear any victim impact information. Even today, a victim cannot offer an opinion about the appropriate penalty. The Ohio Supreme Court rejected William Vantz's victim impact testimony as an assignment of error because nothing in the record suggested that the judges relied on that victim impact information in reaching their decision. However, two of the judges later submitted affidavits averring that they did in fact consider the victim impact information and gave it weight.

According to Wilhelm, the repeated failures of Post's counsel to challenge Post's confessions as confessions that he was the shooter have effectively foreclosed any meaningful post-conviction review by the courts. State and federal courts have consistently rejected Post's legal claims on the ground that there was no prejudicial error given the overwhelming evidence of guilt in the form of his own confessions. As a result, the clemency process remains as Post's sole remaining avenue of relief.

In 1999, Post was afforded the opportunity to engage in discovery as part of his federal habeas action. This was an opportunity to develop information about the state's reliance on jailhouse informant Slusher and to develop information about Holmok's duplicitous role in the case. However, federal habeas counsel never pursued the court-ordered discovery, and Post's case languished from 1999 to 2004. Post himself, on the other hand, was diligent and vigorous in his attempts to jump-start his stalled federal habeas proceedings, writing to the federal district court judge, the Ohio Public Defender, and numerous other lawyers in an attempt to revive his dormant habeas action.

Wilhelm described how the district court ultimately denied Post's habeas application on May 23, 2003. Post finally obtained counsel willing to revive the habeas action in 2004. Specifically, counsel attempted to reopen Post's habeas action by moving to compel discovery in the federal district court. By then, however, a year had elapsed since the district court had denied the habeas application on the merits. In the intervening period, an appeal was taken to the United States Court of Appeals for the Sixth Circuit. Though the district court was willing to reopen the habeas action and compel discovery, for procedural reasons, the Sixth Circuit refused to remand the case to the District Court for that purpose. Without the court-ordered discovery, Troutman argued, she has no ability to compel witnesses to speak to her or to compel the prosecution to produce its files, which limits her ability to effectively advocate on Post's behalf.

Wilhelm pointed to defense counsel's current inability to obtain discovery because of the Sixth Circuit's holding as yet another example of how the system has failed Post and, more specifically, how prior counsel's consistently poor decisions and inaction have rendered Post's case vulnerable to procedural legal technicalities that foreclose meaningful review.

Troutman and Wilhelm concluded by opining that, for the reasons enumerated in their presentations, a just punishment is a life sentence.

ARGUMENTS IN OPPOSITION TO CLEMENCY:

Dennis Will, Lorain County Prosecutor, and Steve Maher from the Ohio Attorney General's Office presented arguments in opposition to clemency.

Will stated that both the prosecution and defense counsel knew that the polygraph examiner, Robert Holmok, had agreed to conduct examinations on behalf of both sides. Will explained that Holmok was a law enforcement officer who owned a private polygraph examination business. Will stressed that, in either capacity, Holmok had much to lose by fabricating a confession from Post and then lying about its authenticity. It stretches credulity to think that Holmok would risk his career in that way to facilitate Post's conviction. In fact, Holmok never revealed Post's confession until compelled by the trial court to do so at the suppression hearing. Therefore, Will concluded, Holmok is a very credible witness in this case.

Will stressed that Post's case comes down to the question of whether there remains a lingering doubt about Post's role as the shooter. Will noted that Post admitted that role to four separate people—Ralph Hall, his wife Debra, Slusher, and Holmok. Even if one were to dismiss the Halls and Slusher as motivated to lie and lacking credibility, Holmok is a credible witness with no incentive to fabricate a confession from Post.

Will indicated that the prosecution never made a plea offer to Post ahead of his no contest plea. It has always been the policy of the Lorain County Prosecutor to consider such offers only after approached by defense counsel with an offer. Post never indicated a willingness to plead guilty. According to Will, the prosecutor would not accept a plea offer unless and until Post accepted responsibility and pled guilty, which he never did.

Will defended Slusher's credibility by pointing out that the only way in which Slusher could have known about Post's confession to Holmok was by hearing about it from Post himself. Holmok never disclosed the confession until the suppression hearing, which occurred after Slusher approached the police with Post's confession.

Will next addressed Troutman's contention that certain of the witness statements—such as the Halls' description of the crime scene as allegedly described to them by Post—are not consistent with the known facts in the case. The reason for this, according to Will, was that Post was telling different stories to different people. The Halls related incorrect information about the crime scene to the police because neither of the Halls was ever at the crime scene. Will pointed out that, if anything, the inconsistent witness accounts lend credibility to the witnesses' statements. If there was a conspiracy to frame Post for the murder, all of the witnesses' various accounts would align perfectly, rather than conflict in certain respects. Individually, each of the witnesses is credible because there is no source other than Post himself from which they could have obtained the information they shared with the police.

There was credibility in Ralph Hall's actions and statements to the police, according to Will. Hall gave the murder weapon to the police. If Hall was the shooter, why would he

give the murder weapon to the police, Will asked rhetorically. Hall admitted to being the owner of the gun. Hall also admitted to driving with Post and Hoffner, casing locations to rob. Hall agreed to take a polygraph examination, which he passed.

Will suggested that Post's trial counsel was aware, not only of Post's confessions to the Halls, Slusher, and Holmok, but others as well. The only way for defense counsel to have obtained this information was to have been dedicating their time to the case and doing their due diligence. That is why defense counsel was so convinced that Post's case was unwinnable. Maher opined that Post's trial counsel may have had the legitimate concern that going to trial would work to Post's decided disadvantage because the jury would hear many details about the crime that would make them unsympathetic to Post.

In open court, Post admitted to the facts as alleged in the indictment. He was fully aware of the punishment he faced. When, for instance, Post was asked by the court if there were any deals made in relation to his plea, Post disclosed none. During his colloquy with the trial court, Post never indicated any dissatisfaction with his trial counsel. Post understood that, by entering his no contest plea, he was confessing to the fact that he alone murdered Vantz. All of the issues raised by defense counsel during the clemency hearing were heard on direct appeal, in other post-conviction proceedings, or both.

The process afforded Post was in no way slipshod, Will argued. Post's trial counsel did what they could for Post. Post's own confessions limited counsel's options. Post is disappointed in the outcome of the legal proceeding, but his disappointment does not necessarily mean that the process was unfair.

Maher noted that, in his last statement to the police, Post said that he was out drinking with Carol Bokar and returned home at approximately 3:15 am on the night of the shooting. Post's then-common law wife, Sharon, never saw Post that night and when police confronted Post with that information, he tried to simply dismiss it as poor memory on Sharon's part.

Maher suggested that Post's post-conviction counsel did not need court-ordered discovery to track down and speak to the surviving witnesses in this case. He pointed out, for example, that David Thacker has been a registered homeowner in Elyria since 1996.

Maher spoke to the physical dimensions of Hall and Post and whether a hotel guest who witnessed a large man in the lobby on the night of the murder could have mistaken Post for Hall. According to Maher, Hall is not nearly as tall as Post. Post is 6'2" or 6'3", while Hall is only 5'10". The witness at the hotel identified the person she saw as approximately 6'3" in height.

At the request of one of the Board members, Maher offered a theory as to why McGough might facilitate the introduction of victim impact information from Vantz's son during the hearing on mitigation. Maher observed that defense counsel was offering no mitigation evidence during the clemency hearing, which suggests there was probably little if any mitigation evidence available at trial. Trial counsel faced a very bleak situation in relation

to Post's case. Maher theorized that perhaps McGough believed that permitting the victim's son to speak would be construed by the court as an act of contrition on Post's part. In other words, McGough's hope might have been that allowing Vantz's statement would be viewed by the court as an acceptance of responsibility and request for mercy. Maher theorized that it was, perhaps, the proverbial "Hail Mary."

The state concluded by stating that Post's conviction and sentence have withstood almost 30 years of appellate review. Post has presented no credible arguments to warrant a favorable recommendation by the Board to the Governor regarding clemency, and his sentence should be carried out.

VICTIM'S REPRESENTATIVES:

Vantz's son Michael Vantz noted that his presentation to the Board at this clemency hearing was the first time in the nearly 30 years since his mother was killed that he and his family have had the chance to speak on his mother's behalf. He noted that his mother only had the opportunity to know one of his children, his eldest son. His children were robbed of their grandmother's unconditional love. He noted that, if the execution goes forward as scheduled, Post will die at the same age as his mother, 53. He described the pain of losing someone in the way that he lost his mother and how he never had the opportunity to say farewell to her, to wish her a peaceful eternity, and to tell her how precious she was to her family. He informed the Board that, when his mother was killed, she was only days away from spending her first Christmas in years with her family and away from work. He stated to the Board that he hopes the state will carry out the sentence that was imposed so many years ago.

Mary Chericki, Vantz's niece, read a letter to the Board in which she described the day that she learned that her aunt had been killed. She noted that her brother called her at school to share the news. She then had to go pick up her mother at work. Chericki stated that she will never forget the pain and shock on her mother's face when she learned that her sister had been killed. Chericki described how her mother suffered in the days following her sister's murder. Her mother would check the newspaper daily to see if anyone had been arrested for the crime. Post's arrest gave her mother some relief, but the stress continued to wear on her and eventually affected her health negatively. Chericki misses her aunt dearly and continues to feel the heartache daily. She stated that she will never forgive Post and wants to see justice served.

Vantz's son William Vantz began his presentation by clarifying his involvement in Post's mitigation hearing. He informed the Board that McGough did not invite him to appear and speak at the hearing. He stated that the prosecution had informed Vantz's family members that they had a right to make a statement. On the day of the hearing, he spoke after the defense's mitigation witnesses gave their statements. According to him, McGough only introduced him to the court as the next witness.

William Vantz spoke of how his wife awoke him at 6:30 am on the morning of the shooting to inform him that the coroner had his mother and that he needed to proceed to the hospital immediately. He drove by the Slumber Inn on the way to the hospital and noticed police cars at the scene. He described the entire experience as surreal. He noted that the prosecutor had spoken to the family about a possible plea agreement with Post, but the family rejected the idea, insisting that Post be executed. He described his mother as a caring and giving woman. He stated to the Board that Post had made inquiries from jail about having him and Hall killed, and he described Post as merciless and shameless.

Sheryl Vantz, the victim's daughter-in-law, stated that she did not know her mother-in-law for very long before she was killed, but she had become a mother to her in that short period of time. She described her mother-in-law as a very kind-hearted person. According to Sheryl Vantz, family was everything to her mother-in-law. She described how difficult it was to wake her husband and inform him that the coroner had his mother. She described the last 29 years as a "nightmare" and reported that she is looking forward to the nightmare ending. She described her mother-in-law as an open and accepting woman. She expressed her sympathies to Post's family and noted that Post has hurt his own family as well. She noted that Post apologized to her family in court and asked, rhetorically, why Post would apologize if he did not kill her mother-in-law. She asked the Board to provide her family with closure.

PAROLE BOARD'S POSITION AND CONCLUSION:

The Ohio Parole Board conducted an exhaustive review of documentary submissions and carefully considered the information presented at the clemency hearing. Much of this information focused on Hall's potential culpability in this case and the possibility that Post's involvement was limited to transporting Hall to the scene of the crime. The Board finds defense counsel's assertion that there remains lingering doubt about Post's culpability unpersuasive. The Board is not inclined to make a favorable recommendation for clemency on the basis of Post's alleged innocence as to the shooting. Post perpetrated a horrendous crime. Post took Vantz's life, devastating the lives of her loved ones in the process.

However, despite Post's apparent guilt, a majority of the members of the Parole Board agrees with the proposition advanced by Post's counsel that the totality of omissions, missed opportunities, and questionable (if not inexplicable) tactical decisions made by Post's former attorneys warrant the exercise of Executive clemency in the form of a commutation to a sentence of life without the possibility of parole. While none of these missteps in Post's legal representation would necessarily be sufficient individually to warrant a favorable recommendation, taken together, they lead a majority of the Board to conclude that Post's execution would not be in the best interests of the State of Ohio. This conclusion is based on the following:

- Trial counsel appears to have been resigned to a persistent and self-fulfilling belief that Post's confessions of guilt made his case unwinnable. This persistent belief

effectively eliminated the option of going to trial and reduced counsel's strategy to Post either pleading guilty or pleading no contest, despite Post's interest in proceeding to trial.

- It is unclear whether defense counsel was aware that polygraph examiner, Robert Holmok, had been retained by the prosecution in connection with the case when defense counsel arranged for Holmok to examine Post. If defense counsel was aware of Holmok's conflicting interests, it acted against Post's interests when it allowed Holmok to meet Post at the jail for a polygraph examination. Regardless of whether defense counsel was aware of Holmok's arrangement with the prosecution, Holmok's dual role in the case creates not only the appearance of a clear conflict of interests on Holmok's part, but also a troubling appearance of impropriety. The appearance of impropriety is exacerbated by the fact that Holmok was simultaneously employed as a police detective in a neighboring jurisdiction when he provided polygraph services in this case. In addition, the state conceded during the clemency hearing that the confession itself was written by Holmok. Post's signature appears under Holmok's handwritten statement of confession. That neither of Post's attorneys bothered to be present for the meeting between Post and Holmok adds to the uncertainty that surrounds their meeting.
- The confession allegedly made by Post to Holmok led to a series of decisions by trial counsel that dictated the progression of the litigation and likely sealed Post's fate. It was the admissibility of this confession that became the basis for Post's no contest plea, a type of plea that is unheard of in death penalty cases.
- Post received no consideration for his no contest plea. Defense counsel did not receive any assurances relative to sentencing in exchange for the plea. Defense counsel entered the plea despite receiving signals from the trial judges that the plea would not be considered as mitigation in the sentencing decision. Ultimately, the trial judges found that the plea failed as an admission. Incredibly, the decision to enter the plea appears to have been based, at least in part, upon defense counsel's assumptions about how one judge's religious beliefs could impact his sentencing decision. The decision to enter the no contest plea is simply inexplicable. Post ultimately derived no more benefit from the plea than he would have received from proceeding to trial and having his fate judged by a jury of twelve peers. Assuming, for the sake of argument, that the ultimate goal was to preserve the Holmok confession as an issue for appeal, it was not necessary to enter a no contest plea to accomplish that goal. That issue could have just as easily been appealed following an unfavorable jury verdict, had the case been taken to trial and a guilty verdict returned. Were the case allowed to go to trial, Post would have received the added benefit of being able to also contest his guilt or innocence, an issue that Post's attorneys conceded early in their representation of Post.
- Trial counsel failed to conduct an independent mitigation investigation and relied instead upon a presentence investigation report that contained victim impact information. Additional victim impact information was improperly presented to

the trial judges when the victim's son was allowed to testify at the mitigation hearing. McGough's role with respect to that testimony is unclear. While it is not clear that McGough actively solicited William Vantz's testimony, there is no question that Post's counsel made no objection to its introduction, despite it being clearly contrary to Post's interests and contrary to Ohio law at that time.

- Post was granted the opportunity to conduct discovery as part of his federal habeas action. Five years later, no one from the Ohio Public Defender's office or any other attorney pursued the opportunity presented by the granting of Post's discovery request, which resulted in the loss of any opportunity for Post to conduct the discovery. Post did not sit on his hands during this five-year period but was diligent and vigorous in his attempts to jump-start his stalled federal habeas proceedings. In its decision prohibiting the requested discovery from going forward on procedural grounds, the United States Court of Appeals for the Sixth Circuit lamented that Post had indeed been "failed by his attorneys" during the habeas process.

While the representation afforded Post may have sufficed for purposes of many types of criminal prosecutions, it was not befitting a capital case. A capital case necessitates a level of attention and responsible tactical decision making commensurate to its gravity. After reviewing the relevant records and hearing the arguments presented at the December 6, 2012 clemency hearing, a majority of the members of the Parole Board concludes that the representation afforded Post throughout his prosecution and beyond did not rise to the level that society has come to expect in death penalty cases.

Historically, it has never been this Board's practice to parse and critique with the benefit of hindsight strategic decisions made by attorneys during the trial and other phases of the criminal process. The Board recognizes the challenging judgment calls that attorneys are repeatedly asked to make in capital cases. It is the rare case indeed where the totality of counsel's missteps and omissions will necessitate a favorable recommendation for clemency by this Board.

Nevertheless, a majority of the members of the Board find it impossible to overlook the glaring omissions, missed opportunities, and questionable tactical decisions made by Post's several attorneys. The various deficiencies in Post's representation, viewed in totality, call into question whether Post's death sentence was imposed through the kind of just and credible process called for by a punishment of this magnitude.

Three (3) members of the Ohio Parole Board are not in favor of recommending clemency. The three Board members have concluded that Executive clemency would not be in the best interests of the State of Ohio for the following reasons:

- There is no doubt that Post perpetrated the offense, which was cold-blooded and calculated. Post made a plan, befriended a vulnerable victim to earn her trust, and then took advantage of her kindness by shooting her twice in the head and robbing her. Post remained in Vantz's presence for at least an hour before killing her. Post

admitted his guilt to multiple people, including individuals known only to his defense attorneys.

- Defense counsel's questionable tactical decisions and omissions do not outweigh the aggravating circumstances present in this case.
- Post's no contest plea was knowingly and voluntarily entered by Post. The trial court engaged in an extensive colloquy with Post about his plea and its attendant consequences, including the potential death sentence that Post might be given.
- Post's conviction and his various claims for relief were thoroughly vetted on direct appeal and through post-conviction collateral proceedings. Post received all of the due process to which he was entitled in a capital case. Nearly three decades after committing the crime, Post continues to fight his execution through various avenues.
- Post has not presented any evidence that mitigates the numerous aggravating factors present in his case.
- Post refuses to accept responsibility for his crime or express any remorse.
- The fact that the polygraph examiner who took Post's confession, Robert Holmok, was employed by both the defense and the prosecution does not necessarily suggest that Holmok was biased or dishonest.
- Vantz's family deserves closure after 29 years.

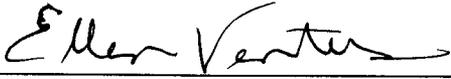
RECOMMENDATION:

The Ohio Parole Board with eight (8) members participating, by a vote of five (5) to three (3) recommends to the Honorable John R. Kasich, Governor of the State of Ohio, that Executive clemency be granted in the case of Ronald Post A183-812 and that his sentence be commuted to life without the possibility of parole.

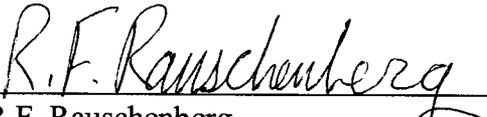
Adult Parole Authority
Ohio Parole Board Members
Voting **Favorable**



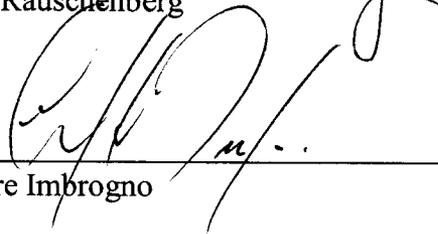
Cynthia Mausser, Chair



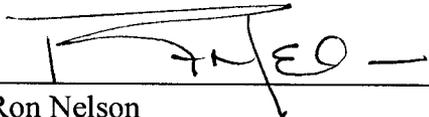
Ellen Venters



R.F. Rauschenberg



Andre Imbrogno

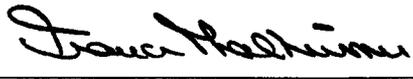


Ron Nelson

Ohio Parole Board Members
Voting **Unfavorable**



Kathleen Kovach



Trayce Thalheimer



Marc Houk

To: Governor Kasick

Hello, my name is Mary, and I am the murder victim's niece. Helen Vance was my mom's only sister.

Although I am here to talk about the effects my aunt's murder had on me, I am here more to speak on how it affected my mother, Clara, who died in 2003.

December 15, 1983, started out like any other day, but that day I had driven my mother to work so I could use her car to attend class. It was also my sister Linda and cousin Carol's birthdays. It was also the day that my Aunt Helen arranged to visit my sister, Pam, and her new born baby, Emily, who was just 6 days old, after her night shift at the Slumber Inn.

While in class that morning, I received a note to call home. I went to the office to use the phone, and was told by my brother Pete to come home right away. On the way home I knew something was wrong and feared something had happened to my newborn baby niece. When I arrived home I saw my brothers, Chuck and Pete. Pete told me I needed to go pick up my mom from work. When I asked why, they didn't tell me, but after asking for the third time my brother Pete told me, "Aunt Helen was murdered last night, you have to go get mom." It hit me like a ton of bricks. I couldn't believe what I had just been told. I could barely see to drive to pick up my mother. I was crying and my head was spinning. When I arrived at her work I rang the bell. The door opened and there stood my mom, and I will never forget till my dying day, the look in my mom's eyes and face... the pain, the devastation, the shock, the loss... all we could do was hold on to each other. I could tell she wanted to collapse... we both did. I needed to help my mom but my head was spinning... I just kept saying "This can't be true, this can't be happening, I don't understand, why? Am I dreaming? Please, God, let me wake from this nightmare."

The days that followed seemed to be going in slow motion for me. There were things that needed to be done but my focus was on my mom... I couldn't stand to see her suffering... I wanted so badly to take away her pain. All that I could do was be with her and drive her to do the things she needed to do to prepare for my Aunt Helen's funeral. I didn't want to leave her for a moment.

I remember it was very cold on the day of her funeral. The other thing I remember, and will never forget, and haven't seen anything like it since, were the people... all the people that came... every room of the funeral home was packed... and the flowers... it was a sea of flowers... there literally was no room left to put flowers. I also vividly remember my cousin, Carol, from W. Virginia, walking in the funeral home clutching the birthday card my aunt had sent her. She never even got to thank her.

Christmas of '83 was extremely difficult and hard on the whole family. Christmas was my aunt's favorite holiday. Every year she set up a nativity scene in her window for the neighbors to enjoy.

My mom did the best she could for us, but she wasn't relaxed like she used to be. Every night after dinner she used to sit on the couch reading her paper and drinking her coffee before going to bed. Now she would sit at the diningroom table tapping her finger and staring off into space. Occasionally I would see tears roll down her cheeks. I knew what she was thinking. Other times she would wander

around the house not doing anything in particular. Seemed like the only time she opened the newspaper was to check to see if anyone had been arrested for murdering her sister.

After Ron Post was arrested in April of '84, my mom seemed to relax a little. The fact that someone was arrested was somewhat of a relief to her. But with the impending trial, the anniversary of her sisters murder approaching, and another holiday without her sister, it was too much and my mom had a stroke.

She recovered enough to be able to attend the hearings but again it was extremely stressful and it really wore away at her. I could see how it was tearing her up inside. Knowing this man had been introduced to her sister just hours before killing her. He had a window of time to really think about what he was going to do... time to change his mind... yet he chose to go there, gun in tow, and take a life. He took the life of a loving mother, grandmother, sister, and aunt for a paltry \$100. Life means nothing to him unless of course it's his own. He has never showed an ounce of remorse for what he did to our family.

As time went on, and appeal after appeal was filed, my mom slowly deteriorated. She tried her best, but we all knew that my mom would never fully recover from this devastating act. As time passed, her biggest fear was that she would die before justice was served for her sister. That's what happened. It's unfortunate, but I derive comfort in knowing my mom is with her sister now.

Earlier I mentioned that my Aunt Helen was supposed to visit my sister and her newborn baby on the morning she was murdered. My sister, Pam, had gotten up early and put on a pot of coffee and prepared herself and her baby, Emily, for my aunt's visit. When she didn't show up by 8:30 AM, my sister had figured her relief had not shown up, so she took the baby and went back to her room to lay down. At around 9 AM her phone rang and her husband Jim took the call. It was my mother letting him know what had happened. My sister was so distraught and upset that she was unable to continue nursing her baby. She was too nervous and it had become to frustrating for her and the baby as well.

I miss my aunt dearly. Its been almost 29 years since her murder, but the heartache is still present. She wasn't there to share my happiest moments. My four boys never got the joy of knowing her. There's so much that our family still had to share with her but that was taken away from us.

I will never forgive Ronald Post for taking my aunt's life, and I blame him for destroying my mother's. This has gone on for far too long. Haven't we suffered enough? Please let justice be served for my Aunt Helen and our entire family.

Thank You,

Mary Cheriki

To the Honorable John Kasich, Governor of the State of Ohio.

My name is William Vantz I am the youngest son of John and Helen Vantz.

The last time I saw my mother alive was twenty nine years ago this week a few days before her murder. I came home from classes at the local college and when I pulled into the driveway her car was there. She had come over to visit with my wife Sheryl. She would do that, drop over sometimes with a couple bags of groceries, sometimes just to visit and "girl talk". She and Sheryl were more friends than Mother – daughter in laws. This day when I came into the house she already had her coat on and was leaving. She asked me to move my car so she could get out. As we walked outside a light snow was falling, the air was crisp and cold. For some reason just before we got into our cars I called to her, "hey mom". She turned to look at me, snowflakes in her hair; she looked young, smiling and happy. I told her "thanks, I love you." She replied "I love you too". We backed out of the driveway and she waved to me as she drove away.

On the morning of December 15, 1983 my wife came in and woke me. It was about 6:30 AM. She said the county coroner had just called and said he had my mother and needed me to come to Elyria Memorial Hospital. This could only mean that she was dead but how? As Sheryl and I drove to Elyria from Lorain we would pass by the Hotel where mom worked as the night desk clerk. When we drove by we saw a few police cars in the parking lot. It was at that point I knew something happened to her at work.

When we got to EMH we were quickly taken to a small room off the emergency room. After a few minutes Dr. Kishman, the county coroner came in and began to tell us that he had taken x-rays and that they showed she had been shot twice in the back of the head. At some point he must have realized he forgot something because he asked us if he had told us she was dead. Dr. Kishman then asked her religious beliefs and when I told him he then asked if I wanted a priest to give her the last rights. He then told us the Elyria police wanted us to go the station. I signed for her personal belongings, rings, ear rings, etc. I asked if I needed to identify her but he said that it had already been done. I remember telling him that she was an organ donor but he told us that too much time had passed so her organs were not usable. He asked if we wanted to see her. Last thing I wanted to have burned in my memory was my mother on a slab in the morgue. This was all too surreal as it was. We had just lost our Father, John in February of 1980 not quite three years earlier. I don't recall exactly when but I do remember her autopsy results showed that she was in good health. No signs of disease, no cancer, no heart problem, she should have lived a long life. Only thing wrong was that two bullets had been shot into her head.

We left EMH and went to the Elyria Police Department. When we told the desk officer who we were he called someone and asked us to have a seat. Detective Meddars came out and took us back to his desk area. I noticed mom's coat on top of a file cabinet, the same coat she had worn just a few days before. I believe it was in a plastic bag. He offered his condolences and asked us some questions but by this time everything was just a blur. We identified her purse and signed for it. He asked if they could go to her apartment and look around, we did that the following day.

Little did we realize at the time what a huge impact this stupid, cold blooded act had done to our lives.

Our Mother loved Christmas time. The bedroom of her apartment had a bay window and every year she would set up a Nativity scene. This year was no different and when we went to the apartment to meet with the detectives it was a shocking reminder. We left it displayed for the neighbors to enjoy but there would be no joy for us this Christmas. Mom was dead and her murderer was still out there somewhere. The detectives did a quick sweep of the apartment but soon realized that nothing was to be found. They told us they had some leads they were working on and that a large man had been seen in the lobby of the hotel that morning.

I don't recall if the prosecutor or the police informed us in April that they had made an arrest and that the subject was being arraigned the following day. My brother Dan, Sheryl and I went to the Elyria courthouse for the arraignment. I was 26 and this was the first time I had ever stepped foot into a courtroom and here I was to see the cold bastard that killed my mother. We stood near the doorway as they escorted him out after his plea. Making eye contact I felt an anger that I had never felt before.

Sheryl and I met with the Lorain County Prosecutor, Greg White and he laid out our options, thirty years to life in prison or the death penalty. Post had shown no mercy to my Mother. He killed her in cold blood, cowardly, shot a 53 year old defenseless woman twice in the back of the head. Didn't look her in the eyes. He didn't give a damn about what pulling the trigger meant to anyone but himself. So that day I told Mr. White I wanted the full extent of the law, execution is the only justice for an executioner.

Helen Grace Vantz was a kind hearted and loving woman. You can ask anyone who knew her and they will tell you that. She was creative; she would sit at the kitchen table and sketch. Mostly facial features, eyes, mouths, ears, hands, etcetera and she was very good at it. She painted in oils one of the hardest techniques to master. I think with the right encouragement she could have been a professional artist but she never got that chance. She sewed, not often but when she did the things she made were perfect. Mom loved to read and had a large collection of books, always saying that when she retired she would have time to read them. She loved animals and had figurines and art work of elephants, large cats; tigers and leopards. I think her favorite saint was St. Francis of Assisi, the patron saint of animals. Growing up we had a figurine of St. Francis on our book shelves. She would have had dogs had she not lived in an apartment. When she would visit with us, I often wondered if she came to visit us or our dog. Of course it was all three.

On that ill-fated morning she was going to my cousin Pam and her husband Jim's to see their new born baby girl, Emily, her grandniece. She obviously didn't make it. She had started knitting a baby blanket for Emily in light blue and pink. A baby blanket she never got to finish. Four years later in 1987 when Sheryl was pregnant with our first child Pam and Mary, our other cousin surprised us by giving us that baby blanket. They had gotten it; I don't know how and finished knitting it in the hopes of one day giving it to our first born.

She had one grandchild at the time of her murder, Michael my nephew who was eight years old at the time. Mom had always worked the holidays so others could spend them with their children and families. This year though my brother Mike and his wife Mary had persuaded Mom to spend the night with them in Mentor then spend Christmas day with them. She had gotten coverage for Christmas for the first time in thirteen years. Instead of getting to spend Christmas with his grandmother Michael had to bury her that December.

Our children, Jessica Grace Vantz, our first born was named for my Mother. Grace was Mom's middle name. Robert John our second was given my Father's name as his middle name. This was done out of love and respect for my parents. Unfortunately they would never get to know their grandparents.

Jessica, we've been told is the spitting image of my Mother. Clara (Duffield) Paler, Mom's sister would always comment on how much Jess reminded her of Helen. Clara was one of the biggest backers of seeing Post executed. Clara didn't live long enough to see her sisters murderer be executed though having passed. Many family members and friends have passed away in the twenty-nine years since Mom's murder. They waited as did we for the day justice would be done. I've wondered at times would I be alive long enough to see this through. On January 16, 2013 I hope to see justice served.

We never held anything back from our children about how their grandmother was killed. They have seen all the newspaper clippings. They know of her and even though they never got to be with her they have a love for her. A black and white picture of her at Lake Erie sitting on a park bench in a summer dress, probably in the mid-1950s sits on the bookshelf in the apartment they share outside Nashville, Tennessee. Jessica has recently made this her Facebook photo.

Mom would have spoiled my children and would have done anything for them like she did for her sons. She was protective of her children. I remember one summer I was maybe seven or eight years old and playing outside. Seeing dad wash the car so many times I thought I would help since he was at work. I went into the house and got a *Brillo* pad from under the sink because I had seen dad clean the white walls of the tires with one. I not only cleaned the white walls but the hub caps, completely scratching them and destroying the finish. Mom came outside and saw what I had done. She didn't get mad at me but I knew from her reaction I had done something wrong. She knew dad would be mad. She dropped what she was doing and washed the rest of the car. Later when we went to pick up dad from work and he saw the hub caps she took the blame for it. She was like the mother in the movie *A Christmas Story* protective of her children.

Our parents divorced in 1971. It was a long drawn out divorce that lasted about three years. Years later while visiting her she went to the refrigerator and pulled out a package and told me to give it to dad. It was white meat packing type material. When I asked what it was she told me Hungarian blood sausage. She had found it at a meat market and knew that dad loved it so she bought a couple pounds for him. They hadn't talked in six or seven years but the love in her heart was still there and she did this for him. When I took it home and gave it to him he was surprised by it. He wasted no time throwing it in a pan and frying it. I passed on dinner that night because if it smelled that bad how good

could it taste. He later told me to thank her for the sausage. That's the kind of person she was, giving, unselfish.

I would go visit her at work. Keep her company and catch up on things. Usually on the weekends when I was a teenager and didn't have anything to do and just spend time with her. The door to the office was always kept locked after 10pm or so. If she didn't know the person was already checked in or didn't like the look of the person at the door she wouldn't unlock it. I know she turned a few people away because she didn't see a car or hear a semi-truck pull in. In the thirteen years she had worked at the hotel she never had any issues that she couldn't handle. If she felt threatened she would have called the police. If she hadn't felt comfortable with Post being in the office that morning she would have insisted he leave. The fact that she was doing the nightly receipts and that her handwriting looked normal tells me she was comfortable and didn't feel threatened. She knew the person who was in the office that morning after being introduced to him early in the night. If her co-worker gave him a good recommendation she probably felt she had nothing to worry about. She made one mistake in all those years and it cost her her life.

The newspapers had her murder on the front page. Over the years we would get phone calls asking for a comment. Every time some news would come through I would experience the anger I had that day. I am able to suppress it but I don't want this anger that's burned inside of me more than half my life. By his own admission to a jail house informant and a polygraph tester he did the crime. He rose up the gun and shot her twice in the back of the head. Like a coward!

We attended hearings and the trial went as far as to attend the first hearing before the Ohio Supreme court. I've always tried to keep our family in the courts eyes to make sure that they placed a face with the victim.

After being found guilty and the return of the death sentence by the judges he was returned to lock up. From jail he called a friend and attempted to have his friend kill me and the jail informant. I received a call from the police informing me of the threat but that there was nothing to worry about because they had the friend in custody on other charges. I guess he didn't like what I had told the court during the mitigation phase. I still feel the same as I did that day. Is that the act of an innocent man?

I would like to thank the Elyria Police Department for finding him and the evidence showing he had committed the murder. I also thank the Lorain County Prosecutors office and the Ohio Attorney General for prosecuting him to the full extent of the law. I also thank this board in advance for not recommending clemency for to do so would be a theft of justice from our Mother, our family, friends and the people of the State of Ohio.

Now I ask you Governor Kasich to finish what I started that day in Greg White's office, to see this through for my Mother and let us put an end to this.

Sincerely;

William H. Vantz

November 30, 2012

Dear Governor Kasich,

It was my first morning home on Christmas break from Ashland College. My brother Chuck woke me and told me that he had gotten a call from our cousin Bill. Bill told Chuck that that he had received a call from the morgue telling him they had a Helen Vantz. Not knowing anything at that point, the only logical conclusion Chuck and I could come up with was that our Aunt Helen must have been in a car accident. Chuck called our mom, Clara, Helen's only sister, at work. After getting off the phone, I remember Chuck saying he screwed up by giving our mom the news over the phone. He realized it after hearing her reaction.

By the time my mother got home, we had learned that Helen was shot and killed at work. The next thing we had to do was go down the street to tell our cousin Dan, Helen's middle son, that his mom had been killed. As we pulled into the driveway, my mom said she couldn't do it, so I went to the door. At first, Dan didn't want to let me in. It was early and I believe my knocking woke him up. I basically apologized and forced myself through the crack in the door. Not really knowing how to break the news, I basically told Dan, "There was a robbery while your mom was working last night. She was shot, and she's dead." I don't think Dan believed what I had just said. I don't recall exactly his first words, but I do remember him asking me to repeat what I had just said. At that point, all I could get out was "I can't", and we just hugged and cried. I always felt bad because I felt Dan had to console me when I should have been consoling him.

The arrest of Post and activity leading up to the trial occurred while I was still in college. My mom would send me newspaper clippings whenever there was a story in the local paper. Post's trial also occurred while I was still at college. Each day of the trial, I would get up early and drive from Ashland to Elyria, skipping any daytime classes I may have had.

I could tell that the murder and trial had a negative impact on my mother's health and spirit. While at college, there was one time I had to return home because she had had a serious stroke. There was some doubt of her surviving. My mom was only in her 50's and had not had any health issues to that point in life. Many times she said that her biggest fear was that she wouldn't live long enough to see Post's execution. She had to endure 20 years of waiting for Post's ultimate judgment day and her biggest fear came true. She died in 2003. She had lived to be 74. She'd be 83 if she were alive today. Still waiting and hoping for justice to be completed.

A couple of days after my Aunt Helen's death, several family members received birthday cards from her in the mail. I know those are their most cherished cards ever received.

There are many sad aspects of this senseless and unnecessary crime. Probably the most egregious was the damage done to those who knew Aunt Helen or never got to know her. The love and emotional support Aunt Helen provided her sons, grandson, and those associated with her was ripped from them, leaving a huge void in their hearts and souls. Post didn't just steal the life of Helen, he also took the love, compassion, support, and happiness she provided to all those around her. Post also ripped away

this same grace from grandchildren, nieces, and nephews who never had an opportunity to know Helen Grace Vantz. They unfortunately came along after Aunt Helen's unnecessary murder and never got to know her.

Without question, this was an unnecessary murder. Helen would have given Post anything he wanted had he asked. Although news reports talk of what Post stole that day (\$100 and a TV), they fail to mention the most precious item stolen, Helen's grace.

The time has come for Post to be held accountable for his cowardly and violent act. It is time to fulfill the three-panel judge's orders of execution.

Thank you,

A handwritten signature in black ink, appearing to read 'Peter Duffield', with a long horizontal flourish extending to the right.

Peter Duffield
Nephew to Helen Vantz
Elyria, Ohio

Ho, Karin

From: Michael Vantz [michaelvantz@me.com]
Sent: Friday, November 30, 2012 6:44 PM
To: Ho, Karin
Cc: Bill Vantz; Pete Duffield
Subject: My Letter to Governor John Kasich, re: Ronald Post on Ohio's Death Row - revised and updated

Dear Governor Kasich,

On the morning of December 15th, 1983, as I worked in my office in downtown Cleveland, I received a phone call from my younger brother, Bill. He said something that seemed terribly cryptic but for a few moments; "Sheryl just got a call from the coroner's office. They said they've got Mom."

Imagine how long it might take to comprehend what that must mean, the one and only impossible thing that it could mean. It took me about three seconds. I'll never forget the eternity of that three seconds, nor the incredulity of the moment. It is all seared into my being like a brand.

I lived in Mentor, OH at the time, having moved there from our native Lorain just five months previously to start a new life with my then new bride of two months, and my son Michael John, of whom I'd obtained custody when he was a toddler.

Since I lived in Mentor, and commuted from downtown Cleveland via carpool, I was without vehicle with which to drive to Lorain to be with my two brothers and friends and other relatives. And so, two of my favorite long-known cousins, Paul Duffield and Chuck Duffield drove to my downtown Cleveland office building to get me and bring me to Lorain, to the home of younger brother Bill, who'd phoned me mere minutes previously with the astonishingly unthinkable news. The drive to Lorain, which would have otherwise have been filled with laughter and levity, was glum at best. The heavy, smothering gray of the day was merely the cruel underscore, the added burden of the gloom and heavily sullen mood within the vehicle making its way westward along I-90 toward our hometown.

We gathered in the kitchen of Sheryl and Bill, my sister-in-law and brother. Present also were Sheryl's parents, Pat and Bob. Others arrived; cousins, friends, neighbors. All of them shared in our shock, in our disbelief, in our sense of attempting to comprehend the incomprehensible. Sister-in-law Sheryl's mother, Pat, pointed something out to me, admonishing, "*What about her?*" she demanded, pointing to her daughter. "*That was her friend!*" I realized at that moment that I hadn't properly acknowledged my sister-in-law, who has been so dear in the ensuing decades.

"*How could this happen?* Who could do such a thing? WHO SHOT OUR MOTHER?? WHO DID THIS? Where are these people? Why did they do this?"

The commiseration, speculations, and similar discussions went on and off for hours. Late in the afternoon, when the time came for my wife to be home from her job and Michael from his elementary school, I made the

dreaded phone call home to Mentor. Answering the phone was my one and only child, then nine year old Michael who had already endured the sudden and unexpected death of one of his parental figures: Grandpa, my father, with whom we'd previously lived till his death, only a few years earlier (he wasn't quite six years old when he'd said such things as "Grandpa wouldn't wake up." - "I wish Grandpa wasn't dead.").

I said to my boy over the phone, "Hi Michael, it's dad. I have some very bad news. Is Mary there?" Mary, my new wife, was his step-mother.

"Yes, she's here," he answered and he put her on the phone.

Michael had told me several times over the ensuing years that "I knew that Grandma was dead before you asked me to give the phone to Mary."

My mother, *our* mother, was my boy's one and only remaining grandparent. When she was murdered, that last family figure with all the experience and love to provide the *unconditional love* that children need, was deprived of him. And of the three human beings who count as her grandchildren, meaning my son Michael and my niece Jessica Grace Vantz and nephew Robert Vantz, only my son Michael ever experienced the joy and love that she was so generous to provide. At the yet young age of 53, she was murdered by Ronald Post, as per his confession and conviction. And Mr. Post, ironically enough, is slated on January 16th, 2013, to die at that same age, 53.

But unlike the death of our mother at his hand, the murderer Mr. Post has had decades to anticipate his. Our mother Helen had zero moment of warning when the gunshots that killed her, that penetrated her skull and brain were made in that heinous, despicable act of evil. None among us were given the opportunity to say *fair well*, to wish her a 'Happy Eternity', to tell her "We'll pray for you, Mom!", to let her know how precious she had been to all of us. None of her children, not her dear sister Clara, not her beloved cousins Emma, Carol, Lois nor Elaine, not her loving nieces and nephews Pamela, Chuck, Linda, John, Peter, Paul and Mary, not her beloved aunt Marion, not her longtime best friend and my godmother, Alice Kovacevich, not her guy friend Flavius "Hank" Hanna, not her old neighbor-friend Jean Hepburn, nor her other friends and her other neighbors sharing domicile within the same apartment complex as she were ever able to even whisper a decent 'good bye', let alone a heartfelt "MAY GOD'S GRACE BE WITH YOU, HELEN GRACE!"

Her grandson Michael wasn't afforded the chance to be kissed goodbye either.

And to add to the poignancy of the incident, the added effect, was our invitation for Mom to join us at our home in Mentor for Christmas. Son Michael, wife Mary and I had managed to persuade her to request the time off for Christmas Eve, for the first time in some thirteen years, from her job as night clerk at the then Slumber Inn of Elyria. She was granted time off and was to join us that one hour's drive away to stay with us on Christmas Eve and to enjoy Christmas day with us as well, to sleep in our guest room in fresh bed sheeting under warm blankets and bedspread, in the new home of ours which my wife maintained and made so comfortable and cozy.

She wasn't able to share in that highly anticipated visit with us, because just ten days before Christmas, Ronald Post murdered her. She wasn't able to partake with us, she wasn't able to appreciate her grandson's new spacious

bedroom with all of his toys and pets and artwork of which he was so proud. This all was cancelled because of her murder at that very Slumber Inn from which she had have been excused from her otherwise longtime duties as motel night clerk on Christmas Eve.

And the poignancy grows with the discovery some nine years ago of a sister in Erie, PA, whom we never knew, or at least, did not grow up with. In the mid 1940s, in your native state, our mother's native state of Pennsylvania, she, our mother had given birth to a girl, and was forced to immediately give her up for adoption. Mom was too young to keep the baby, at least in those years. And it would be years before mom would meet dad in his native Lorain, Ohio and they'd marry and produce three sons; myself and two brothers, Dan and Bill. I've enjoyed the company and sibling relationship with Susan of Erie for nearly nine years now. She, Susan, was never able to meet her birth mother, because of this murder by Post twenty years prior to my meeting our sister Susan for the first time (again, nine years ago). And Susan has been married to her husband Charlie for forty-five years. They have three fine adult children, and five fine and beautiful grandchildren. NONE of them had ever had the opportunity to meet and enjoy the love from our mom, Susan's birth mother. And I can state with total certainty that our mother, Helen Grace Hepfl Vantz, would have thrilled at learning of her long-lost daughter Susan's life and person, of her grandchildren via Susan and Charlie, namely Chip, Gillian and Jonathan. And then she'd have been ecstatic with her great grand children, Jeremy, Sarah, Ashlyn, Dominic and Rebecah.

Governor Kasich, I envy not your burden in addressing any last minute requests from Ronald Post for leniency or stay or pardoning. While there are those who assert that Post has already served a death sentence with his years of deep incarceration, caged like an animal and denied the liberties of most citizens, there are those among us who feel that he's had an extra long life beyond that which was intended via his sentencing in 1985. And insomuch as possible, lacking as it might be in conveying the full impact of his brutal deed, this description of mine, I hope, serves to bolster your courage in carrying through with the sentence passed down some 27+years ago as regarding the fate of Mr. Ronald Post. May God be with you, and may He guide your decision making as you fulfill your duties as Governor of our great state. May HIS will be done.

Very Sincerely Yours,
Michael V. Vantz
1499 Wayne Ave.
Lakewood, OH 44107-3422
216-551-7302

To Gov. John Kasich,

This letter is to recommend the execution of Ronald Ray Post be carried out.

I will go back to the date Dec. 15, 1983. My phone rings and I just know it is my mother, Clara Duffield, calling me to wish me a happy birthday. I answer the phone to hear my mother hysterical and crying. I can't understand her. Finally, I realize what she was saying and it was not happy birthday. She is telling me that my aunt, Helen Vantz, has been shot and killed at her work in a robbery.

The death of my mother's sister took a toll on my mother's health. She had a stroke months following Aunt Helen's death. They were close sisters. The one thing my mother had hoped for before her death was justice for the death of her sister who died too young and alone, shot in the head and left for dead. Why is he (Ronald Post) still alive? She died a horrible death.

My Aunt Helen was also my godmother and the only aunt I knew and spent time with. She was a sweet, happy person and the thing I remember most about her was her smile and her kindness to others. I wish my own daughter could have memories of her. I miss Aunt Helen very much.

After the funeral, I get back to Richmond and in the mailbox was a birthday card from my aunt telling me to have a nice day on my birthday. That day is always a reminder of the date she was murdered and my last correspondence from her.

In closing, I need to speak for myself and my mother. Justice must be carried out.

Sincerely,

Linda Duffield Buchanan
(Niece of Helen Vantz)

3923 Cutshaw Ave.
Apt. 2
Richmond, VA 23230

804-551-3435