

**INSIDE**  
 Chlorine cloud affects  
 10 at retirement  
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# LOCAL

**SECTION  
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Editor: Julie Engebrecht, jengebrecht@enquirer.com, 513-768-8600 ♦ WEDNESDAY, OCTOBER 31, 2007

**Cincinnati.Com**  
 ONLINE



## Pair plead no contest in death

By Janice Morse  
 jmorse@enquirer.com

Teen dies in crash after liquor party at couple's home

**MASON** – Even if a teen party crasher comes to your house toting his own supply of booze, you could land in court – just as Cinda and Jose Hernandez of Deerfield Township did on Tuesday.

The Hernandezes each pleaded no contest in Municipal Court to a charge of allowing underage people to consume alcohol in their home. The charges arose from the alcohol-related death of a teen who came to their adult party without invitation on

April 14, said the couple's lawyer, Christopher McDowell. But City Prosecutor Robert Peeler and parents of the dead teen say the Hernandezes had a duty to intervene. Dustin Russell, a 17-year-old Mason High School ju-

nior, died in a wreck after he and the car's driver, Roman Zmood, 19, left the Hernandezes' home. Jose Hernandez, 43, pleaded no contest to a charge involving Russell, Peeler said, while Cinda Hernandez, 47,

pleaded no contest to a charge involving Zmood. Zmood is accused of drunk driving and faces decades in prison if convicted. In Russell's death. His case goes on trial Dec. 15 in Warren County Com-

mon Pleas Court, Lebanon. In exchange for the Hernandezes' pleas, Peeler dropped charges that the couple also allowed other teens to drink in their home. The dead teen's parents, Sue and Ken Russell, gave emotional statements.

See **COUPLE**, Page B5

**Thousands** of complaints have been filed about illegal smoking since the state's smoking ban took effect. Read the complaints and find out which businesses and organizations have been fined by going to Cincinnati.Com.

Keyword: Data Center

### News Briefs

#### WEST CHESTER

#### Candy drop offers chance at prizes

A helicopter will drop nearly 18,000 plastic eggs, filled with candy and the chance to win thousands of dollars in prizes, during a pre-trick-or-treating celebration tonight. The first-ever Halloween Helicopter Candy Drop will be held from 4:30 to 7 p.m. at Four Corners Community Church, 7936 W. Chester Road in West Chester. The area will be separated by age groups, from preschool to sixth grade. Strips of paper inside the orange and yellow eggs will let children know if they have won prizes. Gifts include a Nintendo Wii, iPod, Xbox 360, Doodlepop tickets and Guitar Hero 3, among other donated items. Sweets and gift certificates to local restaurants also will be found. Admission is free.

#### HAMILTON CO.

#### Bowling ball lands inside car on I-74

A bowling ball smashed through the windshield of a westbound car Tuesday morning on Interstate 74 west of Montana Avenue, according to Cincinnati police and fire communication reports. The ball bounced into the back seat and smashed the rear window, police said. The driver, a 51-year-old woman, was not injured and declined to be interviewed by a reporter. It isn't known if the ball was thrown or fell from another vehicle, Cincinnati police said.

#### DELHI TWP.

#### Students asking for food donations

Students from the College of Mount St. Joseph will "trick or treat" for canned goods to help needy families today. Students representing the Mount's Campus Ministry will go from house to house in the Delhi Township area from 6-8 p.m. requesting canned goods to be given to the Anderson Ferry Food Pantry. The students will stay within the confines of Delhi, Alomar, Foley and Morrvue streets. The students can be identified by their Mount apparel and will have shopping carts with them to gather the canned food. For more information, call 513-244-4866.

**Get Published!** share your news, photos and events

Our new GetPublished! feature at Cincinnati.Com is the place where you can share the news and information important to you. Go to Cincinnati.Com and click GetPublished! to get started.

## A PUNKIN IN A PUMPKIN



Get Published!/Heather Holtzclaw

#### First place

On your first Halloween, there is so much to contemplate. Five-month-old Alaina Dawn Holtzclaw of Bethel enjoys her very first great pumpkin experience.

We asked for your best Halloween photos. Then we sifted through about 400 entries to find the cutest and the scariest. But we left it up to you to vote for the best. Readers cast 6,786 votes in the online voting on Cincinnati.Com for their favorite photo in the Hometown Halloween contest. Here are the top three photos you chose.

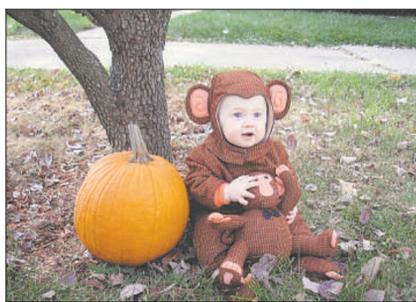
**ONLINE:** Visit Cincinnati.Com for a Halloween weather forecast; go to your community pages for trick-or-treat hours and to post more Halloween photos, which will be displayed until Nov. 5. To see a gallery of the top 10 photos: **search: photos**

#### Second place



Get Published!/Terra Schroeder  
**Emory Schroeder**, 8-month-old fairy princess, of Union Township.

#### Third place



**Eli Stone**, 9 months old, is dressing as a monkey for his first Halloween.

Get Published!/Gerald Stone

## Autopsy shows cops not at fault

By Janice Morse  
 jmorse@enquirer.com

**HAMILTON** – Police officers appear to have followed proper procedure during a scuffle with a mentally disabled man who later died of natural causes, investigators say.

Bobbie Ray Steele, 40, of New Miami, died from a combination of factors: irregular heartbeat, congestive heart failure and the stress of a fight with his dad, then a struggle with police, Butler County Coroner Richard Burkhardt said in a preliminary ruling issued Tuesday.

Steele fell unconscious as deputies handcuffed him at his home. They attempted to revive him, but he died later at Fort Hamilton Hospital.

Butler County Sheriff's Chief Deputy Anthony Dwyer said all five officers who were involved in Steele's arrest have returned to duty following a preliminary investigation.

"I cannot see where the officers violated any policy . . . they did not use any excessive force to effect the arrest," he said.

A report on the internal investigation is expected to be ready in about two weeks.

Dwyer said he met Monday with Steele's relatives to discuss the incident. He explained to them that Ohio law requires officers to almost always make an arrest if they have reason to believe domestic violence occurred, Dwyer said.

If officers had left without

making an arrest, police would have been blamed if the situation later reignited and led to serious injuries or death for the older man, Dwyer said. "I don't think the officers had any choice," Dwyer said. Steele admitted he had struck his 78-year-old father, who had tried to call police, officials said. His son hung up the phone, disconnecting the older man's call to 911. Such "911 hang-ups" automatically send police to investigate.

Officers spent about 20 minutes trying to calm Steele and trying to investigate what had happened between the two men, Dwyer said. Steele, who stood about 5-foot-2 and weighed 273 pounds, became combative and officers had difficulty controlling him because of his large frame, officials said.

Dwyer said he wasn't sure what led to the dispute between Steele and his father. Steele's sister, Sandra Koski, said the two men had argued over cat food.

In an obituary notice, his family said: "Bobby was a special person who had the opportunity to be a kid all of his life," referring to his mental disability.

He leaves his father, Raymond Steele; his mother, Chardean Konrad; four sisters and two brothers, among others. A brother, Lonnie Steele, and sister, Tammy Baldwin, died previously.

Services are set for 11 a.m. today at the Webster Funeral Home, 3080 Homeward Way at Ohio 4. Friends may call one hour before.

## Lifeway to fight for foster care license

By Sheila McLaughlin  
 smclaughlin@enquirer.com

**COLUMBUS** – Lifeway For Youth, the private agency that placed 3-year-old Marcus Fiesel in a deadly foster home, will battle to stay in business after the director of Ohio Department of Job and Family Services decided Tuesday to revoke its foster care license.

Attorneys for the company have 15 days to file an appeal of Helen Jones-Kelley's decision in Franklin County Common Pleas Court.

"It will be sooner than lat-

er," said Lisa Pierce-Reisz, an attorney with Vorys, Seymour Sater and Pease in Columbus. Until then, 185 children placed in Lifeway foster homes will not have to move, she said, because the appeals process allows Lifeway to stay in business while the case is in court.

Lifeway currently licenses 309 foster homes across the state, but only 89 of them have foster children, said Dennis Evans, spokesman for the state family services agency.

Fourteen of those children

See **LIFEWAY**, Page B5

## Old Act I theater morphing into arts center

It's another stage in revival of Sharonville

By Carrie Whitaker  
 cwhitaker@enquirer.com



**VIDEO**

Go to Cincinnati.Com for a video view of the Act 1 Cinema. **Search: video**

**SHARONVILLE** – Flash back 20 years. If it were Friday night, chances are that 11-year-old Tasha Heard has plans to see a movie at Act 1 Cinema in downtown Sharonville.

As a kid, she liked living down the street from the theater – the hottest place to be on a Friday night.

"I remember we would call the theater's hot line every Tuesday or Wednesday to

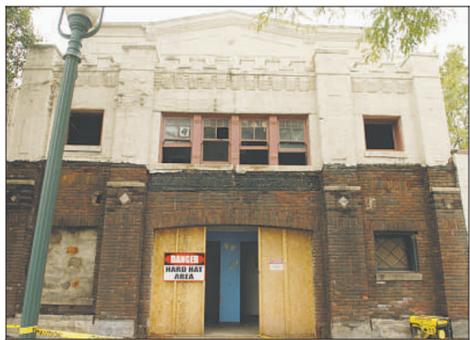
find out what movie was playing," said Heard, now 31 and working in downtown Sharonville at Reddy Coffee & Café.

"But it really didn't matter, because we would be there every Friday anyway."

Closed for most of the year, the cinema now belongs to the Sharonville Fine Arts Council, which is renovating the old theater into a 150-seat theater for movies and performing arts, galleries, art studios and space for an art education center.

Built in the early 1920s as a vaudeville theater, the building later showed silent movies in the 1930s and was most recently known as the Act 1 Cinema.

See **ARTS**, Page B5



The Enquirer/Carrie Cochran

The old Sharonville Act 1 Cinema is currently being gutted and will become an arts center.



The Enquirer/Mike Nyergs