

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

David Michael Toepfer

2. **Position**: State the position for which you have been nominated.

United States Attorney, Northern District of Ohio, U.S. Department of Justice

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office: 100 East Federal Street, Ste. 325, Youngstown, Ohio 44503

Residence: Warren, Ohio

4. **Birthplace**: State date and place of birth.

1972; Chicago Heights, Illinois

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

University of Akron School of Law, 1994 - 1997
Juris Doctor, May 1997

Youngstown State University, 1990 - 1994
Bachelor of Science in Business Administration, May 1994

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

September 2018 - Present
Supervisory Assistant United States Attorney
March 2008 - September 2018

Assistant United States Attorney
United States Attorney's Office, Northern District of Ohio
801 W. Superior Ave., Ste. 400
Cleveland, Ohio 44113

September 1999 - March 2008
Assistant Prosecutor
Trumbull County Prosecutor's Office
160 High Street, 4th Floor
Warren, Ohio 44481

October 1997 - September 1999
Assistant Prosecutor
Portage County Prosecutor's Office
241 S. Chestnut St., Floor 2
Ravenna, Ohio 44266

September 1995 - October 1997
Intern/Law Clerk (Unpaid September 1995 – June 1996. Paid June 1996 – October 1997)
Portage County Prosecutor's Office
241 S. Chestnut St., Floor 2
Ravenna, Ohio 44266

May 1995 - August 1995
Intern
Werner Ladder Company
93 Werner Rd.
Greenville, Pennsylvania 16125

*Note: Werner Ladder filed for bankruptcy in 2006. It is now a subsidiary of ProDriven Global Brands, 555 Pierce Rd., Ste. 300, Itasca, IL 60143.

March 1994 - August 1994
Warehouse Stocker
Best
912 Great East Plaza
Niles, Ohio 44446
This was a paid position.

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the U.S. Military. I have registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Prosecutor of the Year, Homeland Security Investigations Michigan/Ohio Division
(August 2024)

Certificate of Appreciation for Investigative Excellence, U.S. Dept. of Agriculture
(June 2019)

Homeland Security Investigative Excellence Award (May 2019)

Distinguished Law Enforcement Group Achievement Award, Ohio Attorney General's
Office (May 2015)

FBI Investigative Excellence Award (February 2015)

Ohio Distinguished Law Enforcement Group Achievement Award (October 2015)

Investigative Excellence Award, Mahoning Valley Chiefs of Police Assoc.
(December 2012)

Director's Award, U.S. Dept. of Justice (December 2011)

Advocate of the Month, United States Attorney's Office (October 2011)

Univ. of Akron School of Law Mock Trial Team National Champion Coach, ATLA
Mock Trial Competition (March 2004)

National Quarterfinalist, 1997 Texas Young Lawyers National Trial Competition
Sixth Circuit Regional Champion, 1997 Texas Young Lawyers National Trial
Competition

Univ. of Akron School of Law Dean's List (1994, 1996, 1997)

Univ. of Akron School of Law Dean's Club Scholarship (1996 and 1997)

Williamson College of Business Administration Dean's List (1990 - 1994)

National Dean's List (1994)

Williamson College of Business Administration Dean's Scholarship (1990 – 1994)

Williamson College of Business Administration Dean Miller Scholarship (1990 – 1994)

Youngstown State University Foundation Scholarship (1990 – 1994)

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member and give the titles and dates of any offices which you have held in such groups.

Reappointment Selection Panel for U. S. Magistrate Judge George J. Limbert

Ohio State Bar Association

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Ohio, October 1997

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States Court of Appeals for the 6th Circuit, March 2008

United States District Court, Northern District of Ohio, March 2008

All state courts in Ohio, October 1997

There have been no lapses in membership.

11. Memberships:

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

The Youngstown Foundation Distribution Committee, 2019 - 2023

Committee Chair, January 2021 - March 2023

The English Center of Youngstown, 2019 - Present

Board Member, 2019 - Present

The Federalist Society, 2018 - 2020

Nathaniel R. Jones Inn of Courts, 2014 - 2020

National Association of Assistant United States Attorneys, 2010 - 2021

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To my knowledge, none of these organizations discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published

material to the Committee.

I have done my best to identify all books, articles, letters to the editor, editorial pieces and other published material, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have not located any responsive items.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have done my best to identify any reports, memoranda, or policy statements I have prepared or contributed to, including through a review of my personal files and searches of publicly available electronic databases. I have not located any responsive items.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including through a review of my personal files and searches of publicly available electronic databases. I have not located any responsive items.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including conducting a review of my personal files and searches of publicly available electronic databases. I frequently speak without notes or speak from a handwritten outline. I did not retain handwritten outlines and have attached all that I could find. Despite my searches, there may be other materials I have been unable to identify, find, or remember.

Hubbard City Police Department
220 W. Liberty St.
Hubbard, Ohio 44425

April 24, 2025

I trained local police officers on issues related to search and seizure, arrests, and confessions. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law-enforcement sensitive and not provided.

Drug Enforcement Administration
590 East Western Reserve Rd., Building 4
Youngstown, Ohio 44514

March 6, 2025

I trained federal agents and task force officers on issues related to discovery obligations and preparing for court. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law enforcement-sensitive and not provided.

United States Marshals Service
2041 Blase Nemeth Rd.
Painesville, Ohio 44077

September 27, 2024

I trained Deputy U.S. Marshals and federal task force officers on issues related to fugitive apprehension, search warrants, arrest warrants, and federal crimes. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law enforcement-sensitive and not provided.

Austintown Township Police Department
92 Ohltown Rd.
Youngstown, Ohio 44515

August 26, 2024

I trained local police officers on issues related to search and seizure, arrests, and confessions. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law enforcement-sensitive and not provided.

Trumbull County Sheriff's Office
150 High Street
Warren, Ohio 44481

June 28 and July 25, 2024

I trained local police officers on issues related to search and seizure, arrests, confessions, and testifying in court. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law enforcement-sensitive and not provided.

Drug Enforcement Administration, Youngstown, Ohio
590 East Western Reserve Rd., Building 4
Youngstown, Ohio 44514

February 26, 2024

I trained federal agents and task force officers on issues related to search warrants and search warrant exceptions. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law enforcement-sensitive and not provided.

United States Marshals Service
1430 Cherry Ave., SE
Canton, Ohio 44707

February 23, 2024

I trained Deputy U.S. Marshals and federal task force officers on issues related to fugitive apprehension, search warrants, arrest warrants, and federal crimes. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law-enforcement sensitive and not provided.

United States Marshals Service
800 Dan St.
Akron, Ohio 44310

November 2, 2023

I trained Deputy U.S. Marshals and federal task force officers on issues related to fugitive apprehension, search warrants, arrest warrants, and federal crimes. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law-enforcement sensitive and not provided.

United States Marshals Service
2041 Blasé Nemeth Rd.
Painesville, Ohio 44077

October 24, 2023

I trained Deputy U.S. Marshals and federal task force officers on issues related to fugitive apprehension, search warrants, arrest warrants, and federal crimes. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law-enforcement sensitive and not provided.

Investiture of U. S. Magistrate Judge M. Kendra Klump
Birch Bayh Federal Building & U.S. Courthouse
46 East Ohio Street
Indianapolis, IN 46204

September 15, 2023

I delivered remarks to federal officials and invited guests. I spoke without notes

and am unaware of any press coverage. A transcript of my remarks is attached.

United States Secret Service
6450 Rockside Woods Blvd.
Independence, Ohio 44131
June 8, 2023

I trained federal agents and task force officers on issues related to search warrants and search warrant exceptions. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law enforcement-sensitive and not provided.

United States Marshals Service
8299 Market St.
Youngstown, Ohio 44512
December 15, 2022

I trained Deputy U.S. Marshals and federal task force officers on issues related to fugitive apprehension, search warrants, arrest warrants, and federal crimes. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law enforcement-sensitive and not provided.

United States Marshals Service
800 Dan St.
Akron, Ohio 44310
July 25, 2022

I trained Deputy U.S. Marshals and federal task force officers on issues related to fugitive apprehension, search warrants, arrest warrants, and federal crimes. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law enforcement-sensitive and not provided.

United States Marshals Service
1430 Cherry Ave., SE
Canton, Ohio 44707
November 19, 2021

I trained Deputy U.S. Marshals and federal task force officers on issues related to fugitive apprehension, search warrants, arrest warrants, and federal crimes. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law enforcement-sensitive and not provided.

Community Initiative to Reduce Violence
9 W. Front St.
Youngstown, Ohio 44503
July 15, 2021

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes and do not have a recording of my remarks. A copy of the PowerPoint presentation I used is attached.

Ohio Tactical Officers Association Training Conference
7000 Kalahari Dr.
Sandusky, Ohio 44870
June 10, 2021

I trained Deputy U.S. Marshals and federal task force officers on issues related to fugitive apprehension, search warrants, arrest warrants, and federal crimes. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law enforcement-sensitive and not provided.

Portage County Sheriff's Office
8240 Infirmary Rd.
Ravenna, Ohio 44266
June 10, 2021

I trained Deputy local law enforcement officers on issues related to fugitive apprehension, search warrants, arrest warrants, and federal crimes. I spoke without notes and do not have a recording or transcription of my remarks. I do not have a copy of the PowerPoint presentation I used.

United States Marshals Service
8299 Market St.
Youngstown, Ohio 44512
April 27, 2021

I trained Deputy U.S. Marshals and federal task force officers on issues related to fugitive apprehension, search warrants, arrest warrants, and federal crimes. I spoke without notes and do not have a recording or transcription of my remarks. I do not have a copy of PowerPoint presentation I used.

Community Initiative to Reduce Violence
9 West Front St.
Youngstown, Ohio
December 19, 2019

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Ohio Tactical Officers Association Training Conference
7000 Kalahari Dr.

Sandusky, Ohio 44870

June 6 and 7, 2019

I trained Deputy U.S. Marshals and federal task force officers on issues related to fugitive apprehension, search warrants, arrest warrants, and federal crimes. I spoke without notes and do not have a recording or transcription of my remarks. I used a PowerPoint presentation that is law enforcement-sensitive and not provided.

Title III Wiretap Seminar

801 W. Superior Ave.

Cleveland, Ohio 44113

April 2019

I trained federal prosecutors and agents on how to draft affidavits supporting applications to intercept telephone communications of targets committing federal crimes. I spoke as a panelist without notes. I do not have a recording of my remarks and did not use any other materials.

Ohio Adult Parole Authority

242 W. Federal St.

Youngstown, Ohio 44503

March 4, 2019

I trained federal, state, and local law enforcement officers about federal firearms crimes, search warrants, parole searches, and interdiction patrols. I spoke without notes and do not have a recording of my remarks. The PowerPoint presentation I used is law enforcement-sensitive and not provided.

Community Initiative to Reduce Violence

9 W. Front St.

Youngstown, Ohio 44503

February 21, 2019

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Community Initiative to Reduce Violence

26 S. Phelps St.

Youngstown, Ohio 44503

October 16, 2018

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes. A copy of the PowerPoint presentation I used is attached.

Community Initiative to Reduce Violence
26 S. Phelps St.
Youngstown, Ohio 44503
December 19, 2017

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Safe Neighborhood Initiative
141 South St., SE
Warren, Ohio 44483
April 28, 2017

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Community Initiative to Reduce Violence
26 S. Phelps St.
Youngstown, Ohio 44503
September 24, 2016

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes. A copy of the PowerPoint presentation I used is attached.

Community Initiative to Reduce Violence
26 S. Phelps St.
Youngstown, Ohio 44503
January 31, 2015

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Safe Neighborhood Initiative
110 W. 44th St.
Ashtabula, Ohio 44004
July 25, 2014

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their

life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes. A copy of the PowerPoint presentation I used is attached.

Community Initiative to Reduce Violence
26 S. Phelps St.
Youngstown, Ohio 44503
March 15, 2014

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Safe Neighborhood Initiative
161 High Street
Warren, Ohio 44481
December 20, 2013

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes. A copy of the PowerPoint presentation I used is attached.

Community Initiative to Reduce Violence
26 S. Phelps St.
Youngstown, Ohio 44503
October 26, 2013

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes. A copy of the PowerPoint presentation I used is attached.

Community Initiative to Reduce Violence
26 S. Phelps St.
Youngstown, Ohio 44503
June 12, 2013

I spoke to offenders on supervision about the consequences of violating federal laws and encouraging them to take advantage of available services to change their life decisions. I am unaware of any press coverage. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Mahoning Valley Law Enforcement Task Force
8299 Market St.

Boardman, Ohio 44512

June 8, 2011

I trained federal, state, and local law enforcement officers about issues related to search and seizure and preparing for court. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Howland Township Police Department

169 Niles Cortland Rd.

Warren, Ohio 44484

December 10, 2009

I trained local law enforcement officers about issues related to search and seizure, preparing for court. There is neither a recording nor transcript of my remarks. I spoke without notes. The PowerPoint presentation I used is law enforcement-sensitive and not provided.

Warren Township Police Department

3765 W. Market St.

Leavittsburg, Ohio 44430

December 10, 2009

I trained local law enforcement officers about issues related to search and seizure, preparing for court. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Fowler Township Police Department

3364 Youngstown Kingsville Rd.

Cortland, Ohio 44410

April 28, 2009

I trained local law enforcement officers about issues related to search and seizure, laws of arrest, confessions. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Trumbull County Law Enforcement Seminar

9519 E. Market St.

Warren, Ohio 44484

June 2007

I trained local law enforcement officers about issues related to search and seizure, laws of arrest. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Weathersfield Police Department

1451 Prospect St.

Mineral Ridge, Ohio 44440

November 2007

I trained local law enforcement officers about issues related to victims' rights.

There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Warren City Police Department
141 South St., SE
Warren, Ohio 44483
July 2006

I trained local law enforcement officers about issues related to search and seizure, laws of arrest, confessions, report writing, and testifying in court. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Hubbard City Police Department
200 W. Liberty St.
Hubbard, Ohio 44425
November 2005

Trained local law enforcement officers about issues related to search and seizure, laws of arrest, confessions, domestic violence laws, and special issues related to juvenile delinquency. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

Howland Township Police Department, Howland, Ohio
May 2005

Trained local law enforcement officers about issues related to search and seizure, laws of arrest, confessions. There is neither a recording nor transcript of my remarks. I spoke without notes and no longer have a copy of the PowerPoint presentation I used.

National Crime Victims' Rights Week Candlelight Vigil
United Methodist Church
155 Tod Ave NW
Warren, OH 44485
March 7, 2005

I delivered remarks to victims of crime and crime victim advocates in advance of a ceremony reading the names of crime victims who lost their lives in the preceding year. I spoke without notes and there are no transcripts or recordings. I am not aware of any press coverage, apart from a photograph and caption in *The Youngstown Vindicator* (attached).

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

I have done my best to identify all interviews given, including conducting a review of my personal files, and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

Vindy Radio

Radio interview by Louie B. Free

July 18, 2013

The interview can be found at the internet address listed below.

<https://vindyarchives.com/videos/sets/2013/jul/18/vtr-attorney-david-toepfer/>

Brainfood from the Heartland

Radio interview by Louie B. Free

November 2010

I do not have a transcript or recording of the interview. We discussed fatherhood and holiday traditions.

Brainfood from the Heartland

Radio interview by Louie B. Free

July 2010

I do not have a transcript or recording of the interview. We discussed the Violence Gun Reduction and Interdiction Project in Youngstown, Ohio.

Youngstown Vindicator

July 12, 2025

Copy provided.

Warren Tribune Chronicle

July 12, 2025

Copy provided.

13. Public Office, Political Activities and Affiliations:

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I have not run for elective office.

I have never previously been nominated for an appointed office.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of

the campaign, including the candidate, dates of the campaign, your title and responsibilities.

I have not held any memberships or offices in or rendered services to any political party or election committee.

I have not held a position or played a role in a political campaign.

14. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:

- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not clerked for a judge.

- ii. whether you practiced alone, and if so, the addresses and dates;

I have never practiced alone.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

October 1997 - September 1999
Assistant Prosecutor
Portage County Prosecutor's Office
241 S. Chestnut St., Floor 2
Ravenna, Ohio 44266

September 1999 - March 2008
Assistant Prosecutor
Trumbull County Prosecutor's Office
160 High Street, 4th Floor
Warren, Ohio 44481

September 2018 - Present
Supervisory Assistant United States Attorney
March 2008 - September 2018
Assistant United States Attorney
United States Attorney's Office, Northern District of Ohio
801 W. Superior Ave., Ste. 400
Cleveland, Ohio 44113

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

- v. Whether you have held any judicial office, including positions as an administrative law judge, on any U.S. federal, state, tribal, or local court and if so, please provide the name of the court, the jurisdiction of that court, whether the position was appointed or elected, and the dates of your service.

I have never held a judicial office.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.
- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

From October 1997 to September 1999, I was an Assistant Prosecuting Attorney in Portage County, Ohio. I conducted felony and misdemeanor trials in juvenile court, conducted misdemeanor trials in municipal court, conducted pre-trials in juvenile and municipal court, wrote appellate briefs, presented appellate arguments, interviewed witnesses, coordinated police investigations, and advised police officers on legal questions.

From September 1999 to March 2008, I was an Assistant Prosecuting Attorney in Trumbull County, Ohio. I conducted jury trials in common pleas court for all felonies including death penalty cases, murder, offenses of violence, property crime, and fraud. I coordinated investigations involving numerous local police agencies and advised investigators on appropriate charges and investigative techniques. I also conducted felony and misdemeanor trials in juvenile court, conducted misdemeanor trials in municipal court, conducted pre-trials, wrote appellate briefs, presented appellate arguments, interviewed witnesses, and presented cases to grand juries.

I joined the U. S. Department of Justice in March 2008 as an Assistant United States Attorney for the Northern District of Ohio. I conducted jury trials in United States district court for felony violations of federal statutes including bank robbery, firearms, fraud, narcotics, and export-controlled technology. I coordinated investigations involving numerous federal, state, and local agencies in Ohio and other states; and advised investigators on appropriate charges and

investigative techniques. I also train federal law enforcement officers on practical Fourth and Fifth Amendment applications, how to testify in court, and prepare cases for prosecution.

Since 2018, I have been a Supervisory Assistant United States Attorney. In that role, I supervise lawyers in the Akron and Youngstown Branch Offices, serve as liaison between federal and local law enforcement agencies to review cases for federal prosecution, approve indictments and plea agreements, implement special enforcement initiatives, and perform periodic performance evaluations.

From 2019 to 2023, I supervised approximately 50 federal prosecutors across five separate units and three branch offices as the Deputy Chief/Acting Chief of the Criminal Division. In that role, I formulated prosecution policies, reviewed sensitive indictments, and approved non-routine plea agreements.

From 2021 to 2023, I served as the Victim Witness Coordinator. I directly supervised two Victim Specialists and one legal assistant in the Victim/Witness section. We developed policies to protect victims' rights and ensure effective communication about federal prosecutions.

As an Assistant Prosecuting Attorney my client was the State of Ohio. During my time at the Department of Justice, my client has been the United States.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

Apart from administrative duties as a supervisor and occasional training obligations, all of my practice has been in litigation. As an Assistant Prosecuting Attorney I appeared in court at least four days a week and often five days a week. As an Assistant United States Attorney, I appeared in court multiple times a week. Since becoming a Supervisory Assistant United States Attorney, I appear in court multiple times a week on both my own cases and to provide coverage for other attorneys in my office.

- i. Indicate the percentage of your practice in:

1. federal courts:
99.9% since 2008
2. state courts of record:
00.1% since 2008; 100% between 1997 - March 2008
3. other courts:
0%
4. administrative agencies:
0%

- ii. Indicate the percentage of your practice in:

1. civil proceedings:
10%
2. criminal proceedings:
90%

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried approximately 280 matters to verdict. I was either chief counsel or sole counsel in most of those cases.

- i. What percentage of these trials were:
 1. Jury: 30%
 2. non-jury: 70%
- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the Supreme Court of the United States.

15. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. United States v. Dilshod Sidikov, et al.
USDC, NDOH Case No. 4:13CR91
Judge Dan A. Polster
2013-2014

This was a 28-defendant wire fraud and money-laundering conspiracy that stemmed from an investigation by Homeland Security Investigations. Sidikov hacked into the

computer systems of small trucking companies, stole their banking information, and produced counterfeit checks. He then recruited people from New York City to travel across the United States cashing the checks and sending the proceeds to a co-conspirator in Ukraine.

I was sole-counsel for most of the case and helped direct the investigation. This involved developing cooperators, reviewing search warrants, and the grand jury's investigation powers. Once the case was indicted, I was responsible for the majority of the pretrial litigation, including responding to motions, questioning witnesses during a motion to suppress evidence hearing, and engaging in plea negotiations. I recruited a co-counsel when it appeared that the lead defendant was going to trial. Ultimately, he and the other 27 co-defendants plead guilty and received a wide variety of sentences reflecting their various roles in the conspiracy.

Co-Counsel:
Om Kakani
801 West Superior Ave., Ste. 400
Cleveland, Ohio 44113
(216) 338-4837

Opposing Counsel:
J. Gerald Ingram
7330 Market St.
Boardman, Ohio 44512
(330) 727-4939

2. United States v. Jean Carlos Martinez, et al.
USDC, NDOH Case No. 4:14CR425
Judge Benita Y. Pearson
2014-2015

This was a 16-defendant drug conspiracy case stemming from a months-long wiretap investigation by the FBI. Martinez led a drug trafficking organization transported kilograms of heroin from New York City to the Youngstown, Ohio area. His co-conspirators worked together to prepare the drugs for sale and distributed them in both Ohio and nearby Pennsylvania towns. FBI dismantled the organization by using a variety of techniques such as controlled purchases of heroin, information from confidential sources. Because Martinez was a previous federal defendant, he was aware of the techniques used and was difficult to apprehend. But a series of wiretaps ultimately led us to him.

I was sole-counsel on the case and helped direct the investigation. This involved reviewing dozens of search warrants, reviewing multiple wiretap applications, and being available at all times for the investigators to ask questions and seek direction. I also used the grand jury's investigation powers to obtain records and other relevant information. Once the case was indicted, I was responsible for all pretrial litigation

and plea negotiations. All 16 defendants ultimately plead guilty and received a wide variety of sentences reflecting their various roles in the conspiracy.

Opposing Counsel:
Richard Lillie
P.O. Box 31030
Independence, Ohio 44131
(216) 861-1313

3. United States v. Vincent Moorner, et al.
USDC, NDOH Case No. 4:14CR426
Judge James S. Gwin
2014 - 2015

This was a six-defendant drug conspiracy and money laundering conspiracy that stemmed from a months-long wiretap investigation by the DEA. Moorner directed the shipment of kilograms of heroin from the Atlanta, Georgia area to the Youngstown, Ohio area. He and his co-defendants played various roles from transporting the drugs, to preparing them for sale, distributing them, and laundering the drug proceeds through bank accounts and gift cards. DEA later learned that Moorner used the proceeds to buy a Mercedes Benz SUV for his girlfriend, a house worth approximately \$250,000, and several pieces of high-end jewelry.

I was sole-counsel on the case and helped direct the investigation. This involved reviewing dozens of search warrants, reviewing multiple wiretap applications, and being available at all times for the investigators to ask questions and seek direction. I also used the grand jury's investigation powers to obtain records and other relevant information and worked to secure the forfeiture of property purchased with drug money. Once the case was indicted, I was responsible for all pretrial litigation and plea negotiations. Five defendants plead guilty and one went to trial. I recruited co-counsel to help with the trial, but continued as lead counsel for the case. In the trial, I was responsible for questioning jurors and witnesses, opening statements, and organizing the evidence. A jury found the remaining defendant guilty of the drug conspiracy and a money laundering conspiracy. The court later sentenced him to 140 months in prison.

Co-Counsel:
Jason Katz
801 West Superior Ave., Ste. 400
Cleveland, Ohio 44113

Opposing Counsel:
Thomas E. Conway
19885 Detroit Rd. #193
Rocky River, Ohio 44116
(216) 210-0470

4. United States v. Jose Martinez, et al.
USDC, NDOH Case No. 4:16CR48
Judge Benita Y. Pearson
2016 - 2017

This was a twelve-defendant drug-trafficking conspiracy that spanned across multiple states and into Mexico. The case was the result of a months-long wiretap investigation by the DEA.

The drug trafficking organization was led by a Mexican national who worked with Martinez to transport kilograms of heroin from Mexico to the Youngstown, Ohio area. Martinez was a racehorse trainer who had significant connections throughout the nation. He recruited people to act as couriers and ensured the drugs were delivered to mid-level dealers in the area. Members of the conspiracy also used drug proceeds to buy vehicles and real estate.

I was sole-counsel on the case and helped direct the investigation. This involved reviewing dozens of search warrants, reviewing multiple wiretap applications, and being available at all times for the investigators to ask questions and seek direction. I also used the grand jury's investigation powers to obtain records and other relevant information and worked to secure the forfeiture of property purchased with drug money. Once the case was indicted, I was responsible for all pretrial litigation and plea negotiations. All of the defendants ultimately plead guilty and received a variety of sentences that reflected their roles in the conspiracy.

Opposing Counsel:
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Canfield, Ohio 44406
(330) 719-9727

5. United States v. George Rafidi, et al.
USDC, NDOH Case No. 4:16CR88
Judge Sara Lioi
2016-2017

This was a 32-defendant conspiracy to commit program fraud against the United States that stemmed from an investigation by the USDA. Rafidi owned a small convenience store in Youngstown, Ohio and allowed people to exchange SNAP benefits for cash. The store then kept 50% of whatever amount of cash someone requested. Through a combination of using confidential sources and financial record analysis, USDA identified dozens of people who obtained over \$5,000 in cash and determined that Rafidi's store made over \$2.7 million in stolen benefits.

I was sole-counsel on the case and helped direct the investigation. This involved reviewing search warrants and being available for the investigators to ask questions and seek direction. I also used the grand jury's investigation powers to obtain records and other relevant information. Once the case was indicted, I was responsible for all pretrial litigation and plea negotiations. All of the defendants ultimately plead guilty and received a variety of sentences that reflected their roles in the conspiracy. Rafidi himself was sentenced to serve 33 months and ordered to pay restitution.

Opposing Counsel:
Samuel G. Amendolara
860 Boardman-Canfield Rd., Ste. 204
Youngstown, Ohio 44512
(330) 502-5138

6. United States v. Cameron Cleveland
USDC, NDOH Case No. 5:17CR289
Judge Sara Lioi
2017-2018

Cleveland donned a mask and robbed a local bank at gunpoint. He told investigators that he did it because he had discovered a new process by which to generate energy and needed the money for a microscope to finalize his discovery.

I was the sole prosecutor on the case and responsible for all of the pretrial litigation. Cleveland had substantial mental health issues that required multiple hearings and evaluations to determine if those issues rose to the level of making him not guilty by reason of insanity or making him incompetent to stand trial. Ultimately, the evaluators determined he could appreciate the wrongfulness of his conduct and could assist in his defense. Cleveland later plead guilty and was sentenced to 141 months in prison.

Opposing Counsel:
Rhonda Kotnik
333 S. Main St., Ste. 401
Akron, Ohio 44308
(330) 253-5533

7. United States v. Robert Taylor, et al.
USDC, NDOH Case No. 4:19CR206
Judge Dan A. Polster
2019-2020

This was an eight-defendant drug conspiracy case that stemmed from a months-long wiretap investigation by the FBI. Taylor was a former federal defendant who was coordinating the shipment of kilograms of cocaine from Mexico to areas around

Youngstown, Ohio and Western Pennsylvania. He then supplied the drugs to mid-level and street-level dealers.

I was sole-counsel on the case and helped direct the investigation. This involved reviewing dozens of search warrants, reviewing multiple wiretap applications, and being available at all times for the investigators to ask questions and seek direction. I also used the grand jury's investigation powers to obtain records and other relevant information and worked to secure the forfeiture of property purchased with drug money. Once the case was indicted, I was responsible for all pretrial litigation and plea negotiations. Seven of the defendants plead guilty. One defendant proceeded to trial, but plead guilty mid-trial. Until that point I was responsible for responding to pretrial motions, a motion to suppress evidence, preparing exhibits, and questioning all of the witnesses. All of the defendants received sentences to reflect their roles in the conspiracy.

Opposing Counsel:
Robert Duffrin
4450 Belden Village Street, NW
Suite 208
Canton, Ohio 44718
(330) 428-2068

8. State of Ohio v. Scott Burrows and Mark Worley
Trumbull County Common Pleas Case Nos. 99 CR782 and 99CR783
Judge Andrew D. Logan
1999-2000

This was a capital murder case that proceeded to trial. I served as co-counsel on both cases. 10 days before Christmas in 1999, Burrows and Worley lured an elderly man out of his house by claiming they were having car trouble in a nearby train yard. The victim (who was Burrows's former neighbor), agreed to help. Upon arriving at the train yard, Burrows and Worley shot him in the face with a pellet gun, stabbed him over 20 times, and then stored his body in the trunk of his car. They then returned to the victim's home to kill his wife, who knew Burrows and Worley and would be able to identify them. They entered the home, forced the wife into a bathroom, stabbed her over 20 times, and then stole dozens of hunting rifles.

Both men were indicted for capital murder and proceeded to trial separately. I was responsible for preparing discovery, responding to motions and organizing the evidence. I also questioned several witnesses in the case including civilian, law enforcement, and forensic scientists. Juries found both men guilty of aggravated murder and recommended life without parole instead of death. The court adopted the recommendation and sentenced them to life without parole.

Lead Counsel:
Dennis Watkins

160 High Street, NW
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Warren, Ohio 44481

Co-Counsel
Jennifer Kirr (deceased)
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Girard, Ohio 44420

Opposing Counsel:
Louis DeFabio
4822 Market St.
Youngstown, Ohio 44512
(330) 782-3000

9. State of Ohio v. Jermaine McKinney
Trumbull County Common Pleas Case No. 05CR948
Judge W. Wyatt McKay
2005-2006

This was a capital murder case that proceeded to trial and I served as co-counsel. During the week of Christmas in 2005, McKinney recruited two women to drive him to his ex-girlfriend's house so he could rob her and her elderly mother. One woman drove and the other lured the ex-girlfriend to the house. While his accomplices waited outside, McKinney entered the home and proceeded to beat both his ex-girlfriend and her mother to death with a crowbar. After killing both, McKinney dragged their lifeless bodies to the basement, placed them near a home heating oil tank, and lit their bodies on fire. His accomplices then helped him get away from the home, wipe down the car to hide any blood or other forensic evidence, and drove him to a nearby lake where he tried to throw away his bloody clothes and the murder weapon. The lake was frozen, however, so the evidence stayed on the surface and was later recovered.

During the trial, I was responsible for preparing discovery, responding to motions, organizing the evidence, questioning jurors during voir dire, questioning witnesses in the case, and making closing arguments. The jury found McKinney guilty of aggravated murder and recommended life without parole instead of death. The court adopted the recommendation and sentenced him to life without parole.

Lead Counsel:
Dennis Watkins
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Warren, Ohio 44481

Co-Counsel:

Michael Burnett
160 High Street, NW
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Warren, Ohio 444841

Opposing Counsel:
Donald Malarcik
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Akron, Ohio 44308
(330) 253-0785

10. State of Ohio v. Jeffrey Town

Trumbull County Common Pleas Case No. 07CR6,
Judge Peter J. Kontos
2007

This was a kidnapping and rape case that proceeded to trial. Town offered an exotic dancer \$10,000 to sleep with him. When she refused, he lured her to his home under the false pretenses of wanting to pay her for house cleaning. Instead, he assaulted her, tied her wrists with duct tape, and raped her. He then fled the area and was apprehended near an airport with approximately \$9,000 in cash on him.

I was the sole prosecutor on the case and responsible for all aspects of pretrial and trial litigation. A jury found Town guilty on all counts and the court sentenced him to 33 years in prison.

Opposing Counsel:
John Juhasz
21 West Boardman St.
Youngstown, Ohio 44512
(330) 740-2330

16. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

I have participated in the Youngstown STAR Reentry Court Program since its inception in 2011. This is an effort by federal courts to identify convicted felons who are reentering society and present the highest risk of recidivism. A team made up of the district judge, the magistrate judge, a federal defender, a federal prosecutor, probation officers, and counselors assess each participant's progress and discuss ideas to give him/her the skills and training to avoid sliding back into a lifestyle that will likely lead to violating

supervision and/or new criminal charges. Those who embrace the opportunity and successfully complete the program typically leave with a job and the opportunity to reduce the amount of time they must spend on supervised release.

I also regularly participate in Youngstown's Community Initiative to Reduce Violence (CIRV). This partnership of law enforcement, social service agencies, and the community aims to reduce violence by identifying individuals with criminal records who are associated with violent groups and showing them a pathway out of their lifestyle. After law enforcement officers and victims of crime confront these individuals with the consequences of violence, they are introduced to people who can give them access to vocational training and education.

17. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I have not taught any courses on a full-time basis.

18. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

None.

19. **Outside Commitments During Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

No.

20. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

Please see my OGE-278 as provided by the Office of Government Ethics.

21. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

Please see attached Net Worth Statement.

22. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

During the nomination process, I consulted with the Department of Justice's ethics office and Designated Ethics Officer to identify any potential conflicts. If I am confirmed, I will continue to consult with that office and will recuse myself from any matter in which recusal is required.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If I am confirmed, any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official. If confirmed, I will continue to consult with the Department of Justice's ethics office and will recuse myself from any matter in which recusal is required.

23. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

I have always been active in my church by leading Bible studies, teaching financial responsibility, leading pre-marital counselling, and serving in a variety of other roles as needed.

From approximately 1999 - 2005, I was a volunteer coach for Akron Law School's Mock Trial Team.

From 2019 - 2023, I served on The Youngstown Foundation Distribution Committee. The Youngstown Foundation is the fourth-oldest community foundation in the United States and provides financial assistance to charitable, scientific and educational institutions that promote the well-being of people who live in the City of Youngstown and vicinity. My role was to review funding requests and recommend who should receive money from the foundation.

From 2019-present, I have served on the board of The English Center of Youngstown. The English Center provides low-cost English language courses taught by native speakers online and in person. As a board member, I review curriculum, approve budgets, and address other operational matters.

AFFIDAVIT

I, David M. Toepfer, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

7-30-25

(DATE)

David M. Toepfer

(NAME)

Albion Manellari

(NOTARY)



ALBION MANELLARI
Notary Public, State of Ohio
My Commission Expires:
December 18, 2026