



Columbus City Attorney

**Richard C. Pfeiffer, Jr.**

**eNewsletter**

Volume 1, Issue 6

## A Word from City Attorney Pfeiffer

The City Attorney's office is a unique government agency, as we are literally one of the larger law firms in the city of Columbus with over 115 employees, including lawyers and support staff. While we don't make laws, we help enforce them through the prosecution of misdemeanor crimes as prescribed by city ordinance and the Ohio Revised Code. We also provide legal guidance on the city charter, city codes, state statutes, the Ohio constitution, and federal law for departments representing over 9000 municipal employees.

We offer much more, as we provide services to the community and partner with a host of non-profit groups that help provide critical services and resources to central Ohio residents. Later in this newsletter you can learn more about some of the different facets of our office as we describe the services provided by our Prosecution Resources Unit and detail our partnership with the [Capital Area Humane Society](#) in addressing animal abuse.

On a personal note, I want to thank the [Columbus Metropolitan Club](#) for including me in their "Homegrown Kids" panel discussion at their annual meeting earlier this fall. It was great fun to join fellow Columbus natives Angela Pace, Pat Wynn Brown, Supreme Court Justice Yvette McGee Brown, and moderator Mike Curtin as we reminisced



(Left to right) Angela Pace, Pat Wynn Brown, City Attorney Pfeiffer, Supreme Court Justice Yvette McGee Brown, and Mike Curtin.

about growing up in Columbus, considered how much the city landscape has changed since our childhoods, and pondered where our region is heading into the future. We also appreciated the hospitality shown to us by our hosts at the [Grange Insurance Audubon Center](#). This nature center, just one mile south of downtown, is a true asset and I highly encourage Columbus residents to take full advantage of it.

December 2011



In This Issue:

- Resources Unit
- Protecting Animals
- Meet the Staff
- Citizen Action

Follow the Office of City Attorney Richard C. Pfeiffer, Jr.



Twitter



Facebook



Web



YouTube



Email



## In This Issue:

Resources Unit

Protecting Animals

Meet the Staff

Citizen Action

## Prosecution Resources Unit

Residents who feel they may have been a victim of a possible misdemeanor crime can seek the assistance of the City Attorney's Prosecution Resources Unit (PRU). The Prosecution Resources Unit, led by Director Robert S. Tobias, was formally established four years ago to oversee the operations of the Intake Section, the Mediation Program, and the Check Resolution Program.



### Intake Section

Legal Intake Counselors, or intake officers, are available M-F from 9:00 a.m. to 7:00 p.m. to receive criminal complaints from Columbus residents. When the aggrieved party arrives, staff will first determine if the individual is a victim of a crime. This is to make sure that the person has standing, or the legal right, to file the complaint and that the complaint is criminal in nature. If the complaint is purely a civil matter or a traffic violation, our office will make a referral to Small Claims Court, the appropriate police agency, or recommend the complainant seek legal counsel from a private attorney.

Proper jurisdiction also must be determined. In order for the City Attorney's office to have legal authority to pursue possible criminal charges, the alleged criminal act must have occurred in the city of Columbus or in a municipality that has a contract with our office. Furthermore, the City Attorney's office statutorily can only handle misdemeanors criminal charges; complaints that clearly involve felony offenses must be referred to the appropriate law enforcement agency that has jurisdiction. Finally, our office does not prosecute minors. If the aggrieved party, or prosecuting witness, wants to file a criminal complaint against a juvenile, our office can make a referral to the Juvenile Intake Division of the Franklin County Prosecutor's Office.

## Did You Know?

There are five classes of misdemeanors:

- First degree misdemeanors are punishable by a maximum penalty of six months in jail and/or a \$1,000 fine.
- Second degree misdemeanors are punishable by a maximum penalty of 90 days in jail and/or a \$750 fine.
- Third degree misdemeanors are punishable by a maximum penalty of 60 days in jail and/or a \$500 fine.
- Fourth degree misdemeanors are punishable by a maximum penalty of 30 days in jail and/or a \$250 fine.
- Minor misdemeanors are punishable by a maximum penalty of a \$150 fine.

Once all of the above information is ascertained, the intake officer's next step involves helping the prosecuting witness complete an [Intake Complaint Form](#). This ensures that important case information will be documented in the intake database and background checks will be completed. A formal interview then will be conducted and viable options will be discussed with the complaining party.

If damage to property is alleged, the intake officer will need photos taken by the prosecuting witness. The photos are added to the intake complaint and documented in the evidence section of the intake database. If the damaged property is in need of repair, an estimate or statement of the cost to repair the damage is helpful. Additionally, it is important to determine who actually owns the property.

For vehicles, a copy of the title is necessary. For dwellings, it is important to document whether it is a rental or owner occupied. If the alleged offense constitutes possible telecommunications harassment, a tape recording of the message(s) is extremely important. Keeping text and email messages as evidence also is vital to helping build a case.

Last year, the Intake Section processed 5582 citizen complaints resulting in 873 criminal charges filed. For the complaints that do not result in a criminal charge, other forms of resolution are common, such as the issuance of a warning letter, issuance of a protection order, the witness and respondent enter into mediation, or a civil action is deemed to be the more appropriate route to take.

To contact the Intake Section call 645-6624 or 645-7483.

### **Mediation Program**

In certain instances where a conflict or dispute may not rise to the level of a criminal offense, or there isn't enough evidence to prosecute an alleged offense in court, mediation may be the best course of action. Mediation is a voluntary and confidential process in which parties meet with a neutral third party mediator to discuss their issues. The mediator does not act as an attorney or judge; rather, the role of the mediator is to facilitate discussion directed at resolving issues between two parties.

The City Attorney's Mediation Program evolved out of a clinic initially provided through Capital University Law School. While the program is now formally housed in our office, the partnership with Capital Law continues. Every fall and spring, second and third-year law students from Capital and the OSU Moritz College of Law serve as mediators in the program. Prior to serving, Capital students first complete a semester of coursework in mediation. It's a beneficial arrangement, as the City Attorney's office is able to offer a free service to the community and law students receive class credit and are able to acquire invaluable hands-on training.

During summer months when school is out of session, some students volunteer along with other members of the dispute-resolution community. We are also fortunate to have volunteers from the Nationwide Insurance legal department help maintain the program throughout the summer.

Approximately four to six mediations are held every Tuesday and Wednesday. For more information, contact Mediation Program Coordinator Aaron Rinehart at 645-5807.

### **Check Resolution Program**

The Check Resolution Program facilitates hearings between merchants and check writers whose checks have been returned for insufficient funds. These hearings attempt to resolve the situation without criminal charges being filed against the check writer. Dishonored checks result in higher prices for consumers and a larger docket for the Franklin County Municipal Court. Having the check writer pay the full amount of the previously dishonored check prevents criminal charges from being filed, saving taxpayers and the court system time and money. Read more [here](#).

## **Did You Know?**

Last year, 80.3% of the conducted mediation hearings resulted in a mutual agreement between parties.



### In This Issue:

Resources Unit

Protecting Animals

Meet the Staff

Citizen Action

## Partnering to Prevent Animal Abuse

Last month the City Attorney's office teamed up with the [Capital Area Humane Society](#) (CAHS) to help staff ABC6's *Fighting Back* hotline to gather information about [suspected animal abusers](#). This joint effort was just another example of the partnership between the City Attorney's office and CAHS.

The Capital Area Humane Society is a unique operation, as it is a charitable, non-profit organization with law enforcement authority. Approximately 95 percent of their \$2.4 million annual budget is privately funded—with the other five percent coming from the Franklin County commissioners to help cover costs for cruelty investigations and the *AdvoCAT* voucher program, which provides a finite number of feline spay/neuter surgeries at no cost to the pet owner.



As the lead agency in investigating cases of animal cruelty, neglect, and abandonment throughout Franklin County, CAHS is responsible for enforcing all state and local laws related to the care and treatment of animals. With 40 staff members, CAHS has a dispatcher who receives roughly 250-300 calls per month about reports of possible animal abuse. Fully commissioned humane agents are then assigned to investigate the claims. During the initial site inspection, the agents will ascertain whether the owners genuinely have their pet's best interest at heart and may need assistance in providing resources and/or medical care for the animals. With these owners, it still may take 2-3 follow-up visits before they get into full compliance. When necessary, the CAHS agents obtain search warrants and can take possession of animals when their health and safety are in jeopardy. A warrantless search may be conducted if an animal in danger is in plain site.



In the cases where animal cruelty and/or abandonment occurred, the agents take the animals to CAHS's 36,000 square-foot shelter, which includes a full-service veterinary clinic, and then submit their investigative reports to the City Attorney's office for prosecution. While the animals receive the veterinary care they need, including vaccinations and any necessary surgeries, the humane agents work with the prosecutors to provide evidence and testimony to build cases. Offenders are charged and prosecuted in the Franklin County Municipal Court Environmental Division under the provisions of [Chapter 959](#) of the Ohio Revised Code. Last year, nearly 10,000 animals—including dogs, cats, rabbits, Guinea pigs, ferrets, birds, reptiles, and fish—received care and shelter.

Along with city prosecutors, the humane agents also work closely with several other government agencies. There is strong evidence showing a correlation between animal cruelty and domestic violence and child abuse; since agents investigating cases of animal cruelty may also detect



### In This Issue:

- Resources Unit
- Protecting Animals
- Meet the Staff
- Citizen Action

This is an e-publication of:  
**Columbus City Attorney**  
**Richard C. Pfeiffer, Jr.**  
 90 West Broad Street  
 Columbus, Ohio 43215  
 Phone 614.645.7385  
 Fax 614.645.6949  
[www.columbuscityattorney.org](http://www.columbuscityattorney.org)

evidence of this link, CAHS coordinates directly with Columbus Police, Sheriff Zach Scott's office, Franklin County Children's Services and several domestic violence victims advocate organizations.

CAHS also offers the *Safe Haven for Pets* program, which provides emergency, temporary shelter for the pets of victims of family violence. According to information provided by CAHS, 71 percent of pet-owning women

entering a shelter reported that their abuser had injured, maimed, killed or threatened their family pet(s); also, between 18-48 percent of battered women delay leaving abusive situations out of fear for the safety of their pets. The program has a coordinator available 24/7 to help transition a pet into CAHS's custody.



During Chief of Staff Bill Hedrick's recent visit to the Capital Area Humane Society facilities, CAHS Development and Communications Manager Mary Hiser shows him some of the adoption-eligible animals.



CAHS is often confused with the [Franklin County Department of Animal Control](#), which is a government agency. Any matters related to stray dogs or livestock attacks should be directed to Animal Control, not the Capital Area Humane Society. Also, for any dog or other animal bite, [Franklin County Public Health](#) should be contacted at 614.525.3160 to file an [animal bite report](#).

In addition to investigating reports of animal cruelty, providing animal foster care, administering a spay and neuter program, and sheltering thousands of homeless animals each year, CAHS also facilitates adoptions for animals, provides animal-assisted therapy to children and seniors at local hospitals and retirement homes, and offers obedience training classes for dogs and puppies. They also shelter more rescued domesticated rabbits than any other facility in the state of Ohio.

As a charitably funded organization responsible for enforcing animal cruelty laws, along with providing several other services and programs, the Capital Area Humane Society relies on support from members, donors, and volunteers.

- To help, visit their website at [www.cahs-pets.org](http://www.cahs-pets.org) or find them at [Facebook/cahs1883](https://www.facebook.com/cahs1883).
- To report animal cruelty 365 days a year, call 614.777.7387 ext. 250.
- To learn more about the *Safe Haven for Pets* program, call 614.315.0102 or email [safehaven@cahs-pets.org](mailto:safehaven@cahs-pets.org).
- To find out how to adopt a pet, read this [FAQ](#).



In This Issue:

Resources Unit

Protecting Animals

Meet the Staff

Citizen Action

This is an e-publication of:  
**Columbus City Attorney**  
**Richard C. Pfeiffer, Jr.**  
90 West Broad Street  
Columbus, Ohio 43215  
Phone 614.645.7385  
Fax 614.645.6949  
[www.columbuscityattorney.org](http://www.columbuscityattorney.org)



## In This Issue:

Resources Unit

Protecting Animals

Meet the Staff

Citizen Action

## Meet the Staff

Little did he know it at the time, but an interest in sports law as a law school student eventually led Robert S. Tobias to a distinguished career in the Columbus City Attorney's office, where he currently serves as Director of the Prosecution Resources Unit. While attending Capital University Law School, Robert thought that serving in the mediation program would help provide him with the skills and experience necessary for an aspiring sports agent.

However, once he started working in the mediation program he began to focus more intently on criminal law and appreciated the opportunity to interact with city prosecutors. With his interest in criminal law piqued, he accepted his first job with the City Attorney's office during his second year in law school, serving as an intake officer. The following year, he worked in the office as a law clerk and then was hired as an assistant city attorney after graduation. Since then, Robert has served as a general courtroom prosecutor, a specialized domestic violence prosecutor, and an environmental prosecutor. He also helped train prosecutors and new recruits at the police academy.

Four years ago, City Attorney Pfeiffer asked Robert to head up the Prosecution Resources Unit, which was created to place the Intake Section, Mediation program, and Check Resolution program under one aegis. With his new role, he manages a staff of 21 part-time and full-employees and oversees the processing of thousands of criminal complaints each year. He also still finds time to get back into the courtroom and considers it to be one of the most rewarding aspects of his job. He values the opportunity to be able to stand up for victims, especially vulnerable ones who may be hesitant or reluctant to face the respondent in their case.

"There is a perception out there that prosecutors only focus on conviction rates, but the most rewarding part of our job is getting justice for victims," Robert said.

He also appreciates being in a position to help law school students who can follow in his footsteps and gain invaluable experience working in the City Attorney's Intake Section and Mediation program. Students rotate in and out annually due to graduation so Robert is always on the lookout for prospective hires who have strong interview skills, a sense of curiosity and a natural inquisitiveness to help with investigations, and a focus on customer service.

Understanding that it is a tough market right now for new attorneys, Robert has advice for law school students and recent graduates: "it's important to persevere and never doubt your own abilities; remain committed, and always look for opportunities to volunteer, network, and make a good first impression."

Getting a foot in the door often takes patience and hard work, but once it happens, one never knows what direction his or her career path can take.



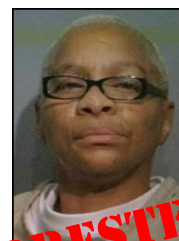
### Robert S. Tobias

**Title:** *Director, Prosecution Resources Unit*

**Education:** *Capital University Law & Graduate Center, J.D., 1995  
Washington University (St. Louis), B.S.B.A., 1991*

## Citizen Action

**UPDATE:** Our call for citizen action continues to be a success! After being targeted recently in our “Fugitive of the Week” program, **Gwendolyn Campbell**, was arrested. Campbell, 52, was known as the so-called “[Beauty Cream Bandit](#)” for stealing dozens of beauty products from local retailers.



**ARRESTED**

*Please help us continue the success of our fugitive apprehension program!*

The individuals listed below have outstanding arrest warrants for multiple charges. If you have information concerning any of them, please contact Assistant City Prosecutor Bill Hedrick at 614.645.8874 or [brhedrick@columbus.gov](mailto:brhedrick@columbus.gov)

### JEFFREY S. CLARK

**WANTED**



**Last known address:** 5751 Arborwood Ct. Apt. D • Columbus, Ohio 43229

**DOB:** 6-24-69 (Age 42)

**Height:** 5'9" **Weight:** 210

**Case Numbers:** 2011 CRB 003435,

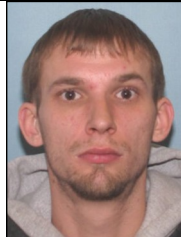
**Hair:** Brown **Eyes:** Blue

2007 TRC 125068, 2010 TRD 154891

**Charges:** 2313.02 – Petty Theft; 2133.01(A)(1)(A) – OVI - Impaired; 2141.11(A) – Driving Under Suspension; 2133.03(D)(2) – Speed Per Se - 65 MPH; 2141.21(A) – Failure to Reinstate License; and 2135.07 – Expired Tags

### WILLIAM M. COCHRAN

**WANTED**



**Last known address:** 641 Chestershire Rd. • Columbus, Ohio 43204

**DOB:** 8/20/84 (Age 27)

**Height:** 5'9" **Weight:** 140

**Case Numbers:** 2011 CRB 009479

**Hair:** Blonde **Eyes:** Brown

and 2011 CRB 014194

**Charges:** 2913.02(A1) – Theft (two counts)

### JAMES W. DUFALA, JR.

**WANTED**



**Last known address:** 122 Broadmeadows Blvd. Apt. C • Columbus, Ohio 43214

**DOB:** 3/7/78 (Age 33)

**Height:** 5'5" **Weight:** 215

**Case Numbers:** 2009 CRB 004787,

**Hair:** Bald **Eyes:** Hazel

2009 CRB 010091, 2009 CRB 024380

**Charges:** 2913.02(A1) – Theft (four counts)

If you are one of the listed individuals, you are strongly encouraged to turn yourself in or contact an attorney.

The Columbus Bar Association Lawyer Referral Service can be reached at 614.221.0754 and the Franklin County Public Defender's Office can be reached at 614.525.3194.

This is an e-publication of:  
**Columbus City Attorney**  
**Richard C. Pfeiffer, Jr.**  
 90 West Broad Street  
 Columbus, Ohio 43215  
 Phone 614.645.7385  
 Fax 614.645.6949  
[www.columbuscityattorney.org](http://www.columbuscityattorney.org)

Follow the Office of City Attorney Richard C. Pfeiffer, Jr.



Twitter



FaceBook



Web



YouTube



Email