



ZACH KLEIN

COLUMBUS CITY ATTORNEY

eNewsletter

Volume 3, Issue 1

From the Desk of City Attorney Zach Klein

As we begin what I hope will be a safe and prosperous New Year for all, it's always important to take a moment to reflect upon the past while also looking forward to what the future holds.

And that is exactly the theme of this e-newsletter.

Every day, we're focused on our three core goals: securing justice, enhancing public safety, and promoting economic opportunity on behalf of the City of Columbus and all our residents. One of the most important issues for us has been championing common-sense gun regulations that actually "do something" to get guns out of the hands of known domestic abusers, violent criminals, and those motivated by an ideology of hatred, racism, and extremism. Last year, we [won](#) an important legal battle in defending our city's updated gun ordinances, but the horrific tragedy in Dayton showed that so much more can be done—and needs to be done—at all levels of government, especially at the state and federal levels. In case you missed it, we're providing a copy of my opinion-piece column that recently ran in the Columbus Dispatch, imploring our state leaders to finally "do something" to help protect our families, friends, and neighbors from further possible tragedy.

Last year, we shut down 18 drug-related nuisance properties, including two apartment buildings, four illegal after-hours clubs, an illegal underground strip club, and two massage parlors that investigators identified as fronts for human trafficking.

Now, just days ago, we shut down the first drug house of the New Year—a property located on South Oakley Avenue on the west side. If we wanted to identify one of the epicenters of the drug epidemic, we'd be hard-pressed to find a place more impacted than South Oakley Avenue. More than half the drug houses we shut down last year were located on the west side and this is the fourth house on this street alone that we've boarded up since 2018.

The Franklin County Coroner's most recent [report](#) indicating overdose deaths were up 15 percent last year shows how critical our fight against addiction is. Every facet of our community needs to be engaged in battling the drug epidemic, and we'll continue to be aggressive in shutting down these dangerous drug operations while also emphasizing the critical need to address and treat drug addiction.

We have a lot more work to do, and I hope you'll take the time to read this, and future e-newsletters, to learn more about the dedicated individuals in our office and the host of issues we're working on to help improve justice, safety, and opportunity in our city.

January 2020



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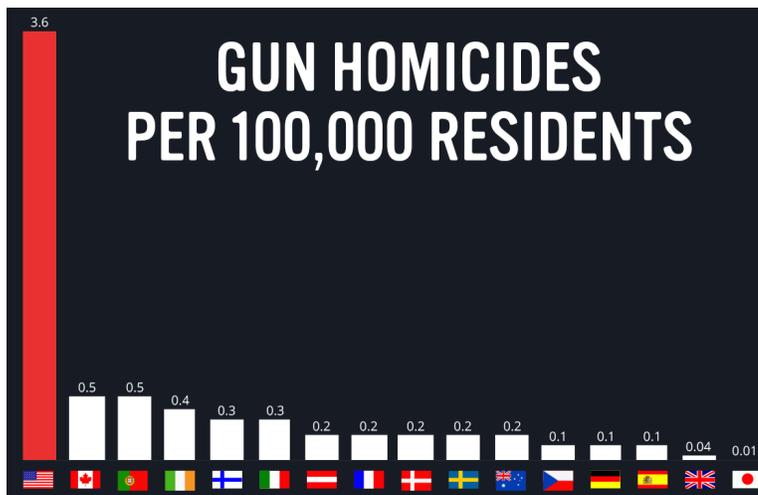
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This is an e-publication of:
Columbus City Attorney
Zach Klein
77 North Front Street
Columbus, Ohio 43215
Phone 614.645.7385
Fax 614.645.6949
www.columbuscityattorney.org

Do Something

This opinion column from City Attorney Klein originally ran in [The Columbus Dispatch](#) on January 3, 2020:

Since the horrific shooting that claimed nine lives and injured 27 in Dayton last August, “Do Something!” has become the rallying cry for Ohioans. We all hoped that because this tragedy took place in our backyard, our elected leaders would finally take action to pass gun control laws that would prevent more deaths of our friends and neighbors.



And when the Dayton community called on Gov. Mike DeWine to do something, he initially responded in support of universal background checks, a “red flag” law and closing the loophole for private sales among nonfamily members.

Unfortunately, when the governor’s proposal eventually was brought forward, courage was lost at the drafting table. The result, Senate Bill 221 or “STRONG Ohio,” fails to fulfill Governor DeWine’s promises.

Instead of pushing for reforms based on science and data, the DeWine-Husted administration fell prey to the pressures of the gun lobby that has run Ohio for decades.

Taking a page from the National Rifle Association’s playbook, “STRONG Ohio” blames our gun death crisis on those with serious mental illness. Yet, there’s no proven link there, and, just as important, this flawed approach ignores the difficulty in meeting the legal criteria required for being declared a mentally ill person subject to a court order. In fact, it’s highly unlikely that the typical mass shooter would be subjected to this type of court oversight.

No doubt about it: We have a mental health problem in this country due to lack of funding, stigmatization and insufficient treatment capacity. But the vast majority of gun violence is not caused by mental illness. In fact, a study from Duke University found that even if all mental illnesses were successfully treated, we would only see a 3% reduction in gun violence. The best predictor of future violent behavior is, unsurprisingly, past violent behavior.

Mass shootings are largely driven by anger, hatred, extremist ideology and unfettered access to large capacity magazines and mass-casualty weapons like AR-15s. Racism, hatred, and ideological grievances occur outside of mental illness and are not symptoms themselves, so the rationale that the current court process is going to stop these mass casualty events is fundamentally flawed.

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Another major deficiency of “STRONG Ohio” is that it fails to require universal background checks on private sales and gun shows. Instead, the proposal allows the seller to voluntarily seek information about whether the buyer is prohibited from purchasing a gun due to his criminal history. From the seller’s perspective, there’s no incentive or likely consequence for not choosing to obtain the background check.

On the flip side, why would a buyer who is legally prohibited from owning a gun ever agree to a background check? That prohibited buyer would just shop around to avoid the inquiry, thus continuing the way guns are sold in Ohio.

If our goal is to reduce gun violence, we need laws that, at a minimum, require universal background checks and create a real “red flag” process that immediately and temporarily disarms individuals who do not meet the legal criteria for being mentally ill subject to a court order, yet pose a demonstrably high risk of violent behavior to themselves or others.

“Do Something.”

As seen in other states, these steps not only curtail potential mass shootings, but they also have a significant impact on the lethality of domestic violence, suicide and the tragic and unnecessary gun violence that plagues America every single day.

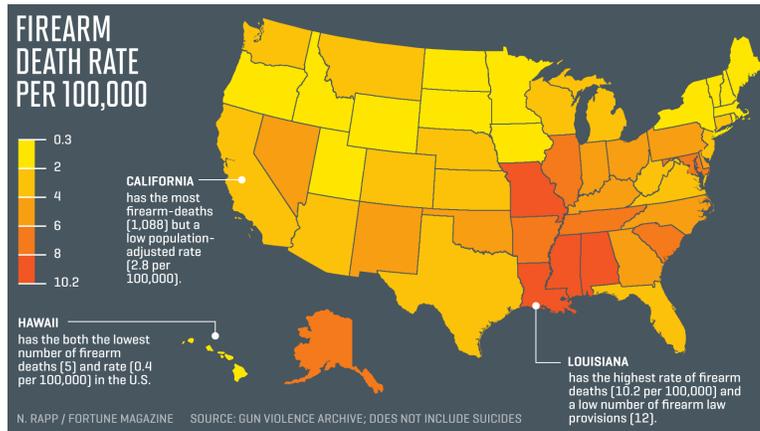
I understand and believe that the democratic process relies on compromise and working together, but close to 90% of Ohioans favor universal background checks and “red flag” laws. It does not bode well for representative government when policies with near unanimous support cannot be passed into law.

Passing “STRONG Ohio” might give us a sense of accomplishment because we are desperate for change, but the reality is this proposal is unlikely to change the status quo.

In fact, I worry that passing a do-nothing bill will create a false sense of security that we’re actually safer, and that once it proves to be ineffective, it will be fodder for the NRA’s bogus talking point that new laws won’t make a difference.

It is after sincere and deliberate analysis alongside experts that I say “STRONG Ohio” falls embarrassingly short from enacting the common sense protections from gun violence that Ohioans deserve. While it may sound like a good first step, Republican leaders at the Statehouse have made it clear that it will be their only step. Governor DeWine himself said, “If we pass this, my position is going to be we’ve dealt with the problem.”

It is far past time to do something. I refuse to accept that this is the best we can do.



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Protecting Neighborhoods

Our office secured an emergency court order to board-up a west side property that was a target of investigation by both the Columbus Division of Police and the Franklin County Sheriff's Office for suspected drug trafficking, including illegal sales of black tar heroin, crack cocaine, and potentially lethal doses of fentanyl. It is the first drug-related nuisance property the City Attorney's office has shut down this year after obtaining court injunctions to board-up 18 in 2019, 10 of which were located on the city's west side.



The hearing also comes on the heels of a Franklin County Coroner's [report](#) showing overdose deaths were up 15 percent in the first nine months of 2019 compared to the same time period the previous year.

Immediately after the Franklin County Environmental Court granted City Attorney Klein's motion for an *ex parte* temporary restraining order, officers from the Investigative/Tactical Unit raided [628 South Oakley Avenue](#) and enforced the court's order to board up the premises. It's the fourth property on Oakley that the City Attorney has shut down since 2018.

According to court documents, Columbus Police have responded to the premises over 30 times in the last two years, mostly for drug-related complaints, including six overdoses in 2018 and five in 2019. The Franklin County Sheriff's Office also conducted several covert purchases of black tar heroin, crack cocaine, and fentanyl from the premises, resulting in a search warrant that turned up cash and drugs.

On August 7, 2019, Columbus Police narcotics detectives sent a certified letter to the owner of the property to inform him of the illegal nuisance activities occurring at the premises and advised him of his legal responsibility to abate the conditions. The letter was signed as received.

On August 10, 2019 officers confiscated methamphetamine, drug paraphernalia, a scale, stolen credit cards, live .38 caliber ammunition, and a GLB38 Cobra pistol from individuals associated with the premises.

On October 12, 2019 police and paramedics were called to the premises on report of an overdose. The victim was administered narcan and treated at the scene.

On October 13, 2019 police were dispatched to the premises on report of a domestic violence incident. Five days later, officers were dispatched again on report of another domestic dispute, this time involving an individual with active arrest warrants.

On November 18, 2019, narcotics detectives conducted a covert purchase of crack cocaine from the premises.

On December 18, 2019 police and paramedics responded to the premises on report of a drug

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Tax Time

It's tax season. And, we get it. No one, except for maybe accountants and tax consultants, looks forward to this time of year.

But there's a *free* program that can help Central Ohio households make filing their tax returns a lot less stressful. It's called [Tax Time](#), a coalition of nonprofit, business, and government organizations providing free, high-quality tax assistance services to low- and moderate-income households and connecting them to financial education and savings opportunities.

Tax Time works to help qualified individuals and families claim valuable tax deductions and credits and avoid tax preparation fees, with the overall goal of assisting low- and moderate-income households to achieve financial stability.

Every year, Tax Time kicks-off the tax season with their Super Saturday event, being held this year on February 1st from 9:00 a.m. to 5:00 p.m. at Columbus Downtown High School. Super Saturday will also feature a financial resource fair that offers information on savings and checking accounts and benefits-eligibility screenings.

If you earned \$56,000 or less in 2019, you may qualify for Tax Time's free tax preparation services. Call 211 to see if you're eligible and schedule an appointment. Walk-ins are also welcome.

WHO: Central Ohio residents who qualify

WHAT: Tax Time *Super Saturday Kick-Off*

WHEN: Saturday, February 1, 2020 from 9 a.m. to 5 p.m. (last appointment begins at 4:00 p.m.)

WHERE: Columbus Downtown High School, 360 South 4th Street, Columbus, OH 43215

For more information, call 211 or visit taxtimecentralohio.org.

\$Tax Time

Free tax prep & financial resources

United Way
of Central Ohio



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City Attorney Klein joined members of **Unity Baptist Church** and the **614 Youth Prevention Agency** to donate toys and pack food for the **21st Annual Christmas Benefit Program** in Driving Park.



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