



Columbus City Attorney

**Richard C. Pfeiffer, Jr.**

**eNewsletter**

Volume 2, Issue 2

## A Word from City Attorney Pfeiffer

As always, I hope our e-newsletter serves as a useful medium to help educate the public about the different facets of the City Attorney's office, describe some of the beneficial functions of our divisions, sections, and units, and report the accomplishments of our staff members.

In this issue you can read about our Police Legal Advisor Bureau, which has garnered widespread recognition through their efforts to provide legal training and advice to police officers and new recruits. We're also excited to introduce a new innovation, as we are now producing in-house digital training videos on pertinent criminal laws and court cases. In addition, one of our police legal advisors, Assistant City Attorney Stephen C. Dunbar, was recently sworn in as a Special Assistant United States Attorney. Steve will serve jointly with our office and with the United States Attorney's Office for the Southern District of Ohio, which is led by [U.S. Attorney Carter Stewart](#). Steve will help prosecute federal gun cases, the majority of which are expected to involve convicted felons illegally possessing firearms.



Police Legal Advisor  
Stephen C. Dunbar

For the regular readers of our e-newsletters, we have a follow-up to a story from last year, as Anne Murray, director of our Domestic Violence and Stalking Unit, reprised her role with the U.S. Department of Justice (DOJ). Anne headed back to the Republic of Georgia to provide additional training as the DOJ continues to help the Georgian government modernize their legal system.



*Rick's Rollers*, the City Attorney's team for Rock N Bowl, a benefit sponsored by the Columbus Bar Foundation on behalf of the Center for Family Safety and Healing.

Finally, not only am I proud of the professional achievements of my staff, I also greatly appreciate their involvement in the community in their personal lives. A special thanks to all those who participated in the [Columbus Bar Foundation's Rock N Bowl](#) fundraiser. The event benefitted Nationwide Children's Hospital's [Center for Family Safety and Healing](#), which is the new name of the recent merger between the Columbus Coalition Against Family Violence and the Center for Child and Family Advocacy .

April 2012



### In This Issue:

- Police Legal Advisors
- Placarded Structures
- International Impact
- 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)

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



Twitter



Facebook



Web



YouTube



Email

## Police Legal Advisors

The City of Columbus currently employs 1549 police officers, with another 31 recruits in training and on their way. For these officers and recruits, the City Attorney's Police Legal Advisor Bureau provides comprehensive legal advice on policies, procedures, and labor issues. The attorneys in this section also deliver around the clock "real time" advice to police personnel. In addition, they track lawsuits, case reviews, and property damage/medical claims against the Columbus Police Division (CPD).



### **Training**

The Police Legal Advisors under City Attorney Pfeiffer consistently provide hundreds of hours of legal training each year for Columbus police officers. The legal advisor team provides approximately one-hundred hours of recruit legal training each year and is scheduled to provide over 50 hours of in-service training for current officers in 2012. This is accomplished in multiple two-hour sessions wherein the advisors meet with every current CPD officer on their shift in order to provide updates on current legal trends. They also conduct bureau/section specific roll-call training during which they meet with officers from specialized units (Homicide, SWAT, Sexual Abuse, etc.) on their shifts to discuss their unique legal concerns. It takes hundreds of hours to prepare for these trainings and to produce related documents for the officers. All preparation and research is done in-house by our attorneys, allowing the City to save valuable taxpayer resources since CPD does not have to assign or pay others to provide this training.

### **24/7 On-Call Advice**

The Police Legal Advisors are asked legal questions by the leadership of the Division of Police and by individual officers on a daily basis. These questions arise as walk-ins, by email, by phone, and by written request. The advisors receive, on average, 20-30 inquiries a day. It is not unusual for them to receive as many as 50 inquiries in a day. Some of these questions are difficult to answer, require research, and have a significant impact on officer decisions and liability.

### **Legal Updates, Bulletin Notices, and Division-Wide Emails and Advisory Videos**

The advisor team produces approximately 12 Legal Updates for officers each year, covering emerging case law, new criminal law legislation, and legal trends. These updates have gained significant recognition statewide and are distributed and used by many other jurisdictions across Ohio. City Attorney Pfeiffer also recently added supplemental advisory videos, which are produced in-house and distributed division-wide via email, to compliment the written legal updates. The Police Legal Advisors also frequently have Bulletin Notices or division-wide emails sent out covering exigent legal issues, which cannot wait for inclusion in the monthly updates.

### **Publication Review**

The Legal Advisors assist CPD in reviewing and rewriting all of their legal publications, including the Division Directives, the Arrest, Search and Seizure Manual, and the Criminal Complaint Manual.

### **Meetings**

Throughout the year, the Police Legal Advisors attend various different community meetings, where they are often called upon to help clarify questions about the law or explain legal matters.

April 2012



In This Issue:

Police Legal Advisors  
Placarded Structures  
International Impact  
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:

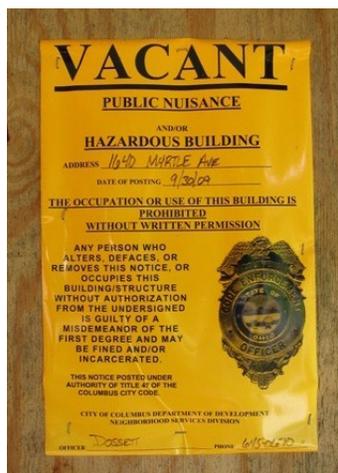
- Police Legal Advisors
- Placarded Structures
- International Impact
- Meet the Staff
- Citizen Action

## Placarded Structures

Ever wonder how or why the City of Columbus places those bright orange placards on vacant and abandoned properties? The simple answer is to protect the health, safety, and well-being of residents and to allow police to enforce the law that prohibits re-occupancy of a placarded building or structure without clearance from Code Enforcement.

Columbus city code 4703.01 defines as a “public nuisance” any vacant property or structure that has building, housing, zoning or nuisance abatement code violations. Practically speaking, most vacant properties fit the definition of “public nuisance.”

Thus, when the City of Columbus determines a vacant building constitutes a public nuisance or hazardous structure, a placard is affixed on the building declaring it as such.



Any vacant structure, whether it’s a commercial building, a house, or an apartment, can be placarded as a public nuisance. Anyone found inside these placarded buildings can be arrested and charged with violating city ordinance 4707.07 for re-occupying a placarded structure. Violation of this statute is a first degree misdemeanor. It is important to note that an attached porch is considered part of the structure. Thus, anyone on the porch of a placarded house would be in violation of the law just as though they were inside. However, the yard is not considered part of a placarded structure.

While a police officer must directly observe the violation in order to make an arrest under this ordinance, an individual may still be charged if a neighbor witnesses that person in the placarded structure or on the porch. If the suspect is found nearby the placarded structure in question, the individual can’t be arrested on the spot but can be issued a summons to appear in court.

Unlike criminal trespassing, the property owner does not have to serve as the complaining witness in order to file 4707.07 charges. Instead, the Code Enforcement Officer who posted the placard on the property can testify that the building was deemed a nuisance and was placarded to prohibit re-occupancy.

If a police officer finds someone in a placarded building and the officer has no reason to believe that individual is authorized by Code Enforcement to be in the structure, the officer may enter without a warrant to arrest the suspect. In such a scenario, the officer would have probable cause to arrest and the suspect would have no expectation of privacy in the structure, which he or she would have illegally entered. An officer also would have reasonable belief that a breaking and entering was in progress, thus furthering support for a warrantless entry.

It is also important to note that tampering with or removing a placard is also a criminal offense, a misdemeanor of the first degree.



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)

## Republic of Georgia Revisited

Last year, a story in our [July newsletter](#) detailed the U.S. Department of Justice’s program that sent our very own Anne Murray to the Republic of Georgia to help the former Soviet country modernize its judicial system. Anne was asked to use her expertise and experience as director of the City Attorney’s Domestic Violence and Stalking Unit to help train Georgian prosecutors and assist in setting up their first victims and witness program.



### In This Issue:

- Police Legal Advisors
- Placarded Structures
- International Impact
- Meet the Staff
- Citizen Action

The effort was part of a DOJ initiative that helps foreign countries establish criminal-justice systems based on international standards. Anne was honored to participate in such an important and historic undertaking and she was even more humbled when the DOJ invited her back again, this time to work with Georgian police officers.

The training took place in late February at the Georgian police academy in the capital city of Tbilisi. Anne spent two days each training two different groups of patrol officers on techniques on what to look for and what to do when responding to domestic violence calls. She explained that as first responders, they were of vital importance to the victims and to the prosecutors. Anne emphasized that the way they handle the situation and the way they deal with the victims could make a significant difference in whether or not the victim chooses to cooperate with the follow-up detectives and whether they decide to cooperate with prosecuting the offender.

While there were the expected challenges of translation, breaking through the entrenched cultural customs and conventions of a patriarchal society, and acknowledging the continuing evolution towards a more open and democratic system, Anne felt that she made considerable progress with officers.



Anne Murray (far left) with one of the two groups of Georgian police officers she helped train to work with domestic violence victims.

In fact, she was pleased to hear that the Administrator of the Ministry of the Interior received feedback from the officers, who felt the class was very informative and that two days wasn't enough for such an important topic. Anne asked her translator if this was usual. The translator explained the officers will usually compliment the presenter, but they don't usually ask for more training!

Before she left, Anne also had the opportunity to catch up with some of the prosecutors she helped train last year. Anne is proud to report that one of her former trainees prosecuted one of the first two jury trials the country has ever had. She won the case.

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)

## Meet the Staff

Having nearly 20 years experience in the City Attorney's office—including eight in his current position—Police Legal Advisor **Jeffrey S. Furbee** has a deep appreciation for the responsibility of his job. His role in providing in-person legal training for police recruits and current officers is an important service that helps both the individual officer and the City of Columbus. By teaching legal concepts and translating changes to the law in a sensible, straightforward manner, Jeff helps provide officers with the tools they need to better ensure the apprehension and prosecution of criminals, while also helping minimize the risk of mistakes that could lead to discipline and liability.

Jeff began working for the City Attorney's office as a mediation hearing officer in 1992 while he attended law school. After graduating, he was hired full-time as an Assistant City Prosecutor and eventually became one of the first specialized domestic violence prosecutors, along with Anne Murray.

Jeff switched over the Civil Division in 1998 and served as an Assistant City Attorney in the Litigation Section. During his time as a litigator, Jeff's duties included representing the City and police officers in lawsuits. By making the process easier for the officers and saving the City money through successfully defending numerous cases, Jeff gained valuable experience working directly with the Division of Police. That experience helped when he was asked to serve as a Police Legal Advisor in 2004.

Looking back on his tenure in the City Attorney's office, Jeff is particularly proud of being one of the first domestic violence prosecutors and joining Anne Murray in receiving a Mayor's Award for Outstanding Service for their efforts in establishing the fact that having specially trained DV prosecutors sent a message that these cases were of utmost importance to the Central Ohio community.

Jeff is happily married with three children (14, 11, and 4). His wife is a nurse at the Ross Heart Hospital at The Ohio State University. When he's not taking calls from CPD asking for legal advice, Jeff runs about 30 miles a week and especially enjoys coaching his children's sports teams.

Just like he does when providing police officers legal advice, Jeff's advice for young attorneys and prospective law students is plainspoken and to-the-point: "Work hard and care about the quality of your work. Everything else will take care of itself."



### Jeffrey S. Furbee

**Title:** *Assistant City Attorney -  
Police Legal Advisor*

**Education:** *Capital Law School,  
J.D., 1993*

*Wittenberg University, B.A., 1988  
Linsley H.S., Wheeling, WV*

April 2012



In This Issue:

Police Legal Advisors  
Placarded Structures  
International Impact  
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)



## Citizen Action

**UPDATE:** *Our call for citizen action has succeeded again!* After being featured in our last newsletter, **Robert E. Lester** had his warrant served and recent “Fugitive of the Week” **Tommy Lee Hayhurst** was arrested for failing to appear in court to answer four theft charges filed against him. This *Columbus Dispatch* [article](#) by Randy Ludlow explains how Hayhurst was suspected of being part of a Dyson vacuum cleaner theft ring.



***Please help us continue the success of our fugitive apprehension program!*** We are currently seeking information on 26 year-old North side resident Paul Andrew Thomas, who is wanted for failing to appear in court in four separate cases against him involving a total of nine criminal counts—including aggravated menacing, domestic violence, assault, endangering children, and criminal damaging.

WANTED



### PAUL ANDREW THOMAS

**DOB:** 3/23/1986 (Age 26)  
**Height:** 5’10” **Weight:** 170  
**Hair:** Brown **Eyes:** Hazel

**Last Known Address:**  
 6258 Faircrest Rd.  
 Columbus, OH 43229

**Case Numbers:**  
 2006 CRB 017658 | 2009 CRB 009518  
 2011 CRB 011526 | 2011 CRB 024896

**Charge(s):**  
 2903.21 – Aggravated Menacing  
 2919.25 – Domestic Violence (two counts)  
 2903.13 – Assault (two counts)  
 2919.22(A) – Endangering Children  
 2309.06 – Criminal Damage/Endangering  
 2921.31 – Obstructing Official Business  
 2925.11 – Drug Abuse

Two of Thomas’ outstanding warrants are related to reported physical abuse of family members. In the first case, an investigation determined that Thomas used excessive physical discipline against his nephew while babysitting on April 18, 2011. As a result, assault and child endangering charges were filed. His nephew was two-years old at the time of the incident.

On October 27, 2011, police were dispatched on a domestic violence call after Thomas allegedly assaulted his grandmother during an argument over a leftover turkey sandwich. Thomas purportedly spit on his grandmother, pulled her hair, slapped her in the face, and threatened to kill her as she tried to back away from him in her motorized house scooter. He fled the scene before police arrived but charges of domestic violence, assault, and menacing were filed against him.

**“The allegations—if they are true—are absolutely appalling,”** said Assistant City Prosecutor Bill R. Hedrick. **“An individual who is reportedly capable of physically abusing family members, especially a toddler and an elderly grandmother, could be a danger to anyone who comes into contact with him.”**

The other warrants for Thomas’ arrest stem from earlier charges of drug abuse and obstructing official business, along with a 2009 incident when a female victim accused him of shattering a beer bottle against her car after a verbal confrontation.

Anyone with information on Paul Andrew Thomas should contact Assistant City Prosecutor Bill Hedrick at 614.645.8874 or [brhedrick@columbus.gov](mailto:brhedrick@columbus.gov)

### In This Issue:

- Police Legal Advisors
- Placarded Structures
- International Impact
- Meet the Staff
- Citizen Action

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