



Columbus City Attorney Richard C. Pfeiffer, Jr.

eNewsletter
Volume 1, Issue 4

September 2011



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A Word from City Attorney Pfeiffer

Many probably have heard of the recent success of the Safe Surrender program launched here in Franklin County for the first time. Due to the collaborative effort between the offices of Franklin County Municipal Clerk of Court Lori Tyack, Sheriff Zach Scott, the Municipal Court judges, the Public Defenders, the Columbus Police Division, the Department of Homeland Security, our prosecutors and many others, 2073 people with outstanding arrest warrants were processed and 2403 cases were resolved.

Everyone involved in this three-day project deserves a special thanks and I greatly appreciate my staff for working late into the night to help ensure these cases could be adjudicated expeditiously. Even with this concerted effort, however, there are still many thousands of outstanding warrants in Franklin County and my office is committed to trying to resolve these cases as well. Later in this newsletter you can learn more about the different types of warrants issued by the court and what my office can do to help those who have warrants for non-violent offenses, which often result due to failure to pay fines or missing court dates.

With the first episode of *Just the Facts* premiering this month (check [CTV's web site](#) for program scheduling) and an upcoming public briefing before Columbus City Council, our office is continuing our public education efforts on vacant and abandoned properties. If you have any thoughts or suggestions, please [email us](#).

Finally, as an update to our last newsletter, some of the victim/witness advocates from the Republic of Georgia, whom our very own Anne Murray helped train, will be in Columbus the week of September 19 for additional training. Anne will be teaching a course on protection orders and we all look forward to their visit. Be sure to check our [Facebook](#) and [Twitter](#) accounts for more updates.



Reverend Frank Washington of New Walk Church of God in Christ discussing strategies to combat neighborhood blight with City Attorney Pfeiffer.

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Resolving Outstanding Warrants for Non-Violent Offenders

There are thousands of arrest warrants issued annually in Franklin County and many remain outstanding several years after the fact. Different types of warrants are issued for different reasons: a bench warrant is issued when an individual fails to appear in court for arraignment or does not appear when one's case is assigned to a specific judge's courtroom; a warrant for enforcement is issued when an individual fails to pay fines and/or court costs within the timeframe established by a judge or magistrate; and, a revocation warrant is issued for violating the terms and conditions of one's probation.



A significant portion of these warrants are for non-violent offenses and it is in the best interest all parties involved to resolve them through proper legal channels.

Individuals with warrants issued against them often slip out of the mainstream of society, as a block is placed on their ability to renew their driver license and they experience difficulty in acquiring jobs that require background checks. These individuals in many cases support themselves by either turning to other criminal activities or working in jobs where they are paid "under the table" and receive no health care or other benefits.

For law enforcement and court personnel, resolving non-violent misdemeanor offenses can allow them to better focus their resources on interdicting and prosecuting more serious forms of crime. Resolving non-violent arrest warrants is not an amnesty program. There are consequences for the initial offense and for the act that necessitates the arrest warrant. However, resolving the case instead of ignoring it is the first step in getting a second chance and being able to fully integrate back into society as a contributing member of one's community.

The best way to check if someone has an outstanding arrest warrant is to use the Franklin County Municipal Clerk's [Court Access and Search Engine](#) (CASE). The instructions are easy to follow and require one to fill out the search form with First Name, Last Name, Date of Birth, and any other applicable information. Outstanding warrants *are* public records.



Individuals who find they have outstanding warrants are strongly encouraged to contact an attorney and turn themselves in.

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.

An individual who wishes to represent himself or herself in resolving a warrant should contact Columbus City Attorney Chief of Staff Bill Hedrick at 614.645.8874 or brhedrick@columbus.gov to make the proper arrangements. An individual who contacts an attorney, which is strongly recommended, can have the attorney make arrangements with Hedrick as well.



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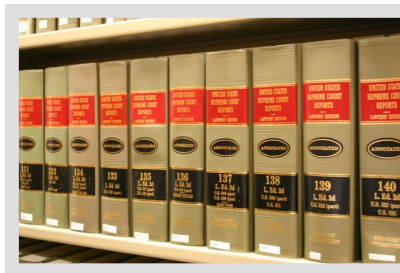
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Reviewing and Resolving Legal Issues

The City Attorney's office reviews thousands of cases each year. While many may often appear fairly straightforward, every case presents a unique set of facts and mitigating circumstances that require legal analysis. As an example of the types of cases reviewed by our attorneys, *State v. Norman S. Hunt* posed an interesting legal argument when the defendant claimed he committed simple assault rather than robbery.



Facts: The incident took place at the Radio Shack store at 2106 N. High St. An individual, later identified as Norman S. Hunt, entered the store and inquired about updating a cell phone plan. Hunt told the sales associate that he had an account with Radio Shack, but the sales associate was unable to locate any account information. Hunt then began asking about specific cell phones. The sales associate became suspicious because Hunt kept looking around the store, asking “redundant questions, and behaving real nervously and jittery.” Hunt made a comment regarding three youths in the store at the time, stating: “I bet they're here to steal something.” Hunt then asked which phone “would cost more.” The sales associate was worried that if he handed Hunt a phone, “he's running with it.”

Hunt eventually expressed interest in a particular phone, but the sales associate did not want to let Hunt handle the phone. Hunt continued asking if he could see the phone, but the sales associate remained suspicious. They eventually walked toward the front of the store; the sales associate was holding the phone in his hand and Hunt kept asking the same questions “over and over again.” The sales associate looked out the window at a passing car and then saw “a fist coming at me at the side of my head out of the corner of my eyes.” Hunt's fist struck the sales associate on the left cheek, under his eye. Hunt then grabbed the phone and “was going out of the store with it.” The sales associate, however, pursued Hunt and “got the phone back.” Hunt exited the store and walked across the street, “not running but faster than a normal walk.” Hunt walked east on Frambes Ave. and went around a corner. The sales associate then telephoned the police.

A Columbus Police Officer on duty received a dispatch regarding an incident at the Radio Shack store on North High St. As the officer was en route to the store, an individual flagged him down and gave him a description of a suspect. The officer detained an individual who fit the description at the intersection of Pearl St. and Woodruff Ave. and placed him in the cruiser. A short time later, officers drove the Radio Shack sales associate to Woodruff Ave. where he identified the suspect.

While inside the cruiser, the suspect asked the officer “if this was the incident about the Radio Shack.” The officer testified: “I didn't respond to anything, and then he responded that he ended up punching the witness at the Radio Shack and I still did not respond to anything.” A Columbus Police Detective conducted an investigation of the incident and interviewed Hunt. Hunt told the detective that he had been in the Radio Shack store three or four days earlier with his grandson, and that an individual made some sort of racial remark. Hunt left the store after hearing the remark.



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Hunt returned to the store and interacted with the same store employee; Hunt told the detective that he punched him in response to the comment made a few days earlier.

Issue: Was this a Robbery? Did Hunt attempt to permanently deprive the store of the phone?

Holding and Analysis: This was a Robbery because Hunt's actions showed he intended to permanently deprive the store of the phone, even though he only had the phone for seconds and did not get out of the store, and in the course of attempting to commit the theft he inflicted physical harm on the sales associate.

Pursuant to [ORC 2911.02\(A\)\(2\)](#), "no person, in attempting or committing a theft offense *** shall *** inflict, attempt to inflict, or threaten to inflict physical harm on another."

[ORC 2911.02\(A\)\(3\)](#) also proscribes the use of force, or the threat of immediate use of force, against another in attempting or committing a theft offense or in fleeing immediately after the attempt or offense.

A theft offense occurs when a person, "with purpose to deprive the owner of property," knowingly obtains or exerts control over the property "without the consent of the owner or person authorized to give consent." Pursuant to [ORC 2913.01\(C\)](#), "deprive" means to "withhold property of another permanently, or for a period that appropriates a substantial portion of its value or use, or with purpose to restore it only upon payment of a reward or other consideration."

[ORC 2923.02\(A\)](#) defines "attempt" as follows: "No person, purposely or knowingly, and when purpose or knowledge is sufficient culpability for the commission of an offense, shall engage in conduct that, if successful, would constitute or result in the offense." "A 'criminal attempt' is when one purposely does...anything which is an act or omission constituting a substantial step in a course of conduct planned to culminate in his commission of the crime."

Hunt argued that he did not deprive Radio Shack of any property permanently or for a period that appropriates a substantial portion of value. Hunt admitted he punched the sales associate; Hunt argued that grabbing an item out of someone's hand does not automatically constitute theft or attempted theft. Hunt argued that he at worst assaulted the sales associate. The Appeals Court found that the jury reasonably concluded that Hunt's act of striking the sales associate, grabbing the phone, and starting to leave the store with the phone constituted an attempt to permanently deprive Radio Shack of property. The fact that Hunt only had the phone momentarily before the sales associate was able to retrieve it does not negate the inference that Hunt intended to permanently deprive the store of property; rather, the facts and circumstances support a reasonable inference that, had Hunt been successful in his actions, he would have left the store with the phone.

Critical Points of *State v. Hunt*

A Robbery requires a theft, or attempted theft, plus the infliction, or an attempted infliction, or threatened infliction of physical harm on another either during the course of the theft or while fleeing from the theft.

This case shows that suspects do not have to have the property in their possession for a lengthy time period to show they intended to permanently deprive the owner of the property.



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Prosecutor Still Pursuing Animal Abuse Suspect Who Fled the State

Whenever he sees one of those “where are they now” segments on television, Bill Hedrick often thinks of Lindsey Clouse. Clouse, 29, may not be famous but in Hedrick’s mind she should be. Hedrick, who serves as chief of staff for City Attorney Pfeiffer, was set to prosecute Clouse in 2007 on 47 counts of animal cruelty and other charges until she fled the state rather than face justice.

Clouse reportedly portrayed herself as an animal rescue volunteer and took advantage of her image as a benevolent rescuer to begin hoarding abandoned pit bulls at her residence on the west side of Columbus. While it may have appeared as though she were operating her own animal rescue shelter, albeit illegally, out of her house, she was accused of keeping up to 18 dogs in squalid conditions and using them for breeding purposes. The stench of mud, feces, and urine in the backyard where many of the dogs were forced to stay was reported to be overpowering. A neighbor also alleged that Clouse would cage the animals and disappear for days.

“No animal should ever be subjected to living in such abject squalor,” said Hedrick. “The images I saw from that house stick with me to this day.”

Knowing the authorities were closing in on her, Clouse ran away and abandoned the 18 dogs, with little apparent regard for their well-being. She was never to be seen again in Ohio.

Two years later, in 2009, Hedrick was able to locate Clouse in Indianapolis and realized she had hidden her past from her new acquaintances and once again was portraying herself as an animal rights advocate. She had opened an animal rescue and training operation and even received an award for training dogs.

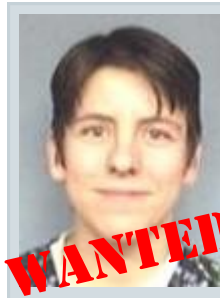
“I was appalled to find this woman, who had hoarded dogs in deplorable conditions and then abandoned them to die because she didn’t want to face the consequences of her actions, was convincing people to hand over their dogs for her to train,” explained Hedrick. “That’s like leaving your elderly grandparents in the care of Dr. Kevorkian.”

Ohio law doesn’t allow for extradition on misdemeanor criminal offenses, so Hedrick could not have Clouse arrested in Indianapolis. With little other recourse, he contacted regional authorities and animal rights organizations and sought the assistance of the local media to alert the public of Clouse’s true identity. After a flurry of unwanted media attention, she quickly shut down her operations and fled Indianapolis.

It took a couple more years of searching, but this past May, Hedrick once again was successful in finding Clouse as she now appears to be residing in the Deadwood, South Dakota area. Hedrick was in contact with the local sheriff’s office there and worked to make sure animal rescuers in the area were alerted to Clouse’s history of charges in Ohio.

The thought that Clouse could still be taking advantage of legitimate animal rescuers and their trusting nature drives Hedrick to keep tabs on her. “I may not have the authority to have her arrested outside of Columbus, but she should know by now that I don’t give up easily,” he said.

Hedrick has an outstanding warrant for 47 charges awaiting Clouse if she ever decides to return to Columbus.



LINDSEY L. CLOUSE

DOB: 11-26-81 (Age 29)

Height: 5’5” **Weight:** 135

Hair: Brown **Eyes:** Green

Case Numbers: 2007 ERB 70998;
2007 ERB 70071; 2007 ERB 70207;
2007 ERB 70257

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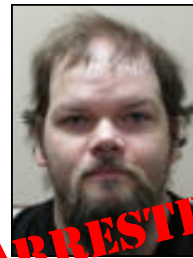
Pursuing Justice

Citizen Action



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UPDATE: Our call for citizen action was successful once again! After being profiled as Columbus' most wanted voyeur, **Mark A. North II** turned himself in to authorities last month.



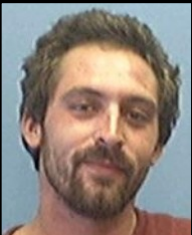
North, 31, had a warrant issued for his arrest after he failed to appear in court to answer charges of voyeurism, criminal trespassing, and two counts of public indecency. This was in addition to his prior convictions on 12 counts of voyeurism and public indecency, where his victims included a minor and several OSU students. He allegedly targeted the OSU campus area, Olentangy bike path, and adjacent parks to spy on his victims and expose himself for sexual gratification.

He reportedly stopped living at his apartment and began staying at encampments in the same parks he used to prey upon his victims. Since he was no longer living at his last known address, police employed surveillance techniques to track him down and were closing in on him when he surrendered.

Help us continue the success of our fugitive apprehension program! The two individuals listed below are wanted on theft charges. If you have any information concerning either of them, please contact Bill Hedrick at 614.645.8874 or brhedrick@columbus.gov

GARY L. GIFFIN, JR.

WANTED



Last known address: 1209 Norfolk Ave. • Circleville, Ohio 43113
DOB: 10/14/81 (Age 29) **Case Numbers:** 2011 CRB 010115, 2011 CRB 014191 and 2011 CRB 015736
Height: 6'0" **Weight:** 190
Hair: Brown **Eyes:** Brown **Charges:** 2913.02(A1) - Theft (two counts) and 2923.03 - Complicity to Theft (one count)

TINA M. CAMPBELL

WANTED



Last known address: 7856 Jeanette Dr. • Westerville, Ohio 43081
DOB: 1/11/1970 (Age 41) **Case Numbers:** 2011 CRB 015049 and 2011 CRB 009460
Height: 5'4" **Weight:** 150
Hair: Brown **Eyes:** Hazel **Charges:** 2913.02(A1) - Theft and 2313.02 - Petty Theft

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.

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