



ZACH KLEIN

COLUMBUS CITY ATTORNEY

eNewsletter

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From the Desk of City Attorney Zach Klein

It's hard to believe that August is already here and kids across Columbus will be heading back to school. We all know how important education is, both individually for those striving to improve their lives and collectively for the betterment of our community as a whole. Here in the City Attorney's office we are continually prioritizing learning, adapting, and evolving to find new ways to address systemic and intractable problems.

You may recall that we announced earlier this year that our staff received in-depth training in [trauma-informed care](#) to better serve the victims we help who are dealing with traumatic life events. We also recently won a federal technical assistance grant to help us [develop and improve strategies](#) aimed at preventing intimate partner homicides. Now, in our latest efforts to better serve the public, we are currently providing our prosecutors with cutting-edge 21st century training.

[Prosecutor Impact](#) is an innovative new program that utilizes training and technology to encourage a more cost-effective and positive outcome-oriented approach to prosecuting crime. The training—which provides prosecutors with the tools to “hold those who commit crimes accountable in ways that increase their chances for success in the community”—is the modern and pragmatic approach to fighting crime. Our ultimate goal is to increase public safety by addressing the causes of crime and providing pathways for people to restore their lives. In many ways, the historic approaches of the criminal justice system has been doing the same thing over and over again but expecting different results. For example, a person stealing to feed an addiction will likely continue that conduct until help is received. Why would we reasonably expect something different unless we treat the reasons for criminality. If we truly want to make our community safer, save taxpayer money, and change lives, we must start addressing and treating the underlying reasons why individuals commit crimes. That approach will provide smart and effective justice for all. And through Prosecutor Impact, our prosecutors will have the new tools and perspectives to effectively do their jobs. I'm grateful we have a talented and effective group of prosecutors who are dedicated to safety and justice.

Finally, I'd like to take a moment to congratulate Tim Mangan, our Chief of Litigation, who is retiring at the end of this month. Tim started off as a social worker before going to law school and spending the next 36 years as an attorney in the Ohio Attorney General's office and the Columbus City Attorney's office. Tim's humor, compassion, and legal insights definitely will be missed.

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In This Issue:

[Prosecutor Impact](#)

[Protecting
Neighborhoods](#)

[Community Action](#)

[News and Notes](#)

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[Prosecutor Impact](#)[Protecting
Neighborhoods](#)[Community Action](#)[News and Notes](#)

The 21st Century Prosecutor

What's more important to public safety, conviction rates or recidivism rates? An honest attempt at answering that question is the impetus behind the concept and methodology of Prosecutor Impact training. According to the [Criminal Law Reform Project](#), the federal prison population in the United States has increased by almost 790 percent since 1980. And the NAACP conducted a [study](#) of the effects of incarceration that shows spending on prisons and jails has increased at three times the rate of spending on K-12 public education in the last 30 years.

Clearly the status quo is not working and a new approach to entrenched problems is needed. That's where Prosecutor Impact training can help. The objective is to provide prosecutors with "the tools, data and training to make compassionate, fair, and informed decisions that demonstrate a commitment to the safety of the public, the well-being of the victim, as well as the betterment of the person charged with the crime."

As Adam Foss, the founder and executive director of Prosecutor Impact, [says](#): it can cost well over \$100,000 of taxpayers' money to incarcerate a juvenile for a year when an investment in other priorities like addiction and mental health resources perhaps could have prevented the crime from ever occurring in the first place.

The training city prosecutors are currently receiving is guided by four principles:

- **Educate** prosecutors on the latest qualitative and quantitative research on critical issues that could impact their cases, such as trauma, behavioral health, and implicit bias.
- **Expose** prosecutors to the circumstances that surround those involved with the criminal justice system, such as homelessness, substance abuse, and jail and prison.
- **Equip** prosecutors with the tools and resources to effectively try their cases, such as decision-making frameworks rooted in community safety, alternative sentencing options, and community-based resources.
- **Empower** prosecutors to exercise creative and thoughtful discretion in their cases by practicing a diverse range of scenarios and learning to manage internal and external barriers and complexities.

According to the Prosecutor Impact website:

Because they choose who to charge, what to charge them with, and the number and severity of the charges, prosecutors heavily influence the short and long-term outcomes of the people impacted by the [criminal justice] system. The consequences of those decisions can mean the difference between the success or failure of someone touched by the system and the overall safety of the community. Those consequences can impede an individual's successful reentry into the community. Equipped with basic knowledge about crime, its causes, the most effective interventions, and community based partnerships, prosecutors will be in a much better position to use their discretion to achieve the best outcomes.

Ultimately, we will rely on data to determine if reducing recidivism rates will have a more positive impact on our neighborhoods than increasing conviction rates.

City Shuts Down Two East Side Drug Houses

The City Attorney's office recently secured emergency court orders to board-up two more drug houses, bringing the city's total to 15 shut down so far this year. Records indicate that the Columbus Division of Police



responded to the two east side properties dozens of times for incidents involving domestic violence, sexual assault, narcotics complaints, drug overdoses, robbery, stolen vehicles, a stabbing, a suicide attempt, and a hostage situation. Police also received information that one of the properties may have been involved in the sale of fentanyl, which is lethal even in small amounts.

In separate hearings last month, the Franklin County Environmental Court granted City Attorney Klein's motions for temporary restraining orders to immediately board up [2929 Hiawatha St.](#) in North Linden and [2265 Century Dr.](#) in the Arlington Park neighborhood.

2929 Hiawatha Street: According to court documents, Columbus Police responded to this property at least 32 times in the last two years for complaints that included nine drug overdoses, four robberies, four domestic violence incidents, two sexual assaults, a stabbing, a suicide attempt, and a hostage report. Narcotics detectives also conducted five covert purchases of illicit drugs, including crack cocaine and heroin, from the premises since February of this year.

In July 2017, police received a report that two victims were sexually assaulted at the premises. In subsequent interviews, the victims told detectives they had been robbed, raped, and kidnapped.

In August 2017, police received a complaint that a resident of the premises was holding two people hostage inside the house. First responders continued to be called to the premises for a variety of incidents throughout 2018. In January and February of this year, paramedics responded to drug overdoses. Detectives covertly purchased crack cocaine on February 25, March 4, and March 11, 2019.

On March 29, 2019 police responded to a report that an individual had been stabbed at the premises. Officers found blood but could not locate the victim. They did, however, discover a scale with crack cocaine on it, two "large bags" of crack cocaine, two bags of "unidentified narcotics," and nine people hiding throughout the house. Paramedics responded to another drug overdose on April 3, 2019. In May, police received a complaint that fentanyl was being sold from the premises. Detectives also obtained heroin from the premises on May 28, 2019.

2265 Century Drive: Over the past year and a half, Columbus Police have responded to the premises numerous times for narcotics complaints. This year alone, officers have confiscated semi-automatic weapons and drugs worth a total estimated street value of over \$83,000.

On March 27, 2018 narcotics detectives received information that at least three suspects were involved in drug trafficking at the premises—a drug supplier, a drug dealer, and an individual "who uses heroin and delivers drugs for the other two suspects."

On February 28, 2019 detectives executed a search warrant at the premises and seized \$79,000 worth of cocaine, cash, a handgun, and a semi-automatic weapon. On June 11, 2019 detectives executed another search warrant, seizing more cocaine, \$2700 worth of heroin, single unit doses of an unidentified narcotic, cash, and a semi-automatic weapon.

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[Prosecutor Impact](#)

[Protecting
Neighborhoods](#)

[Community Action](#)

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Community Action

The City Attorney's office recently partnered with [Nationwide](#), the [Legal Aid Society of Columbus](#), [PACT](#) (Partners Achieving Community Transformation), and the Poindexter Center for City Attorney Klein's latest free community legal clinic. Following a community dinner, the clinic, entitled *The Law, Money, and You*, featured a short presentation and professional advice catered to seniors about how to recognize a scam and protect oneself from theft. After the presentation, lawyers met with the clinic attendees to offer one-on-one advice regarding financial matters and other related topics.

The community legal clinics feature rotating topics and partnering law firms, corporations, and community organizations.

"It's a priority for us to continue finding ways for the City Attorney's office to serve our community," explained City Attorney Klein. "I want to thank Nationwide, the Legal Aid Society of Columbus, PACT, and Poindexter Center for partnering with us in this new clinic, and look forward to the opportunity to share helpful legal and financial advice with community members at our next event in the fall."

If it's summertime, our office routinely gets asked a variety of outdoors-related questions, including if there's a city ordinance regarding basketball hoops in the roadway. The short answer is yes. Columbus City Code Section [902.02](#) covers obstructing sidewalks, bikeways or streets. The ordinance states, in part:



(a) No person, regardless of intent, shall place, deposit, maintain, or use, or cause or permit to be placed, deposited, maintained, or used upon any street, alley, sidewalk, bikeway as defined in Section 900.03, highway, or right-of-way any materials, containers, vending equipment, structures, appliances, furniture, merchandise, bench, stand, sign, or advertising of any kind, or any other similar device or obstruction except as authorized by the transportation administrator, as required by Chapter 903 of the Columbus City Code.

(1) Any person, regardless of intent, who places, deposits, maintains, or uses, or causes or permits to be placed, deposited, maintained, or used upon any street, alley, sidewalk, bikeway, highway, or right-of-way any obstructions as defined in Section 902.02(a), except as authorized by the transportation administrator as required by Chapter 903 of the Columbus City Code, shall remove such obstructions.

While this behavior may seem relatively minor, it can be upsetting to some neighbors. If it becomes an issue, residents are advised to call the city's [311](#) service center or the police's non-emergency number at 614-645-4545.





In This Issue:

[Prosecutor Impact](#)

[Protecting
Neighborhoods](#)

[Community Action](#)

[News and Notes](#)

City Attorney Klein was the keynote speaker as 111 people from 35 different countries became U.S. citizens in the first ever naturalization ceremony to be held in the chambers of Columbus City Council, which occurred on July 25, 2019.



City Attorney Klein is seen here addressing attendees of the *Law, Money, and You* free legal clinic held at Poindexter Center on the city's near east side last month.



The City Attorney's office showed up in force to congratulate and thank Chief of Litigation Tim Mangan as he was being honored by City Council for his years of service to the residents of Columbus. Tim is retiring at the end of the month after more than four decades of public service.



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