



# Columbus City Attorney **Richard C. Pfeiffer, Jr.**

## eNewsletter

Volume 3, November 2013

### A Word from City Attorney Pfeiffer

As always, I hope readers of our e-newsletters find this latest edition useful and informative as we highlight the different aspects of the City Attorney’s office and report on the accomplishments of our staff members.

In this issue, you can read about our Labor and Employment Section taking a proactive approach working with department directors and human resource officials to minimize the risk of liability and discipline for all city departments and the more than 8500 employees working for the city. Also included is a feature on one of our senior attorneys taking a hands-on approach to prosecute serial thieves.

Our Domestic Violence and Stalking Unit, led by Anne Murray, gave a presentation to attendees from around the state who gathered at a recent meeting of the Ohio Victim Witness Association. Our team explained how advocates work with victims, prosecutors and law enforcement to build cases and keep victims as safe as possible. Anne Murray and her team also are featured prominently in the domestic violence documentary we recently produced, which you can learn more about on page two of this newsletter.

I would like to thank all the participants who appeared in the documentary and also give special recognition to our co-producers, eGovernment Program Manager Stefphanie Harper and the crew at [C-TV](#).

On a personal note, I want to thank the Men of Courage for recognizing me with one of their inaugural “Courage Awards” at Mount Hermon Missionary Baptist Church recently. It was a truly humbling moment to be included in such distinguished group of honorees: Dr. Donald J. Washington; Rev. Jerry Revish; John Morris; and Steven Fletcher.



*Scenes from the Men of Courage First Annual Community Outreach Recognition Banquet held at Mt. Hermon Missionary Baptist Church. City Attorney Pfeiffer was honored to receive one of the recognition awards.*



November 2013



In This Issue:

- [Here to Help](#)
- [Labor Employment](#)
- [Targeting Thieves](#)
- [Cold Case](#)
- [Meet the Staff](#)
- [Citizen Action](#)

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1

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## Domestic Violence Documentary

One in four people will suffer domestic violence in their lifetime. But only 27 percent of women and 13.5 percent of men who are physically assaulted by an intimate partner report their assault to law enforcement, according to a study cited by the U.S. Department of Justice.

Those statistics and others—such as a study that indicates it takes five to seven incidents before victims seek help—compelled City Attorney Pfeiffer to produce a documentary on domestic violence.

Domestic violence is a complex issue and may not always be the easiest topic of conversation, but City Attorney Pfeiffer’s goals for the program are twofold: to provide education, information, and inspiration for victims to seek help; and, to demonstrate that Columbus is fairly unique in having a strong network of people and organizations working together to help victims.

The documentary highlights the wide variety of assistance available to victims as the Columbus City Attorney’s [Domestic Violence and Stalking Unit](#), led by Director Anne Murray, works closely with a host of government and community partners. Some of the individuals and organizations featured in the program include:

- Karen Days, President of the [Center for Family Safety and Healing](#)
- Municipal Court Judges [Ted Barrows](#), [James O’Grady](#), [Andrea Peoples](#) and [Anne Taylor](#)
- [Franklin County Prosecutor Ron O’Brien](#)
- [Franklin County Sheriff Zach Scott](#)
- [Columbus Police Chief Kim Jacobs](#)
- [CHOICES](#)
- [Capital University Law School Family Advocacy Clinic](#)
- [Buckeye Region Anti-Violence Organization \(BRAVO\)](#)

Also featured is Katalina, a former victim who wanted to share her story in hopes of inspiring others to overcome their fears and the barriers that often prevent them from seeking help.



The documentary, which is part of City Attorney Pfeiffer’s *Just the Facts* series, is currently airing on C-TV Channel 3 (Insight and Time Warner) and Channel 99 (WOW and AT&T U-Verse).

Check local listings for scheduled air times or **watch the program right now [online](#).**

**“Of all the things we do as attorneys for the City of Columbus, nothing is more important than protecting victims and prosecuting their abusers. We want victims to know that help is out there.”**

**—Columbus City Attorney  
Richard C. Pfeiffer, Jr.**



In This Issue:

[Here to Help](#)

[Labor Employment](#)

[Targeting Thieves](#)

[Cold Case](#)

[Meet the Staff](#)

[Citizen Action](#)

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[Here to Help](#)

[Labor Employment](#)

[Targeting Thieves](#)

[Cold Case](#)

[Meet the Staff](#)

[Citizen Action](#)

## Labor and Employment Section

Section Chief Pamela J. Gordon and the attorneys of the Labor and Employment Section are responsible for handling all labor and employment-related litigation involving the City of Columbus. They also render legal advice to city officials on labor and employment matters involving issues related to the city's seven collective bargaining agreements and its thousands of employees.

Their work can be divided roughly into two halves: on the front end where they proactively engage in trainings and human resource meetings, review employment-related policies, and advise department directors and HR personnel. Section Chief Gordon points out that she and her team do not tell their clients what to do, but advise them on the potential risk of certain personnel decisions or suggest whether or not a certain course of action is legally prudent.

On the other end, the Labor and Employment Section handles all facets of employment-related litigation filed against the city, from administrative review hearings and arbitrations to jury trials and appellate work.

Accordingly, there is an immense amount of rules and regulations, case law, and municipal, state, and federal statutes—including the Family and Medical Leave Act, Fair Labor Standards Act, Americans with Disabilities Act, Age Discrimination in Employment Act, Title VII, and the Ohio Civil Rights Act—that the Labor and Employment attorneys need to be able to encompass.

They also have to be prepared to handle cases in a variety of different forums, including:

- arbitration hearings
- state court (trial and appellate levels)
- federal court (trial and appellate levels)
- U.S. Department of Labor
- U.S. Equal Employment Opportunity Commission
- Ohio Civil Rights Commission
- State Employee Relations Board
- Industrial Commission of Ohio
- Ohio Bureau of Workers' Compensation
- Unemployment Compensation Review Commission
- Columbus Community Relations Commission
- Columbus Civil Service Commission

Last year the Labor and Employment Section started with 109 open cases and took on another 72 new cases filed against the city and/or its employees. They also closed 92 cases, with 58 being successfully resolved in favor of the city through:

- 19 arbitrations
- 15 cases before the Equal Employment Opportunity Commission and the Ohio Civil Rights Commission
- 22 administrative and court cases, including in the Franklin County Court of Common Pleas, 10th District Court of Appeals, and United States District Court
- two that threatened litigation but did not result in a lawsuit

Of the remaining cases, 30 were settled, two arbitrations resulted in split decisions, and two arbitrations were resolved against the city.



## Senior Prosecutor Targeting Serial Thieves

According to national statistics, some experts estimate that habitual shoplifters steal an average of 1.6 times per week. In the Columbus City Attorney’s Prosecutor Division, habitual shoplifters who have been charged 10 or more times with theft are automatically categorized as “serial thieves” and are given the personal attention of Senior Assistant City Attorney Robert Tobias, who also heads up the [Prosecution Resources Unit](#).



*Senior Assistant City Attorney and Director of the Prosecution Resources Unit, Robert Tobias is personally prosecuting some of Columbus’ most notorious serial thieves.*

Tobias reviews anywhere from 50-100 complaints per week to determine the best course of action for each potential case, given that Franklin County is the [largest and busiest municipal court in Ohio](#) with over 100,000 judicial proceedings last year. First-time offenders with no prior criminal record of any kind may be eligible for the theft diversion program, provided they didn’t give false information or attempt to flee when caught, nor were they combative and argumentative with the loss prevention personnel who apprehended them.

For defendants like Mark Anthony Miller, however, the theft diversion program is the farthest thing from consideration. Miller is one of Columbus’ most notorious serial thieves with over 85 charges on his record. Arrest warrants are automatically issued for offenders such as Miller and, once the offender is arrested, Mr. Tobias helps make sure that the prosecution is asking judges to issue higher bonds during arraignment and pushing for as much jail time as possible during sentencing.

It is important to note that Ohio law mandates that the Columbus City Attorney’s office prosecutes only misdemeanor crimes, which by state statute carries a maximum penalty of 180 days in jail ([§2929.24](#)). Furthermore, a bill passed by the Ohio General Assembly in 2011 raised the threshold of when misdemeanor theft becomes a felony from \$500 to \$1000.

Mr. Tobias also points out that he and other prosecutors will try to work with the defense to consider certain in-patient programs for non-violent offenders in an attempt to rehabilitate the offender, instead of the court system expending significant time and resources dealing with a constantly repeating cycle of recidivism.

Unfortunately this approach doesn’t always work. At one point, such an effort was attempted for Mark Anthony Miller, who escaped the program. He was promptly re-arrested and is currently serving consecutive maximum jail sentences.

YEAR-TO-DATE THEFT STATISTICS*
317 Merchant Visits
3221 Charges Filed
440 Warrants Issued
109 Cases over \$500
650 Diversion Candidates
\$399,769.09—Value of Recovered Merchandise
\$124.11—Average Value of Each Theft
*January through September 2013

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## Cold Case Still Drives Prosecutor

There are some cases that aren't easily forgotten. For Chief of Staff Bill Hedrick, who has prosecuted thousands of offenders, certain cases stick with him for years. His relentless pursuit of animal abusers who failed to appear in court or fled before reporting to jail has been [well-documented](#) and led to this year's inaugural summer sweep of the "Animal Cruelty Dirty Dozen"—which targeted 12 of Columbus's most wanted animal abusers.

One case prosecuted by our office that has lingered with Hedrick for years is that of convicted animal abuser, Lawrence Bishop.

Nothing initially seemed too out of the ordinary during the early evening hours of February 28, 2008 when police first responded to a disturbance call on S. Harris Ave. on the city's west side.



An individual, later identified as Lawrence Bishop, was standing next to a green Oldsmobile parked on the street when officers got out of their cruiser and approached him. When asked what was wrong, Bishop pulled a can of Bud Light from his coat pocket and attempted to open it. Officers advised Bishop that he was on a city street and asked him not to open his can of beer.

Bishop ignored their repeated orders, opened the can and stated, "I'm already drunk; I thought I could drink one more."

As the officers began writing him a citation for an open container violation, Bishop stated that he wanted a family, who had been staying as guests at the house he rented with his girlfriend, to leave. The guests, a single mother and her children and pet dog, reportedly had been living at the residence for approximately six to eight weeks.

According to reports, Bishop took his open container ticket from the officers and walked back into his residence. Soon thereafter, while completing their paperwork, the officers heard the screams of a woman and several children from inside the dwelling. The officers approached and were told that Bishop had grabbed a meat cleaver, smiled at the children and then began attacking their black Labrador retriever.

The officers immediately placed Bishop under arrest and tried to calm the children, who were visibly traumatized after witnessing Bishop brutally attack their pet.

Bishop was charged with animal abuse and eventually convicted by a jury. However, during an appeal of the jury's decision, Bishop was ordered to be released from jail under his own recognizance. The appellate court ultimately affirmed Bishop's conviction and he was ordered back to jail. Unfortunately, by that time, it appears Bishop had fled the jurisdiction and has avoided apprehension ever since.

Hedrick believes he may have traced Bishop to the Wichita, Kansas area but suspects Bishop may return to Columbus during the holidays.

Anyone with information on Lawrence D. Bishop is asked to contact Bill R. Hedrick at 614.645.8874 or [brhedrick@columbus.gov](mailto:brhedrick@columbus.gov)

**"This may be a cold case, but Mr. Bishop was convicted and needs to serve his time, especially given the brutal nature of his crime."**

**—Chief of Staff and Assistant City Prosecutor Bill Hedrick**



### In This Issue:

[Here to Help](#)

[Labor Employment](#)

[Targeting Thieves](#)

[Cold Case](#)

[Meet the Staff](#)

[Citizen Action](#)

## Meet the Staff

With her father in the Air Force, Pam Gordon moved around a lot in her formative years: from Riverside, California to Newfoundland, Nova Scotia to Plattsburg, New York to Mansfield, Ohio. But throughout all the packing and unpacking, at least one constant remained, Pam knew since she was five years old that she was going to be an attorney.

While she jokingly remarks that her brothers attribute her career choice at such a precocious age to the fact that she “liked to argue,” she never wavered in her commitment to enter the legal profession, from kindergarten all the way through college.

After a one-year detour at Ohio Northern University, Pam came to Ohio State and was able to essentially design her own program while pursuing a bachelor of science degree in Home Economics (now the College of Education and Human Ecology), with a special emphasis on business courses and an array of other classes such as English and chemistry.

With her matriculation into law school already a foregone conclusion, it surprised no one when Pam entered the Ohio State University College of Law. While there, she interned in the office of fellow Mansfield resident and current United States Senator Sherrod Brown, who at the time was Ohio Secretary of State. Pam next served an internship at the Ohio Public Defender’s office and accepted a full-time position there after graduating from law school. For about a year, Pam worked in the Appeals and Post-Conviction Section, reviewing claims of wrongful imprisonment, meeting with prisoners, and writing legal briefs.

Having studied labor law and human resource management, Pam’s career path took a logical progression when she left the Public Defender’s office for an opportunity to become personnel director for the Ohio Department of Liquor Control. Pam then accepted a position as in-house counsel to the deputy director of personnel at the Ohio Department of Administrative Services (ODAS) and eventually became deputy director. When political vicissitudes caused wholesale changes at ODAS, Pam was hired to work in the Ohio Attorney General’s Employment Law Section and became assistant section chief.

Pam also worked at Bank One as an employee relations specialist, serving as a liaison between the legal and human resources divisions, before the Columbus City Attorney’s office came calling. Pam was a perfect fit as then-City Attorney Janet Jackson was looking for someone with litigation experience and a background in employment law. Pam began serving in her current position as Labor and Employment Section Chief in 2007.

Having enjoyed a diverse career in both the public and private sectors, and having viewed the law from all sides as a manager, client, and lawyer, Pam can offer unique advice for prospective law school students and young attorneys: everyone assumes that lawyers like to talk but listening is one of the most valuable skills to discern the issues and facts of a case. She also advises lawyers to always be prepared but never take oneself too seriously, and remember to have fun.

Sage advice from someone who hasn’t forgotten that there’s something intrinsic about the law that can appeal even to a five-year old child.



### Pamela J. Gordon

**Title:** *Section Chief, Labor and Employment.* **Education:** Ohio State University College of Law, J.D.; Ohio State University, B.S. with distinction; Madison Comprehensive High School, Mansfield, Ohio



### In This Issue:

[Here to Help](#)

[Labor Employment](#)

[Targeting Thieves](#)

[Cold Case](#)

[Meet the Staff](#)

[Citizen Action](#)



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[Here to Help](#)

[Labor Employment](#)

[Targeting Thieves](#)

[Cold Case](#)

[Meet the Staff](#)

[Citizen Action](#)

## Citizen Action

We are proud to report that nine out of the 12 most wanted animal abusers in Columbus were brought to justice as part of the City Attorney's summer sweep program earlier this year. However, three individuals continue to elude authorities and we need the public's help.

Calvin Dale Channell was convicted in 2011 for allowing the household pets, which he reportedly bred, to die of hypothermia and dehydration after abandoning them in the dead of winter. Following his eventual release from jail, Channell fell off the grid and is currently wanted for violating the terms and conditions of his probation. It is also feared that he has killed again, as Buddy, a blue crown conure parrot somehow left in Channell's care, went missing and is presumed dead.

Tyree Silmon is accused of abandoning his dog in a fenced-in backyard for nearly two weeks without food, water or shelter. Fortunately, humane agents found the severely malnourished dog and rescued it on the brink of starvation.

Daniel Stoneburner is part of a husband and wife team who were each charged with two counts of animal cruelty.

Anyone with information concerning these individuals should contact Assistant City Prosecutor Bill Hedrick at 614.645.8874 or [brhedrick@columbus.gov](mailto:brhedrick@columbus.gov).

### CALVIN DALE CHANNEL

**WANTED**



**Last known address:** Airhaven Motel & Apartments #128 • Groveport, Ohio 43125

**DOB:** 11/27/1959 (Age 53)

**Height:** 5'9" **Weight:** 150

**Case Number:** 2010 ERB 070795

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

**Charges:** 959.01 – Abandoning Animal (four counts)

### TYREE SILMON

**WANTED**



**Last known address:** 2864 Norwood St. • Columbus, Ohio 43224

**DOB:** 5/10/1980 (Age 33)

**Height:** 5'10" **Weight:** 208

**Case Number:** 2011 ERB 073718

**Hair:** Black **Eyes:** Brown

**Charges:** 959.131(C2) – Prohibitions Concerning Companion Animals (two counts) and 959.01 – Abandoning Animal

### DANIEL L. STONEBURNER

**WANTED**



**Last known address:** 3137 Westerville Rd. Lot 40 • Columbus, Ohio 43224

**DOB:** 1/6/1956 (Age 57)

**Height:** 6'0" **Weight:** 210

**Case Numbers:** 2013 ERB 070576

**Hair:** Brown **Eyes:** Hazel

**Charges:** 959.131(C1) – Prohibitions Concerning Animals (two counts)

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