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Cuyahoga County Prosecutor Dismisses Felony Case of TownHall Protester Indicted for Using Megaphone

Posted By Sam Allard on Tue, Feb 9, 2021 at 4:38 pm



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TownHall on W. 25th Street in Cleveland's Ohio City neighborhood.

Cuyahoga County Prosecutor Michael O'Malley has elected to dismiss the criminal case against a protester who demonstrated outside TownHall, an Ohio City bar and restaurant, this summer.

The defendant, 25-year-old Josiah Douglas, was one of two protesters indicted by a Cuyahoga County grand jury on felony assault and menacing charges for using megaphones at the demonstration. The soundwaves from the megaphones were alleged to have permanently damaged the hearing of a TownHall hostess, Jacqueline Boyd, the first cousin of owner Bobby George.

Scene reported on the indictments **in detail last month.**



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Douglas' attorney, Peter Pattakos*, sharply criticized the indictments and implored O'Malley to assess the evidence. His view, which he articulated in an email to the prosecutor's office and in subsequent social media posts, was that the charges were politically motivated, retaliatory efforts by the George family to punish protesters for demonstrating outside their properties this summer.

Pattakos told Scene Tuesday that the dismissal was "hugely meaningful" for Douglas and that he was grateful for the outcome. He said he's hopeful the case against Yahner will likewise be dismissed.

Pattakos said he had been informed by an assistant prosecutor that the prosecutor's office had reviewed the available evidence and determined that Douglas was less aggressive in his use of the megaphone on July 12 than the other defendant, 21-year-old Sydney Yahner.

"Regardless of whether Yahner made more extensive use of a megaphone at the protest than Douglas did, she did not do so in a way that was unlawful, let alone a felony assault on anyone," Pattakos wrote in an email to Scene. "We are of course grateful that the Prosecutor has reassessed and dismissed the charges against Mr. Douglas."

The prosecutor's office provided no additional detail on its decision. A spokesman confirmed the case's dismissal and said the decision was "consistent with a prosecutor's continuing obligation to obtain and review all evidence in matters referred for prosecution."

(*Disclosure: Pattakos has legally represented Scene before, including in a 2020 dispute with Bobby George.)

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Tags: TownHall, felonies, megaphones, protest, indictment, demonstration, first amendment, Bobby George, Josiah Douglas, Ohio City, Image

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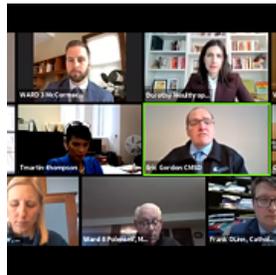
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