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Courts and Justice

# **Prosecutor drops felony assault charge against one of two protesters charged for bullhorn use outside TownHall restaurant**

Updated Feb 10, 2021; Posted Feb 10, 2021



Prosecutors have dismissed a felonious assault charge levied against one of the protesters charged after an employee at TownHall on West 25th Street said bullhorns used during a demonstration outside the restaurant left her with hearing damage.

By [Cory Shaffer, cleveland.com](http://cleveland.com)

CLEVELAND, Ohio -- The Cuyahoga County Prosecutor's Office on Tuesday dropped the criminal case against one of the two people charged with felonious assault after an employee at Ohio City's TownHall restaurant said she suffered partial hearing loss from a protest there last summer.

Assistant Prosecutor Terese McKenna dismissed the case against 25-year-old Josiah Douglas.

Sydney Yahner, 21, of Willoughby, still faces a felonious assault charge in connection with the case because a TownHall employee who is related to its owner said she lost hearing in her ear. Yahner is set for a Feb. 19 arraignment in Cuyahoga County Common Pleas Court.

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Peter Pattakos, one of three attorneys representing the defendants, said he was grateful that prosecutors reassessed the case and dismissed the charge against Douglas and remained hopeful the same would happen for Yahner.

A grand jury on Jan. 20 indicted the pair on the single felony charge, which carries a maximum penalty of eight years in prison.

The charge stems from a Sunday afternoon protest that Douglas, Yahner and about a dozen other members of the group With Peace We Protest held at the entrance to the West 25th Street establishment's back patio, in the parking lot adjacent to the West Side Market.

Jacqueline Boyd, the director of operations for the restaurant's parent company and the first cousin of its owner Bobby George, sat in a hostess chair at the entrance during the protest.

Videos that members of the group posted to Facebook show protesters yelling into bullhorns, but do not capture the interaction that led to the charges being filed, Pattakos said.

That incident is captured on a Cleveland police body camera video that cleveland.com and The Plain Dealer has requested from the city but not yet received. Pattakos said the video shows Yahner and Boyd approach the same police officer and Yahner using the bullhorn a few feet away from Boyd.

Yahner was trying to alert police to a man on the bar's patio who was carrying a gun and had dropped ammunition on the ground earlier, Pattakos said.

Boyd complained of hearing loss in one ear to police, and a police report filed the month after the protest said she went to a doctor who diagnosed her with tinnitus.

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