

Greater Columbus
Right to Life
Growing a Community of Life

June 17, 2016

Chief Kim Jacobs
Columbus Division of Police
120 Marconi Blvd
Columbus Ohio 43215

Dear Chief Jacobs,

I am writing today to express my concern at the actions of a City of Columbus police officer, Nicole Prysock, who participated in a Columbus City Council public hearing that was convened by Councilwoman Elizabeth Brown. Although she was out of uniform for the hearing, Officer Prysock attended the meeting and spoke as a Columbus Police Officer, specifically as someone who occasionally worked special duty shifts at the Founder's Women's Health Center on East Broad St. The public hearing was held at the Community Policing building at 950 E. Main Street on Tuesday, June 14th. The hearing started at about 5:30 pm and ended at about 7:00 pm. The Columbus City Council has uploaded video coverage of the hearing on its YouTube page, should you or a member of your staff wish to view the hearing or Officer Prysock's statements for yourself.

Although Officer Prysock mentioned several times that she worked diligently in her time as special duty to enforce the law without bias or partiality, there were some who doubted that was the case at the time, and I believe that the bias came through at Tuesday evening's hearing. While this is not the issue that I am writing to discuss, I do want to note that this is not the case of someone who has shown a history of impartiality and happened to make an error in judgment or memory at the hearing.

During the hearing, Officer Prysock responded to questions from members of City Council. She also offered several personal experiences and anecdotes beyond the scope of those questions. Some appeared to be in an effort to provide a more robust response to the questions asked, but others were offered as tangential to the topic before Council and would seem to support the claims of bias against my organization and volunteers. While this was frustrating given that she was there in her capacity as an officer and not as an individual citizen, I am aware that individuals have the right to deeply held personal beliefs and that part of human nature is that it can be difficult to separate our beliefs from our actions. Indeed, it is this conviction for the right to express personal opinions in a peaceful way in a public setting that has guided our opposition to the city council ordinance under consideration – proposed municipal ordinance 1458-2016.

That said, while the degree of bias shown by Officer Prysock may be debatable to a bystander, something which is neither debatable nor acceptable is that she misrepresented the truth in her statements at the City Council hearing. One particular egregious falsehood can be viewed if you go to the video of the hearing (available at: <https://youtu.be/e-EDA1tK2KU>) beginning at about the 1:05:30 mark. Ms. Brown asks directs a question at Officer Prysock who answers it. Near the end of her remarks, at the 1:06:42 mark you can hear officer Prysock say, "I've also seen them [pro-life individuals] advise patients coming in that the doctor that was providing the service was a registered sex offender, which was not correct information."

This was a misrepresentation that Officer Prysock made in her role as a special duty officer in 2014 and it is one that she continues to voice now. Numerous times, we provided her with the documentation showing that what we were saying was true. As such, her continued misrepresentation of this issue can be interpreted as nothing more than an intentional act providing cover to both Mr. Michaelis personally and Founder's Women's Health Center where he was employed as an abortion provider and gynecologist.

Almost 25 year ago, Mr. Michaelis' license was permanently revoked by the State Medical Board after he plead guilty to two counts of attempted gross sexual imposition, one count of voyeurism, and one count of indecency in August of 1991. He testified at sentencing that the acts happened at his home and that the victims were minor girls who were friends of his daughter. He was sentenced to fifteen months incarceration and various fines and restitution. In July of 1997 his medical license was reinstated and he returned to the practice of obstetrics and gynecology.

Given the frequency with which Mr. Michaelis would see minor patients in a vulnerable time of their lives, given the scope of his practice, and given that he frequently interacted with our volunteers in a way that left them uneasy, we began letting patients know about Mr. Michaelis' history. Many of them appreciated the information; others did not care. Mr. Michaelis, who told us that he resided near Toledo and just drove down to Columbus a few times a month stopped working at the clinic in April or May of 2014, which we attributed to his being busy in the Toledo Capital Care Network Clinic. It is worth noting that the Toledo office of Capital Care Network and Founder's share management. When we learned in November of 2014 that Mr. Michaelis had been indicted for child pornography and other lewd acts against children, we also learned that he surrendered his medical license in May/June of that year.

I am enclosing documents with this letter that were made available to Officer Prysock. Moreover, as a police officer she would have reasonably had access to plenty of additional documentation of this if she believed our volunteers were lying or fabricating materials.

We most certainly shared this information with patients who would come in to Founder's, in the same way that we shared that their primary abortion provider had been cited for failing to have medical malpractice insurance and not disclosing that to patients (a violation of state law). We also shared copies of the failed inspections of the facility, many of which posed serious health risks to patients. We also shared information on pending lawsuits and provided information on a patient who our volunteers rushed to the hospital after she started hemorrhaging uncontrollably following an abortion. In more recent months, we have informed people of the clinic's

substantial city tax liability – court records show that the clinic has been sued by the City of Columbus for taxes owed on more than \$1.2 in income. All of this was publicly available information which we shared with potential clients to the business office.

Before my volunteers made any of these statements, we carefully reviewed the information to ensure that it was accurate and that there was ample documentation to back up a claim. While we believe that our First Amendment rights to free speech in a peaceful manner are inviolate, we also believe that this right comes with a duty to the truth. Our staff and volunteers take an oath to be prayerful, peaceful, and to uphold the dignity of each individual – even those with whom we disagree. This means that we go the extra step not to lie, libel, or slander another person. If my volunteers or any on my team fail to uphold that oath, I would thoroughly investigate the situation and take the appropriate steps – up to and including their dismissal.

I hope that this is a standard the Columbus Police are also held to. I hold no personal animosity toward Officer Prysock. In fact, the last time I saw her working special duty we had a very jovial conversation regarding legislation that I worked on as a legislative staffer – SB 82, which lifted residency requirements for police and other public employees. I do not recall the exact date of this discussion, but it fell just a few weeks before Founder’s discontinued bringing in a member of the Columbus Police to do special duty work. That notwithstanding, I am extremely disappointed by what Officer Prysock said at the hearing. Not only did she falsely represent to members of the City Council that our volunteers were lying, but she also indicated that she told patients and clients of Founder’s that we were lying.

As a sworn officer of the law, Officer Prysock has taken an oath to be truthful and to uphold the law without bias. As such, her comments at the clinic and again at the hearing that our remarks regarding Mr. Michaelis were lies were undoubtedly regarded as truthful by the members of city council and the city attorney’s office who were present, to all gathered at the public hearing, and to anyone who might have watched it streamed live or archived online. Likewise, as Officer Prysock herself said – she told patients of the abortion clinic that we were lying. This undoubtedly means that her words carried additional weight with patients who were undergoing abortions or other gynecological treatments and, in the case of minor girls, their parent(s) or guardian(s).

This statement, which we have made every effort to correct when she said it in the past and which we were not afforded the opportunity to rebut during the hearing, would dangerously approach slander whatever the circumstances, but it was made considerably more vile because it was a misrepresentation that gave police-sponsored cover to someone who was known to have violated minor girls in the past and who is now serving time in Federal Prison for further sexual exploitation of minors. It was a misrepresentation that provided police-sponsored cover to a business that is in the business of providing abortions, gynecological services, and other reproductive healthcare to girls and women at vulnerable moments of their lives—a business that made the judgment to hire someone who lost his medical license and was incarcerated for sex crimes against children and whose employment was only terminated when he gave up his medical license after being caught with child pornography.

We do not have any way of knowing if Mr. Michaelis used his role as an abortion and gynecological services provider to abuse or molest any of the women and girls who were his patients in Columbus or Toledo because our calls for investigation have gone unheeded. We pray not.

As the executive director of a pro-life organization, it upsets me that Officer Prysock disparaged our volunteers by calling them liars despite being provided sufficient evidence to the contrary in the past. However, as someone who has spent a great deal of my professional career as a legislative staffer heading up efforts to protect our most vulnerable citizens from sexual exploitation and human trafficking, that she has used and continues to use her role as a public safety officer and the trust that people rightly place in the police to assert that we are lying about this documented reality is unconscionable. While I hold no personal animosity toward Officer Prysock, this is something which I must pursue, especially when she chooses to voice such an untruth at a public hearing which may limit the rights of my volunteers and others like them to share such a truth in the future.

I respectfully request that your office please investigate this falsehood by Officer Prysock, that you take every disciplinary action that is warranted under the circumstances, and that your office, the State Attorney General's Office, and any other appropriate office review the patient files at Founder's to determine if there were any abortion on gynecological patients who were minors that were subjected to exploitation by the clinic and former physician.

Sincerely,

Beth Vanderkooi
Executive Director
Greater Columbus Right to Life

ENC: State Medical Board documents re: Thomas Michalis

CC: Columbus City Council,
Mayor Andrew Ginther,
City Prosecutor Pfeifer,
Attorney General Mike DeWine,
Greater Columbus Right to Life Board of Trustees