

Commentary by Tim Myers
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Legal Brilliance in the SCV

When people visit my room at Landscape Development Inc. ("LDI") in the Commerce Center, they will quickly focus on the largest of my three diplomas hung on the wall: The Juris Doctorate degree from Drake University Law School earned in 1984. (The diplomas do not hang out of ego: LDI requires all its personnel to prominently display their diplomas and awards so that customers and vendors realize they can deal with professionals in a professional organization.) Invariably, people ask: Are you a lawyer? I smile humbly and reply that Drake University did indeed train me in the law beginning 25 years ago, but I have not practiced law for the last 22 years.

In fact, I will sometimes relate the boring story concerning thirteen months between July 1984 and August 1985 when I counted myself the most inept general practice attorney in the state of Iowa. I knew this because I worked with four of the finest general practice attorneys in the state of Iowa in the firm of Doran, Courter and Quinn. These experienced gentlemen utilized their years of experience and general smarts to dispense wise advice and help people through very difficult circumstances, something my fancy book larnin' could not equal in a mere thirteen months, so I found other employment and a new career in public accounting.

Now some might say I failed due to the workaday nature of this highly effective law firm, where four individuals produced financial success by regularly helping people through the minor difficulties of life: Wills, divorces, personal injuries and real estate closings. Once in a blue moon a very interesting case walked through the door where the gentlemen could really test their scholarly chops, but notoriety came seldom; maybe once every ten years with a high profile corporate or local criminal case.

In the SCV during the past two weeks, two such attorneys, who base their success on their help with the mundane things around us, jumped to national notoriety due to their diligence and cleverness in dealing creatively with a self-avowed pedophile when all avenues of officialdom seemed paralyzed and it appeared the citizenry of the SCV would need to resort to vigilante justice to protect the children in the community. One word comes to mind: Brilliant!!!

Everyone conscious in the SCV now knows the strange case of Jack McClellan, a self-identified pedophile who visited the SCV earlier this year, allegedly photographing young children at the San Fernando Valley Fair at the Saugus Speedway and then going over to Santa Clarita Lanes. Mr. McClellan maintained Web sites in the past that posted photographs of young children allegedly taken by him, and in recent internet traffic Mr. McClellan promised to return to the SCV to photograph more young children "when the weather got cooler."

People in the SCV felt helpless along with officialdom. Law enforcement could not even investigate McClellan since he admitted to no criminal act. What could be done? Suddenly, inspiration struck local attorneys Rick Patterson and Tony Zinnanti who officed in the same building on Valencia Boulevard. The beauty of their plan? It provides a constitutionally bulletproof way to discourage Mr. McClellan from entering the SCV.

Take the example of Santa Clarita Lanes. It seems reasonable the owners felt threatened by Mr. McClellan, and wondered how they could reassure their patrons they could provide a safe environment. The business owner could certainly evict from their premises a person taking photographs of their patrons without their patron's consent. If that person continually came around the business, the owners could certainly apply for a civil restraining order so law enforcement could immediately arrest the person when they showed up. Messrs. Patterson's and Zinnanti's inspiration? Why not obtain an injunction that covered every single business in the SCV, where substantial numbers of children provide their patronage, and require Mr. McClellan to maintain a safe distance?

Advocacy groups put together colored maps showing the "forbidden zones" for McClellan, which, considering the demographic of the SCV, provided only small slivers of safe haven. (I hope Mr. McClellan enjoys his time in local pubs, though the company might not exactly constitute his preference and could become downright hostile.) A constitutionally bulletproof argument!

Now on Friday, Aug. 3, 2007, a superior court judge in Chatsworth decided to expand the party, extending the injunction to the entire state of California, so when Mr. McClellan returns from his media appearances he will find it difficult to find a place to "raise his banner."

The judge will probably modify his restraining order on Aug. 24 to include only those businesses who actually attach their names to the order, and who actually serve a substantial number of children, but what a creative weapon to drive the attention seekers from our valley. The method can leap frog from city to city, until Mr. McClellan must leave the nation.

Tim Myers is a Valencia resident. His column represents his own opinion, and not necessarily that of The Signal.
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