

Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Monday, May 15, 2023 10:45 AM
To: bill.hegarty@cswb.ohio.gov
Subject: RE: Aaron Knapp Complaints to Lorain Police
Attachments: LPD Complaint Juvenile redaction.pdf

Bill:

Here is his latest.... In this most recent complaint, he again specifically states, ***“As a duly licensed officer of the court and having been sworn to protect and uphold the ORC and the Juvenile Court rules I am officially requesting you remove the offending documents from your Tax Payer funded website as required by law or at minimum redact the offending information from the public report.”***

It seems odd to me that, but his definition of being an officer of the court, which I do not believe he is, he is the ONLY one in Lorain County feeling obligated to file endless complaints. He isn't even a party to the incident and he doesn't even have any of the facts, yet he's sticking his nose in everything under the cloak of being a “social worker” and being an “officer of the court”. I am conferring with my law department today and with the county prosecutor to see if there are any criminal charges that are relative to this.

I also spoke with multiple Common Pleas Judges who also stated that in general, social workers ARE NOT officers of the court. It is my understanding that Mr. Knapp is currently employed at Applewood at 1865 North Ridge Rd East, Suite A, Lorain, Ohio 44055. I am also forwarding all this to them unless you would like me to hold off for now.

I will keep send these as I get them, I am sure there will be more to come. Take care.

Chief Jim McCann

Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: bill.hegarty@cswb.ohio.gov <bill.hegarty@cswb.ohio.gov>
Sent: Monday, May 15, 2023 6:37 AM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Subject: RE: Aaron Knapp Complaints to Lorain Police

Chief, thank you. I have set this up as an investigation for our compliance department. He is a brand new social worker and we have questions as to why he is supposedly working on documentation in a parking lot, etc. We are going to ask questions and see where it takes us. Once I know more, I will be in touch.

Bill

Bill Hegarty, Deputy Director
Ohio CSWMFT Board
614-728-4360

From: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Sent: Friday, May 12, 2023 4:16 PM
To: Hegarty, William <bill.hegarty@cswb.ohio.gov>
Subject: Re: Aaron Knapp Complaints to Lorain Police

Mr. Hegarty:

Did you have a chance to review the information we sent? Did you see anything out of the ordinary that was out of line for the profession?

Chief Jim McCann
Lorain Police Department

Sent from my iPhone.

On May 3, 2023, at 11:21 AM, Gelenius, Kyle <Kyle_Gelenius@cityoflorain.org> wrote:

Mr. Hegarty,

Chief McCann asked that I forward the attached complaints to you that were recently made by Aaron Knapp. Chief McCann can be reached at 440-242-5504 if you would like to discuss the complaints further.

The first complaint (IA-22-39) dealt with Knapp locating a missing six year old and becoming upset after the officers asked him to take them to the location where the child was returned to check if the child was in fact there and ok. The officers were exonerated.

The second complaint (IA-23-20) dealt with Knapp sitting outside an establishment which the police department had investigated for engaging in human trafficking, after witnessing a verbal exchange between Knapp and an unknown female. Knapp became upset because the officer started to question him during a consensual encounter on why he was outside of the establishment. Knapp withdrew his complaint.

Regards,

Sgt. Kyle Gelenius, m.s.

Internal Affairs Investigator | Reconstructionist

Office of Professional Standards

P: 440.204.2315 | E: Kyle_Gelenius@cityoflorain.org

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<IA-23-20 FINAL.pdf>
<IA-22-39 Investigation Documents.pdf>

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Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Monday, May 15, 2023 1:31 PM
To: bill.hegarty@cswb.ohio.gov
Subject: RE: Aaron Knapp Complaints to Lorain Police

Maybe....but that begs the question..... is he fit to be a social worker?

Chief Jim McCann

Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: bill.hegarty@cswb.ohio.gov <bill.hegarty@cswb.ohio.gov>
Sent: Monday, May 15, 2023 10:49 AM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Subject: RE: Aaron Knapp Complaints to Lorain Police

Chief, thank you. I am wondering if there is an impairment issue as well here....

Bill Hegarty, Deputy Director
Ohio CSWMFT Board
614-728-4360

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Sent: Monday, May 15, 2023 10:45 AM
To: Hegarty, William <bill.hegarty@cswb.ohio.gov>
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Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
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From: bill.hegarty@cswb.ohio.gov <bill.hegarty@cswb.ohio.gov>

Sent: Monday, May 15, 2023 6:37 AM

To: McCann, James - Chief <Jim_McCann@cityoflorain.org>

Subject: RE: Aaron Knapp Complaints to Lorain Police

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Ohio CSWMFT Board
614-728-4360

From: McCann, James - Chief <Jim_McCann@cityoflorain.org>

Sent: Friday, May 12, 2023 4:16 PM

To: Hegarty, William <bill.hegarty@cswb.ohio.gov>

Subject: Re: Aaron Knapp Complaints to Lorain Police

Mr. Hegarty:

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Chief Jim McCann
Lorain Police Department

Sent from my iPhone.

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Regards,

Sgt. Kyle Gelenius, m.s.

Internal Affairs Investigator | Reconstructionist

Office of Professional Standards

P: 440.204.2315 | E: Kyle_Gelenius@cityofflorain.org

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<IA-23-20 FINAL.pdf>

<IA-22-39 Investigation Documents.pdf>

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Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Monday, May 22, 2023 5:53 PM
To: bill.hegarty@cswb.ohio.gov
Subject: Aaron Knapp - Follow Up Question

Bill:

Sorry for the follow up question. Aaron Knapp is licensed as a LSW. My research reveals that he is not permitted to conduct any type of function without permission or supervision from his employer, which at this time is Applewood. Am I correct is that research?

Thank you for your time.

Chief Jim McCann
Lorain Police Department

Sent from my iPhone.

Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Tuesday, May 23, 2023 7:07 AM
To: bill.hegarty@cswb.ohio.gov
Subject: RE: Aaron Knapp - Follow Up Question

Thanks Bill. I believe he is in violation, unless Applewood allowed him to file the complaints, which if they admit to that, they have a big problem because the complaints are false and not based on the law..... in other words, I did not violate the law in any way and Knapp is unfortunately misusing his status as a social worker and "officer of the court" to try and gain additional creditability. He's also posted the same crap on social media. This puts Knapp and Applewood in a position of liability.

I don't have any more questions at this time. Thank you for take the time to answer the question I did have. I know you are busy. Take care.

Chief Jim McCann
Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

-----Original Message-----

From: bill.hegarty@cswb.ohio.gov <bill.hegarty@cswb.ohio.gov>
Sent: Tuesday, May 23, 2023 6:21 AM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Subject: RE: Aaron Knapp - Follow Up Question

Chief, correct. An LSW cannot be in private practice so if Knapp is acting as a social worker it would have to be through his employer, and if he is diagnosing and treating mental and emotional disorders, he would have to be under clinical/work supervision. I am going to assign this issue to one of my investigators this week. She will be contacting Applewood as part of this. If Knapp is doing this on his own, as part of his personal life, a question is why did he sign the complaints to the department with his LSW.

Sincerely,

Bill

Bill Hegarty, Deputy Director
OH CSWMFT Board

-----Original Message-----

From: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Sent: Monday, May 22, 2023 5:53 PM
To: Hegarty, William <bill.hegarty@cswb.ohio.gov>
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Chief Jim McCann
Lorain Police Department

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Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Monday, May 8, 2023 11:34 AM
To: a4xbeaverman@yahoo.com
Cc: Jack_Bradley@cityoflorain.org; aj_mathewson@cityoflorain.org
Subject: RE: Public records request

Mr. Knapp:

First, I will first address your email from May 7, 2023 at 0800 hours:

I feel the need to help you understand what a Public Record actually is: *According to the Ohio Revised Code a "Public record" means any document regardless of physical form including an electronic record, created or received by or coming under the jurisdiction of any public office, which serves to document the activities of the office.*

You have not asked for any public records in your email, you have asked for legal advice which we do not give. Your questions should be directed to your attorney.

Second, I will address the complaint you filed dated May 8, 2023:

There is no violation of law and we are within our rights to release the information. The complaint will not be investigated.

It is your right to file a law suit (s), but I would strongly suggest you speak to your attorney and ask him to explain the consequences of filing frivolous law suits and the potential repercussions that can come from them.

Make it a Great Day!!

Chief Jim McCann

Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Sunday, May 7, 2023 8:00 AM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>

Cc: Bradley, Jack <Jack_Bradley@cityofflorain.org>; Mathewson, A.J. <aj_mathewson@cityofflorain.org>
Subject: Re: Public records request

Just wanted to confirm with everyone involved in this email chain. Who is authorized to accept service on behalf of the city? As well as the Police? And under 1983 lawsuits who can accept on behalf of the chief?

As a courtesy I gave the city an opportunity to reopen speech on the police Facebook page as mandated by law but you responded that you felt that there had been no decisions in the court that required the police page to allow free speech. As I disagree and feel my civil rights have been violated I'm moving forward with the Civil Suit and want to know if there is one person whom can accept service on behalf of all of you at the city?

Thank you in advance and make it a wonderful day!

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Mar 23, 2023, at 17:08, Aaron Knapp <a4xbeaverman@yahoo.com> wrote:

If you are not required to provide it then why provide it?

I wanted them sent to me via official public records for chain of evidence reasons. I'm sure you snd an understand that? In order to present things in court chain of evidence must be followed. I'm not suggest you create a record for everything but emails and text messages are considered public under Sinclair Media, III v Cincinnati

<https://www.supremecourt.ohio.gov/rod/docs/pdf/13/2019/2019-Ohio-2623.pdf>

Statutory definition – R.C. 149.011(G)

The term “records” includes “any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in [R.C. 1306.01], created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.”

Email

A public office must analyze an email message like any other item—by its content—to determine if it meets the definition of a record. As electronic documents, all emails are items containing information stored on a fixed medium (the first part of the definition). If an email is received by, created by, or comes under the jurisdiction of a public office (the second part of the definition), then its status as a record depends on the content of the message. If an email created by, received by, or coming under the jurisdiction of a public office also serves to document the activities of the public office, then it meets all three parts of the definition of a record.⁶⁹ If an email does not serve to document the activities of the office, then it does not meet the definition of a record.⁷⁰

Although the Supreme Court of Ohio has not ruled directly on whether communications of public employees to or from private email accounts that otherwise meet the definition of a record are subject to the Public Records Act,⁷¹ the Ohio Court of Claims has held that they are.⁷² The issue is analogous to

mailing a record from one's home, versus mailing it from the office – the location from which the item is sent does not change its status as a record. Records transmitted via email, like all other records, must be maintained in accordance with the office's relevant records retention schedules, based on content.⁷³

C. Go "Above and Beyond" and Negotiate

1. Think outside the box – go above and beyond your duties

Requesters may become impatient with the time a response is taking, and public offices are often concerned with the resources required to process a large or complex request, and either may believe that the other is pushing the limits of the public records laws. These problems can be minimized if one or both parties go above and beyond their duties in search of a result that works for both. Some examples:

- If a request is made for paper copies, and the office keeps the records electronically, the office might offer to email digital copies instead (particularly if this is easier for the office). The requester may not know that the records are kept electronically or that sending by email is cheaper and faster for the requester. The worst that can happen is the requester declines.
- If a requester tells the public office that one part of a request is very urgent for them and the rest can wait, then the office might agree to expedite that part in exchange for relaxed timing for the rest.
- If a township fiscal officer's ability to copy 500 pages of paper records is limited to a slow ink-jet copier, then either the fiscal officer or the requester might suggest taking the documents to a copy store, where the copying will be faster and likely cheaper.

2. How to find a win-win solution: negotiate

Now that you have provided all documents, to your knowledge, that were not attorney/client privileged you have followed the sunshine laws, I appreciate it. Again all the "we don't believe it's public records" "and we're not lying" was unnecessary. I'm not asking for you to defend the agency or its actions. I specifically stated I wanted emails in regards to the Facebook page that were sent by you to Lt Morris, forwarded or not. It's not an "overly broad request" in fact it's very specific.. again I've never asked for any "verbal records".

I now consider this request complete. Thank you for your cooperation.

Make it a wonderful day!

<preview.png>

2021-Sunshine-Manual

2021-Sunshine-Manual

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Mar 23, 2023, at 11:07, McCann, James - Chief <Jim_McCann@cityofflorain.org> wrote:

Mr. Knapp:

The government is not mandated to create a public record just because your demand one. Verbal conversations and meetings always take place, daily in fact, and there are no memos memorializing those meetings, nor does their have to be. To memorialize each and every single meeting or brief conversation is impossible and nothing would ever get accomplished.

No one is lying to you..... communications between the city's attorney and myself are protected under attorney client privilege and are exempt and NOT considered a public record. Therefore, Captain Mathewson is correct when he told you there are no public records.

You already have the emails you sent me and any response from me. I guess if you would like a copy of the emails you sent me, the ones you already have in your sent folder or in your in box, I can surely send them to you. There was one email forwarded to Lt. Morris without comment. No one here believes a simple forwarded email with no additional comment is a public record, but I will also include that as a PDF.

See the attached PDFs.

Should you need further information, please don't hesitate to reach out.

Chief Jim McCann

Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Thursday, March 23, 2023 7:55 AM
To: Mathewson, A.J. <aj_matthewson@cityoflorain.org>
Cc: Bradley, Jack <Jack_Bradley@cityoflorain.org>; McCann, James - Chief <Jim_McCann@cityoflorain.org>
Subject: Re: Public records request

Also for the record I believe you are lying, as I cannot believe there has been NO communication on this matter between staff at the police department. At minimum my complaint has sparked communication on this matter with the mayor. Plus I'm pretty sure there's been communication between other citizens and police on the matter. First

you said it was attorney client privilege now nothing exists? At minimum there were emails between the chief and myself that would qualify as the records I'm requesting along with any replies or forwards, but sure nothing exists?

So again how about you open the page back up and stop playing games. Please provide ALL communication on this Facebook matter. You are public servants and hiding public records is illegal.

It's like you want the public to dislike you, is that the case?

Keep doing what you're doing and you reap what you sow.

And your chief is quite obnoxious so I posted his reply online, showing his disdain for the people he serves, cause we're apparently all liars in Lorain?

I think it's funny a captain is now replying? You really want to keep these records private, huh?

Carry on and make it a wonderful day!

Insert pretentious Latin Statement here

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Mar 22, 2023, at 13:16, Aaron Knapp <a4xbeaverman@yahoo.com> wrote:

Excellent thank you for your time. I appreciate the timely response.
Make it a wonderful day!

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Mar 22, 2023, at 12:38, Mathewson, A.J.
<aj_mathewson@cityoflorain.org> wrote:

Mr. Knapp;

I have received your amended public records request, see below. A search was conducted for any requested emails with none being located. There are no memos or written correspondence regarding your request. Thank you.

"Apologies, it's a Public records Request, or "Sunshine Act" request. Your Chief pointed out it isn't a FOIA. And I agree all communication about a legal matter would be covered by attorney client privilege so I'll amend my request to include any and all emails between the chief of police and staff to include Lt Morris, any memos or policies that may have been distributed and any communication in general between anyone who ISNT a licensed lawyer in Ohio. So if the Legal department replied and it wasn't an attorney consult I'd also request that documentation as well or any emails between the Mayor and the Chief ONLY in regards to JUST the Facebook closing. I don't care about anything involving the incident at West 27th street as that's a matter between the citizens at that address and the police department and I have no desire to get information on that incident, just to be clear."

**Captain A. J. Mathewson
Executive Officer
Lorain Police Department
100 W. Erie Ave.
Lorain Ohio 44052
440-204-2139**

<Knapp email and Chief McCann response.pdf>
<Knapp email forward to Lt Morris.pdf>
<1418_9_81_3a3f39dd6b969ef676596d266a05c.0_11567.eml>
<ohsd_civil_rights_referral_form_1003.pdf>
<Knapp email with attachment.pdf>

Failing, Mike

From: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Sent: Thursday, May 30, 2024 9:53 AM
To: Comer,David
Cc: LaVeck, Joseph
Subject: Records Request from Aaron Knapp

Dave:

I need this request completed as soon as possible. It is a public records request from Aaron Knapp.

1. I'm also going to request any email history or internet searches on James McCanns City Issued equipment (laptop, desktop, emails) that show him searching for information on Aaron Knapp. Especially in relationship to Mr Knapp's time in Idaho. Mr Knapp's civil cases in Idaho, and any and all searches regarding Mr Knapp made on City Computers. And any emails sent pertaining to Mr Knapp in regards to these searches.

ANSWER: I don't have the ability to search internet history. Knapp has already received all emails that are public record.

Chief Jim McCann

100 W. Erie Ave.
Lorain, Ohio 44052
440-204-2103



Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Monday, April 10, 2023 3:28 PM
To: a4xbeaverman@yahoo.com
Cc: Jack_Bradley@cityoflorain.org
Subject: FW: Update
Attachments: To Chief Jim McCann.pdf; ATT00001.htm

Mr. Knapp:

If someone called your place of employment in their official capacity from the Lorain Police Department, they were not authorized to make any such phone call or notification. If you have proof of this accusation and a name of the employee, please forward that to me and it will be investigated. If it can be determined that a member of the police department in their official capacity called your employer, I will address it.

You filed your complaint with the US Attorney's Office, not with the Lorain Police Department. The matter is in their hands.

Chief Jim McCann

Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: Gelenius, Kyle <Kyle_Gelenius@cityoflorain.org>
Sent: Monday, April 10, 2023 7:56 AM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Subject: FW: Update

From: Aaron Knapp [mailto:a4xbeaverman@yahoo.com]
Sent: Monday, April 10, 2023 7:50 AM
To: Gelenius, Kyle <Kyle_Gelenius@cityoflorain.org>
Cc: Bradley, Jack <Jack_Bradley@cityoflorain.org>
Subject: Fwd: Update

I'm just curious if this "email" is the police department's "Official Response" on the First amendment complaint I made?

I was going to let the matter go after speaking to the mayor but since someone threatened my employment from your department and followed up with harassment while I was parked randomly checking my email where an

officer demanded ID (and ran my plate when I refused) I'd really like an "official" response from the department as opposed to the snarky emails your chief sent me. If you want this to be the department's official response (chiefs email) please respond accordingly as I need some form of OFFICIAL record stating you are leaving the comments turned off moving forward so I can proceed with the 1983 lawsuit.

I really wanted to let this go but after being inappropriately stopped and harassed by your department since making the complaint and having my freedom of speech "chilled" by departmental actions and those of your chief I feel this is now the only options I have.

So again consider this official notice of intent to file and please advise if an "official" response is in route or if I use the Chiefs snarky email as my official response.

I had you pull the complaint on the officer I did not ask the first amendment one be pulled. And as you continue to post on the page in violation of the constitution and have failed to complete your "investigation" in a timely matter I would ask you give an appropriate public response as opposed to continuing to not respond. I provided you with the case law your chief requested so I'm curious why I can get the same courtesy.

I wrote a 13 page document with Case law cited, per your request, I would think I would be entitled to a response for the free work I did advising the city on the matter. Again I'm not an attorney but I do read the law. Thank you and make it a wonderful day!

(I apologize to the mayor as I stated my last email was the "last" but since we've been CC him in on all this I figured I'd cc him again.)

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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Begin forwarded message:

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Date: March 21, 2023 at 20:35:18 EDT
To: "Bradley, Jack" <Jack_Bradley@cityofflorain.org>, "McCann, James - Chief" <Jim_McCann@cityofflorain.org>
Cc: Congresswoman Marcy Kaptur <oh09mk.outreach@mail.house.gov>, "Morris, Jacob" <Jacob_Morris@cityofflorain.org>
Subject: Re: Update

Please see my attached signed response to your email.

Insiste Firmiter!

Aaron Christopher Knapp, BSSW, LSW, CDCA(p)
NASW Member ID: 886836612

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THE CONTENTS OF THIS INFORMATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS ELECTRONIC TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY THE SENDER AND DELETE THE COPY YOU RECEIVED.

On Tuesday, March 21, 2023 at 01:01:34 PM EDT, McCann, James - Chief <jim_mccann@cityoflorain.org> wrote:

Mr. Knapp:

We are working with legal to review all our options concerning our social media accounts. I have also asked the Lorain County Prosecutor's office to review the entire incident at 126 W. 27th St., because in my view, this provides an external review of our actions. Once we receive that review and our Administrative Investigation is completed, it has always been our position to either restore commenting or delete our social media altogether. Social media has proven to be very time consuming and very difficult to manage. I believe our limited resources are better committed elsewhere. I have not made a final decision either way at this time.

I believe I have been one of the most transparent Police Chiefs in Lorain County and I have ALWAYS welcomed criticism from our citizens in Lorain, as they sometimes provide the best feedback to improve our services. Unfortunately, there was too much misinformation being posted about the 27th St. incident, which caused our social media to be hijacked by people from out of state and this caused the management of these accounts to become impossible.

LPD cannot react to an incident on social media until we properly investigate that incident or we would be accused of being reckless. As Chief, I am well-aware that a government agency operating a government social media page is subjugated to legal and constitutional constraints with regards to page management. This is not, nor will it ever be an issue for me. What is at issue is that the public is under no obligation to post honest and informed content. Again, this is not an issue for me; however, harm to the reputation and, in extreme cases physical well-being, of Lorain Police and City of Lorain employees, as well as to the organizations themselves can and has resulted from the misinformation and inaccurate posts on

these social media pages. I have personally been the recipient of threats against myself, my family, and my property. Though I am confident in my abilities to protect myself and my family, I am not ok with the LPD social media accounts being used to convey these communications, or to spread the misinformation via public comment that serves as a basis for these threats. To be clear, I am willing and ready to stand in front a Federal Judge to state my case.

Many people, to include you, made up your mind about the 27th St incident after only seeing a portion of one video and not allowing LPD to respond with the totality of all events leading up to the specific incident. This doesn't seem impartial, at least in my opinion. Again, the public is free to form their own opinions, regardless of accuracy or partiality. When misinformation or lack of information creates harm, I cannot stand by idly while the social media accounts that LPD manages are used to spread outright lies by way of comments and attachments from uninformed people. You claim to be an educated social worker, but one would think with your claim of being educated, you would have the ability and the "want" to get all the facts before you make assumptions or even a decision regarding what was right and wrong.

At this time, we have not been able to find any case law that specifically addresses the issue concerning our social media account and the actions we took to calm things down during our administrative investigation. There is, however, specific case law that does address deleting an individual's comments and or deleting or blocking an individual. If you have specific case law that deals with LPD's social media management decisions, I would be happy to review it. Additionally, courts have stated as has the ACLU, that off topic comments can be removed from a post. In other words, if there is a post about a basketball game, a comment that talks about a football game can be deleted. This is of course very time consuming.

Finally, Marcy Kaptur is NOT our Congressional Representative. The whole of Lorain County is within the 5th Congressional District and she represents the 9th district. Also, FOIA applies to records created by federal agencies and does not cover records held by state and local government agencies. In the spirit of cooperation and per your improper FOIA request,

all communications between myself and the Law Department fall under attorney client privilege and you are not entitled to that information. It is my understanding that your improper FOIA request for information has been satisfied through our Records Department.

Semper Paratus!

Chief Jim McCann

Lorain Police Department

100 W. Erie Ave.

Lorain, Ohio 44052

Office: 440-204-2103

Fax: 440-204-2519

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Tuesday, March 21, 2023 7:30 AM
To: Bradley, Jack <Jack_Bradley@cityoflorain.org>
Cc: McCann, James - Chief <Jim_McCann@cityoflorain.org>; Congresswoman Marcy Kaptur <oh09mk.outreach@mail.house.gov>
Subject: Update

I've had 0 response from the chief, I've filed a complaint, but Lorain Police continues to keep comments on their Facebook OFF, in violation of the First Amendment. I have begun the process of drafting my filing for opening a civil lawsuit to FORCE them into compliance. I've reached out to local news stations and a story should be coming out soon.

Make it a wonderful day!

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Tuesday, January 2, 2024 12:25 PM
To: a4xbeaverman@yahoo.com
Cc: LPDRecordsRequest@cityoflorain.org
Subject: RE: Records

Mr. Knapp:

Happy New Year. Let me start out by repeating, you do not get to demand who responds to your records request. Second, as I have told you multiple times, the email you keep sending these requests to is not for this type of records request, it is for records such as police reports and crash reports. All other requests get forwarded to those that would normally hold the records that are being requested.

You have threatened to block my official email in the past, just understand, when you ask for records such as this, I will be the one who responds to you in the method I choose and that method will be email because its easily tracked. Should you choose to block my official email, that is your choice.

As far as this particular records request, it has been answered. No such text message exists. You are reading the email wrong. Please read the email in question again. If you still feel that records exist, you are free to file a claim in a court that holds the necessary jurisdiction.

Chief Jim McCann

Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: Lorain PD Records Request <LPDRecordsRequest@cityoflorain.org>
Sent: Tuesday, January 2, 2024 10:48 AM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Subject: FW: Records

Thank you,
Lorain Police Records
100 W Erie Ave.

Lorain, Ohio 44052
440-204-2114

From: Aaron Knapp [a4xbeaverman@yahoo.com]
Sent: Friday, December 29, 2023 7:33 AM
To: Lorain PD Records Request; Kokoski, Lori; 19tips@woio.com; tips@fox8.com; InvestigatorTips@wews.com; David O'Brien; Carrion, Rey
Subject: Re: Records

I'm still waiting on the release of these records or an official response from the city denying the request and the laws being cited.

Please advise so I can go back to the court of claims to get them.

Please send any denials via US Mail if it's coming from Chief McCann. As I will consider any email response from him an act of felony harassment.

Thank you and make it a wonderful day and a wonderful new year!

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Dec 15, 2023, at 07:33, Aaron Knapp <a4xbeaverman@yahoo.com> wrote:

Following up once again asking for the records I have requested. I'm curious how the chief wrote in an email that the texts existed and "some didn't get through" and now I'm being told they don't exist. I really hate it when my public officials LIE to me to cover up their criminal actions.

And as far as the information about the retaliatory investigation against my license the chief initiated I don't need because I was found Innocent and ethical in my actions. And it is considered confidential at the State level. But technically anything he sent via email is subject to request which is why we don't send private emails unredacted and unsecured.
Hopefully everyone is getting an education on this.

What I do need is everything the chief sent to Tim Weitzel of the juvenile court, illegally, and the copies of the emails that were not given to me when originally requested. I need the emails where the chief called me "unhinged" and made false legal claims about why I moved to Ohio (SLANDER)

I don't understand what is so difficult about this. I'm giving you every opportunity to follow the law and not make me go back to court...

Why is that so hard?

I will not respond to messages from the harasser McCann. I expect my responses to come from LPD records. If the chief doesn't personally respond to EVERY records request then he can't claim this is his "sop" so again I need my Police, Government, Sworn Officers, to do the right thing, be the bigger person, and respond to my requests officially and without snark, attitude, copying people's email signature...just respond like a professional.

Please do the right thing and Make it a wonderful day!

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Dec 7, 2023, at 19:48, Aaron Knapp <a4xbeaverman@yahoo.com> wrote:

And the ORC cited here is wrong. I'm not asking for the "complain" the chief wrote to my Social Workers Board. That has already been relayed to me on a previous date.

I can however have the information the chief shared illegally with Tim Weitzel. The information shared arrears to violate the very code the chief is citing?

(A) The counselor, social worker, and marriage and family therapist board shall investigate alleged violations of this chapter or the rules adopted under it and alleged irregularities in the delivery of services related to professional counseling, social work, marriage and family therapy, art therapy, or music therapy by persons licensed or registered under this chapter. As part of its conduct of an investigation, the board may issue subpoenas, examine witnesses, and administer oaths.

(B) All of the following apply under this chapter with respect to the confidentiality of information:

(1) Information received by the board pursuant to a complaint or an investigation is confidential and not subject to discovery in any civil action, except that the board may disclose information to law enforcement officers and government entities for purposes of an investigation of either an individual who holds a license or certificate of registration issued under this chapter or an individual or entity that may have engaged in the unauthorized practice of professional counseling,

social work, marriage and family therapy, art therapy, or music therapy. **No law enforcement officer or government entity with knowledge of any information disclosed by the board pursuant to this division shall divulge the information to any other person or government entity except for the purpose of a government investigation, a prosecution, or an adjudication by a court or government entity.**

But I'm actually asking for the emails and texts sent to Tim that had nothing to do with the retaliatory investigation on my license.

Those emails have nothing to do with that investigation..in fact that investigation was completed and I was found to be ethical (that's not guilty).. but then the chief sent emails claiming I had caused a disturbance in city hall on the second floor, been trespassed from public buildings (and apparently that's the reason I moved to Ohio???? Not to go to Ohio State, 😂). None of the emails sent to Tim were part of the investigation into my license. None of the texts the chief literally stated in an email he had sent and some had none gone through were part of that investigation either. So as such they are public record and request-able.

I mean Tim Weitzel did not have any authority to "investigate" me. If I was doing anything illegal he should have forwarded it to the prosecutor not unredacted to Tim.

So again I'll request the texts referenced in the message as well as the copy of the email I sent you but from your end for continuity of evidence. Bit per the law I don't need a reason so please send me what I've requested or at least give me an ORC that applies.

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Dec 7, 2023, at 07:56, Aaron Knapp
<a4xbeaverman@yahoo.com> wrote:

I know your Chief says they don't exist but the emails he sent the court say otherwise.

As your Chief continues to harass me I will provide proof the records exist here.

I will advise you and every officer in Lorain Police that this harassment by a police officer under color of law is illegal. As such you have a constitutional duty to report the behavior.

As I've already filed a report with the sheriff's office about this continuing harassment I will once again demand it stop. I should not have to block a sitting police chiefs email. He should have enough self control to not email me.

But he doesn't. That's ok as I won't respond to him.

Make it a wonderful day!

<2023-PRR-0241 Aaron Knapp; Emails sent by Tim Wietzel Packages.zip>

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Wednesday, August 16, 2023 2:23 PM
To: a4xbeaverman@yahoo.com
Cc: aj_mathewson@cityoflorain.org
Subject: FW: Records request
Attachments: Public Records request Emails.pdf

Mr. Knap:

On August 3, 2023, you requested:

- (1) "all emails sent by Chief James McCann's City email address jim_mccann@cityoflorain.org that reference Aaron C Knapp
- (2) "Any emails sent by the city email address jim_mccann@cityoflorain.org sent to the courts or any email sent by Lorain Police Department to the Lorain County Domestic Courts or Probation department in reference to Aaron C Knapp and the complaint that was filed by Aaron C Knapp that referenced Mr. Knapp's role with the Juvenile court."
- (3) "Any emails sent to Tim Weitzel Court Administrator in reference to Aaron C Knapp."

You requested that these documents be transmitted electronically as a pdf or word document. Due to the large file size, the we are unable to comply with the request to transmit electronically. However, per Ohio Revised Code Section 149.43, these records will be available for your review during normal business hours. Further, you may request these documents on paper.

Please make arrangements with Captain Mathewson to review the documents during normal business hours of 8:00am to 4:00pm M-F.

Chief Jim McCann
Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: Lorain PD Records Request <LPDRecordsRequest@cityoflorain.org>
Sent: Monday, August 14, 2023 7:47 AM
To: Mathewson, A.J. <aj_mathewson@cityoflorain.org>
Cc: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Subject: FW: Records request

Thank you,
Lorain Police Records
100 W Erie Ave.
Lorain, Ohio 44052
440-204-2114

From: Aaron Knapp [a4xbeaverman@yahoo.com]

Sent: Thursday, August 03, 2023 9:29 PM

To: Lorain PD Records Request

Subject: Records request

Please see attached records request.

Aaron Christopher Knapp, BSSW, LSW, CDCA(p)

NASW Member ID: 886836612

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Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Wednesday, June 21, 2023 8:14 AM
To: bill.hegarty@cswb.ohio.gov
Cc: margaretann.adorjan@cswb.ohio.gov
Subject: RE: Aaron Knapp Incident #23-18590

Good morning all:

Just wanted to follow up to see where you guys were on the investigation. Aaron Knapp is asking for additional public records involving your on-going investigation. If the investigation is completed, the records he is requesting may be public records. If the investigation is still in progress, the records he is asking for are not public records. Please let me know the status so I can appropriately respond to his request.

Any updates would be appreciated also.

Take care.

Chief Jim McCann

Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: bill.hegarty@cswb.ohio.gov <bill.hegarty@cswb.ohio.gov>
Sent: Monday, June 5, 2023 6:39 AM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Cc: margaretann.adorjan@cswb.ohio.gov
Subject: FW: Aaron Knapp Incident #23-18590

Chief, good morning. I have included the assigned Board investigator on this as well. Thank you.

Bill

Bill Hegarty, Deputy Director
Ohio CSWMFT Board
614-728-4360

From: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Sent: Thursday, June 1, 2023 8:40 PM
To: Hegarty, William <bill.hegarty@cswb.ohio.gov>
Subject: FW: Aaron Knapp Incident #23-18590

Bill:

For some reason the text from the forward didn't come through. Here it is again.

See the below email. This is currently under investigation. It seems Mr. Knapp is becoming unhinged.

We have also learned that he has been trespassed in other government buildings (He admitted this to LT Tim Thompson) due to his erratic behavior in other states and that may be a reason why he has moved from state to state.

Just though you would want this information. Since this is under investigation locally, this is just for your internal info at this time. I anticipate we will wrap up our investigation next week.

It looks to me that Mr. Knapp is becoming more aggressive and unpredictable.

Chief Jim McCann
440-242-5504

From: Swanger, Larry
Sent: Thursday, June 1, 2023 4:43 PM
To: McCann, James - Chief
Subject: Aaron Knapp Incident #23-18590

Sir,

At approximately 0940 Hrs., this morning I monitored dispatch calling for units to respond to the City Hall Main Entrance to assist Auxiliary Officers who were calling for assistance with a male. I left my office and entered the lobby from the detective side door where I observed a male, later found to be Aaron Knapp, in a heated argument with Auxiliary Officer Palmer. Mr. Knapp was very close to Officer Palmer invading his personal space.

I stepped between the two them and placed my right hand onto his left shoulder to provide space between him, myself and Officer Palmer. Mr. Knapp immediately became defensive and argumentative with me because I had touched him. I would note it was a touch, nothing more. I would learn Mr. Knapp was upset over the security procedures in order to enter the building. Mr. Knapp would continue being argumentative, disruptive, refused to listen to anything I had to say to the point that I had to raise my voice to give instructions.

Finally Mr. Knapp gathered his belongings, consisting of a wallet, a small backpack and possibly a set of keys. He backed away to the wall nearest the restroom with his belongings. Mr. Knapp began to leave and I followed him to the door, advising him if he came back and was disorderly he would be subject to either a summons or arrest for his behavior. Mr. Knapp continued to argue but left.

Auxiliary Officer Santiago then informed me Mr. Knapp is required to have an appointment with whatever department above the 2nd floor he wishes to visit because of past disruptive behavior.

Upon learning this I proceeded outside the main entrance and advised Mr. Knapp of the requirement for an appointment before he would be allowed to see anyone above the 2nd floor. Mr. Knapp upon hearing this demanded to speak with a Sergeant at which time I informed him he was already speaking with a Lieutenant.

I then returned inside and resumed my normal duties.

I have attached three witness statements from the Auxiliary Officers on duty at the time for your review.

Respectfully,

Lt. Larry A Swanger
Traffic Commissioner
Lorain Police Department
440-204-2311
larry_swanger@cityoflorain.org

CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.

Failing, Mike

From: Jim_McCann@cityofflorain.org
Sent: Thursday, June 1, 2023 8:40 PM
To: bill.hegarty@cswb.ohio.gov
Subject: FW: Aaron Knapp Incident #23-18590
Attachments: Scanned Document.pdf

Bill:

For some reason the text from the forward didn't come through. Here it is again.

See the below email. This is currently under investigation. It seems Mr. Knapp is becoming unhinged.

We have also learned that he has been trespassed in other government buildings (He admitted this to LT Tim Thompson) due to his erratic behavior in other states and that may be a reason why he has moved from state to state.

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440-242-5504

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Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Wednesday, July 12, 2023 1:19 PM
To: Tim.Weitzel@lcfc.org
Subject: FW: Aaron Knapp Incident #23-18590
Attachments: Scanned Document.pdf

EMAIL 1 OF 3

Tim:

This incident is still under investigation so it needs to held close to the vest until its completed.

Chief Jim McCann

Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: bill.hegarty@cswb.ohio.gov <bill.hegarty@cswb.ohio.gov>
Sent: Monday, June 5, 2023 6:39 AM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Cc: margaretann.adorjan@cswb.ohio.gov
Subject: FW: Aaron Knapp Incident #23-18590

Chief, good morning. I have included the assigned Board investigator on this as well. Thank you.

Bill

Bill Hegarty, Deputy Director
Ohio CSWMFT Board
614-728-4360

From: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Sent: Thursday, June 1, 2023 8:40 PM
To: Hegarty, William <bill.hegarty@cswb.ohio.gov>
Subject: FW: Aaron Knapp Incident #23-18590

Bill:

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Chief Jim McCann
440-242-5504

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Sent: Thursday, June 1, 2023 4:43 PM
To: McCann, James - Chief
Subject: Aaron Knapp Incident #23-18590

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At approximately 0940 Hrs., this morning I monitored dispatch calling for units to respond to the City Hall Main Entrance to assist Auxiliary Officers who were calling for assistance with a male. I left my office and entered the lobby from the detective side door where I observed a male, later found to be Aaron Knapp, in a heated argument with Auxiliary Officer Palmer. Mr. Knapp was very close to Officer Palmer invading his personal space.

I stepped between the two them and placed my right hand onto his left shoulder to provide space between him, myself and Officer Palmer. Mr. Knapp immediately became defensive and argumentative with me because I had touched him. I would note it was a touch, nothing more. I would learn Mr. Knapp was upset over the security procedures in order to enter the building. Mr. Knapp would continue being argumentative, disruptive, refused to listen to anything I had to say to the point that I had to raise my voice to give instructions.

Finally Mr. Knapp gathered his belongings, consisting of a wallet, a small backpack and possibly a set of keys. He backed away to the wall nearest the restroom with his belongings. Mr. Knapp began to leave and I followed him to the door, advising him if he came back and was disorderly he would be subject to either a summons or arrest for his behavior. Mr. Knapp continued to argue but left.

Auxiliary Officer Santiago then informed me Mr. Knapp is required to have an appointment with whatever department above the 2nd floor he wishes to visit because of past disruptive behavior.

Upon learning this I proceeded outside the main entrance and advised Mr. Knapp of the requirement for an appointment before he would be allowed to see anyone above the 2nd floor. Mr. Knapp upon hearing this demanded to speak with a Sergeant at which time I informed him he was already speaking with a Lieutenant.

I then returned inside and resumed my normal duties.

I have attached three witness statements from the Auxiliary Officers on duty at the time for your review.

Respectfully,

Lt. Larry A Swanger
Traffic Commissioner
Lorain Police Department
440-204-2311
larry_swanger@cityoflorain.org

CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.

Failing, Mike

From: Jim_McCann@cityofflorain.org
Sent: Tuesday, July 11, 2023 8:32 AM
To: a4xbeaverman@yahoo.com
Subject: FW: Public Information Request

Mr. Knapp:

You asked for a lot of information here so hopefully I didn't miss anything, but I am sure you will let me know if I do.

Q: What about the Libby video? There are cameras in city hall correct? Also I'm having trouble getting the audio to play. I'll look into why soon. Is the investigation on the incident completed? I'd like to request a copy of that.

A: There is one camera in the lobby entrance inside city hall, which you have a copy of. There is no audio, just video. We have made recommendations to the city to make upgrades that would add several cameras and audio to that area in the near future. Sgt. Gelenius is working on two fatal traffic crashes and he was given a 30 day extension on the investigation and he is currently on vacation.

Q: Also, I've been trying to get copies of the security policy's for entry into the City hall. As I was told by two captains they received it via email and read it to me it should be accessible by public record requests? I wanted the one on file the day I attempted entry to handle business and the one that was written and disseminated as the first captain who called me said "is this because of you?" Before reading the policy verbatim to me.

A: I advised you on 6-21-23 were to obtain this information. LPD is NOT holder of this record, the Safety Service Director is. He was the originator of the memo and he is the one to make the decision if it is a public record or not.

Q: Also is it a matter of public record to ask why there is an acting police chief?

A: Captain Failing is the Executive Captain and acts on my behalf when I am absent. I was absent and he was acting chief.

Q: While I am truest ecstatic to be spoken to politely and respectfully as a tax payer I'm curious why I'm suddenly speaking with you instead of the chief as he has previously stated I

would not be speaking to anyone but him? I'm just curious if you will be in this role indefinitely?

A: Refer to your previous question concerning why Captain Failing was acting chief. Furthermore, your statement simply shows you're overly sensitive and you're reading into my statements and accusing me of being "mean" when I am simply being straight forward. Captain Failing did nothing more than cut and paste what I sent him to send to you.

Have a Great Day!

Chief Jim McCann

Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: Failing, Mike <Mike_Failing@cityoflorain.org>
Sent: Friday, July 7, 2023 8:02 AM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Subject: FW: Public Information Request

I don't know much about this.

From: Aaron Knapp [mailto:a4xbeaverman@yahoo.com]
Sent: Friday, July 7, 2023 7:45 AM
To: Failing, Mike
Subject: Re: Public Information Request

Also is it a matter of public record to ask why there is an acting police chief?
While I am truest ecstatic to be spoken to politely and respectfully as a tax payer I'm curious why I'm suddenly speaking with you instead of the chief as he has previously stated I would not be speaking to anyone but him?
I'm just curious if you will be in this role indefinitely?
Thank you so much!

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Jul 7, 2023, at 07:41, Aaron Knapp <a4xbeaverman@yahoo.com> wrote:

I really appreciate the response. What about the Libby video? There are cameras in city hall correct? Also I'm having trouble getting the audio to play. I'll look into why soon. Is the investigation on the incident completed? I'd like to request a copy of that. Also I've been trying to get copies of the security policy's for entry into the City hall. As I was told by two captains they received it via email and read it to me it should be accessible by public record requests? I wanted the one on file the day I attempted entry to handle business and the one that was written and disseminated as the first captain who called me said "is this because of you?" Before reading the policy verbatim to me.

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Jul 7, 2023, at 07:05, Failing, Mike <Mike_Failing@cityoflorain.org> wrote:

Mr. Knapp,

Here is a link for the public information you requested. There is no body worn camera footage of the incident as staff officers are not required to wear BWC. Lt. Swanger is a staff officer and I have included a copy of our Mobile Audio Video policy . Please feel free to contact me should you have any questions.

https://drive.google.com/file/d/1MJUYpfHw1JoazfAbgk8xxKFtxhw2Wmiv/view?usp=drive_link

Click download anyway – extract - player

Acting Chief Michael D. Failing

Criminal Investigations Commander
Lorain Police Department
Email: Mike_Failing@cityoflorain.org
Phone: 440-204-2571

<Mobile_Audio_Video.pdf>

Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Wednesday, June 21, 2023 12:31 PM
To: a4xbeaverman@yahoo.com
Cc: aj_mathewson@cityoflorain.org; Rey_Carrión@cityoflorain.org
Subject: RE: Record requests

Mr. Knapp:

Thank you for your response. Email is my chosen form of communication to reply to you and all the public information requests I receive from everyone so this is what you get. You get the response from me because your requests are not the type of requests that our records employees handle and I will be the only one to respond to all your request from now on. Our records employees do not have access to email records, video or other administrative files so the requests are all forwarded to my office.

It's great that Captain Mathewson reviewed the city hall policy with you, however, the policy is not ours to release to the public. The policy was issued by the Safety/Service Director and that is whom you need to request it from. If I/we were trying to be secretive about the policy, I wouldn't have told you where to request it from.

Finally, you don't get to demand who to talk to at Lorain PD, I get to make those decisions, so I will be the only one communicating with you from this department in the future.

Have a great day!

Chief Jim McCann

Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Wednesday, June 21, 2023 9:51 AM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Cc: Mathewson, A.J. <aj_mathewson@cityoflorain.org>; Carrion, Rey <Rey_Carrión@cityoflorain.org>
Subject: Re: Record requests

Please I will ask you once again not to email me. If you wish to communicate with me I'd appreciate it if you would place said communication into writing and mail it to me.

I'm not sure why my requests to records would be subject to a response from the Chief.

If you are referring to the State investigation into my license I see no law preventing me from having that email as you are not that agency and you did send it. But if you wish to hold off until the board is done by all means do so.

As captain Mathewson reviewed those policies with me and read them to me over the phone the department obviously received the memo on security. Therefore it's part of internal records and was sent via email to at least two separate captains who read it verbatim to me. So I'm not sure why you're being so secretive about all of this stuff?

But in the future, if you have to email me, I would please request you have Captain Mathewson respond. He has been respectful and responsive and I really think it's a VERY bad idea for both of us to have continued conversation. So please let the officers do their jobs and respond to me. I'm trying to follow the appropriate procedures here and that requires I send my emails to the appropriate people.

You make it a wonderful day as well.

Aaron Christopher Knapp

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On Jun 21, 2023, at 08:52, McCann, James - Chief <Jim_McCann@cityoflorain.org> wrote:

Mr. Knapp:

I spoke with the state investigators this morning and the investigation is still ongoing, therefore, the records you have requested are not currently subject to disclosure, as such records are confidential law enforcement investigatory records, pursuant to R.C. 149.43(A)(1)(h). Your request is hereby denied.

Have a great day!

Chief Jim McCann
Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: Lorain PD Records Request <LPDRecordsRequest@cityoflorain.org>
Sent: Wednesday, June 21, 2023 6:49 AM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Subject: FW: Record requests

Thank you,
Lorain Police Records
100 W Erie Ave.
Lorain, Ohio 44052
440-204-2114

From: Aaron Knapp [a4xbeaverman@yahoo.com]
Sent: Wednesday, June 21, 2023 6:25 AM
To: Lorain PD Records Request
Subject: Re: Record requests

Also I need a copy of the letter sent to my board making a complaint against my licensing, I assume it was the chief, but the State Board said it was "The Lorain Police". I will need a copy of that and I will need you to find it..if it's in the chiefs sent folder it's subject to request. Any department emails or anything transmitted on county and city devises is public record.

Thank you and make it a wonderful day!

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Jun 20, 2023, at 15:20, Aaron Knapp <a4xbeaverman@yahoo.com> wrote:

Ok. Well at minimum I would think I would have access to the new policy that was read to me via phone about entry into City Hall. As it is policy it shouldn't be restricted.

And for the record I'm not sure how access to public lobby videos would be privy to protection under this law. That being said can you give me a time frame on when they will be available? As you have 30 days to complete your investigation of the Lt. Placing his hands on me I assume I'll receive them then?

Are you planning on charging him with a crime? Because as I read here as I am the subject of the video I have a right to have access to his body worn cameras regardless of your investigation into the LT.s actions.

I suppose if you wish to continue to deny the request I will just file a writ of mandamus because to my knowledge their is no criminal proceedings keeping you from releasing body worn footage of something I am the subject of.

Just to be clear:

(H)(1) Any portion of a body-worn camera or dashboard camera recording described in divisions (A)(17)(b) to (h) of this section may be released by consent of the subject of the recording or a representative of that person, as specified in those divisions, only if either of the following applies:

(a) The recording will not be used in connection with any probable or pending criminal proceedings;

(b) The recording has been used in connection with a criminal proceeding that was dismissed or for which a judgment has been entered pursuant to Rule 32 of the Rules of Criminal Procedure, and will not be used again in connection with any probable or pending criminal proceedings.

(2) If a public office denies a request to release a restricted portion of a body-worn camera or dashboard camera recording, as defined in division (A)(17) of this section, any person may file a mandamus action pursuant to this section or a complaint with the clerk of the court of claims pursuant to section 2743.75 of the Revised Code, requesting the court to order the release of all or portions of the recording. If the court considering the request determines that the filing articulates by clear and convincing evidence that the public interest in the recording substantially outweighs privacy interests and other interests asserted to deny release, the court shall order the public office to release the recording.

Make it a wonderful day!

Aaron Christopher Knapp

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On Jun 20, 2023, at 14:36, Lorain PD Records Request <LPDRecordsRequest@cityoflorain.org> wrote:

Mr Knapp

Due to an ongoing Administrative Investigation, the records you have requested are not currently subject to disclosure, as such records are confidential law enforcement investigatory records, pursuant to R.C. 149.43(A)(1)(h). Your request is hereby denied.

Thank you,
Lorain Police Records
100 W Erie Ave.
Lorain, Ohio 44052
440-204-2114

From: Aaron Knapp [a4xbeaverman@yahoo.com]
Sent: Tuesday, June 20, 2023 6:40 AM
To: Lorain PD Records Request
Subject: Re: Record requests

Can you please confirm receipt of my request for Body Cam and lobby footage of the incident at City hall between Lt Swanger and myself?

Also confirm that you received my request for a copy of the new trespassing policy's for city hall that effectively requires appointments for publicly accessible areas?

I feel like I get responses to only the stuff you "don't have" or "can't provide" (like dispatch calls and letters sent by the chief) but nothing about the important stuff I actually need to file my civil rights and assault claim against Lt Swanger. So please acknowledge receipt of my request and understand I'm on the clock so let's do this in the time required by your policy (I've read it).

I've asked a few times now with 0 acknowledgment. Last I checked that wasn't policy either?

Thank you!
Make it a wonderful day!

Aaron Christopher Knapp

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On Jun 19, 2023, at 09:52, Aaron Knapp
<a4xbeaverman@yahoo.com> wrote:

I would think it would be in the sent file of his email. But that's fine, I really don't need it. Just wanted to see it as it was the subject of a news story, I really appreciate the response and will consider this request closed.

You were very courteous and professional and I appreciate it!

Make it a wonderful day!

Aaron Christopher Knap

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On Jun 19, 2023, at 09:42, Lorain
PD Records Request
<LPDRecordsRequest@cityoflorain.org> wrote:

Chief

I have no copies of this letter sir

Fred

Thank you,
Lorain Police Records
100 W Erie Ave.
Lorain, Ohio 44052
440-204-2114

From: Aaron Knapp
[a4xbeaverman@yahoo.com]
Sent: Friday, June 16, 2023 6:51 AM
To: Lorain PD Records Request
Subject: Record requests

Please could you also provide the letter the chief sent to the counsel about lack of support on the Facebook page? As it's now public record I'd like to request a copy of it.

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**Aaron Christopher Knapp, LSW,
CDCA(p),BSSW**

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Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Wednesday, June 21, 2023 8:52 AM
To: a4xbeaverman@yahoo.com
Cc: aj_mathewson@cityoflorain.org
Subject: FW: Record requests

Mr. Knapp:

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Lorain Police Department
100 W. Erie Ave.
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Office: 440-204-2103
Fax: 440-204-2519

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Sent: Wednesday, June 21, 2023 6:49 AM
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Subject: FW: Record requests

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Aaron Christopher Knapp

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100 W Erie Ave.
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wrote:

Chief

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100 W Erie Ave.
Lorain, Ohio 44052
440-204-2114

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Sent: Friday, June 16, 2023 6:51 AM
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**Aaron Christopher Knapp, LSW,
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TRANSMISSION IN ERROR, PLEASE

IMMEDIATELY NOTIFY THE SENDER AND
DELETE THE COPY YOU RECEIVED.

Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Wednesday, June 21, 2023 8:45 AM
To: a4xbeaverman@yahoo.com
Cc: aj_mathewson@cityoflorain.org
Subject: FW: Record requests

Mr. Knapp:

Below are answers to you questions:

Ok. Well at minimum I would think I would have access to the new policy that was read to me via phone about entry into City Hall. As it is policy it shouldn't be restricted.

The Lorain Police Department is not in charge of the security protocols for city hall nor do we make the policy for city hall. The Safety/Service Director is in charge of city hall.

And for the record I'm not sure how access to public lobby videos would be privy to protection under this law. That being said can you give me a time frame on when they will be available? As you have 30 days to complete your investigation of the Lt. Placing his hands on me I assume I'll receive them then?

You are entitled to your opinion. During an active criminal or active administrative investigation, we believe video evidence is not a public record until the investigation is completed. If you disagree with us, you have that right. You also have the right to file whatever action you desire. Just to be clear, the 30 day deadline is an internal policy that I set as a general completion goal and may be extended at any time depending on operations, complexity of the investigation, vacations and the like.

Are you planning on charging him with a crime? Because as I read here as I am the subject of the video I have a right to have access to his body worn cameras regardless of your investigation into the LT.s actions.

The administrative investigation is ongoing. Again, we believe video evidence is not a public record until the investigation is completed.

The employees who respond to the Lorain PD Records Request have been directed not to respond to any of your requests, but to forward them to Captain Mathewson and myself for disposition.

Have a great day!

Chief Jim McCann

Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: Lorain PD Records Request <LPDRecordsRequest@cityoflorain.org>
Sent: Tuesday, June 20, 2023 3:28 PM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Subject: FW: Record requests

Thank you,
Lorain Police Records
100 W Erie Ave.
Lorain, Ohio 44052
440-204-2114

From: Aaron Knapp [a4xbeaverman@yahoo.com]
Sent: Tuesday, June 20, 2023 3:20 PM
To: Lorain PD Records Request
Subject: Re: Record requests

Ok. Well at minimum I would think I would have access to the new policy that was read to me via phone about entry into City Hall. As it is policy it shouldn't be restricted.

And for the record I'm not sure how access to public lobby videos would be privy to protection under this law. That being said can you give me a time frame on when they will be available? As you have 30 days to complete your investigation of the Lt. Placing his hands on me I assume I'll receive them then?

Are you planning on charging him with a crime? Because as I read here as I am the subject of the video I have a right to have access to his body worn cameras regardless of your investigation into the LT.s actions.

I suppose if you wish to continue to deny the request I will just file a writ of mandamus because to my knowledge their is no criminal proceedings keeping you from releasing body worn footage of something I am the subject of.

Just to be clear:

(H)(1) Any portion of a body-worn camera or dashboard camera recording described in divisions (A)(17)(b) to (h) of this section may be released by consent of the subject of the recording or a representative of that person, as specified in those divisions, only if either of the following applies:

(a) The recording will not be used in connection with any probable or pending criminal proceedings;

(b) The recording has been used in connection with a criminal proceeding that was dismissed or for which a judgment has been entered pursuant to Rule 32 of the Rules of Criminal Procedure, and will not be used again in connection with any probable or pending criminal proceedings.

(2) If a public office denies a request to release a restricted portion of a body-worn camera or dashboard camera recording, as defined in division (A)(17) of this section, any person may file a mandamus action pursuant to this section or a complaint with the clerk of the court of claims pursuant to section 2743.75 of the Revised Code, requesting the court to order the release of all or portions of the recording. If the court considering the request determines that the filing articulates by clear and convincing evidence that the public interest in the recording substantially outweighs privacy interests and other interests asserted to deny release, the court shall order the public office to release the recording.

Make it a wonderful day!

Aaron Christopher Knapp

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On Jun 20, 2023, at 14:36, Lorain PD Records Request <LPDRecordsRequest@cityoflorain.org> wrote:

Mr Knapp

Due to an ongoing Administrative Investigation, the records you have requested are not currently subject to disclosure, as such records are confidential law enforcement investigatory records, pursuant to R.C. 149.43(A)(1)(h). Your request is hereby denied.

Thank you,
Lorain Police Records
100 W Erie Ave.
Lorain, Ohio 44052
440-204-2114

From: Aaron Knapp [a4xbeaverman@yahoo.com]
Sent: Tuesday, June 20, 2023 6:40 AM
To: Lorain PD Records Request
Subject: Re: Record requests

Can you please confirm receipt of my request for Body Cam and lobby footage of the incident at City hall between Lt Swanger and myself?

Also confirm that you received my request for a copy of the new trespassing policy's for city hall that effectively requires appointments for publicly accessible areas?

I feel like I get responses to only the stuff you "don't have" or "can't provide" (like dispatch calls and letters sent by the chief) but nothing about the important stuff I actually need to file my civil rights and assault claim against Lt Swanger. So please acknowledge receipt of my request and understand I'm on the clock so let's do this in the time required by your policy (I've read it).

I've asked a few times now with 0 acknowledgment. Last I checked that wasn't policy either?

Thank you!

Make it a wonderful day!

Aaron Christopher Knapp

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On Jun 19, 2023, at 09:52, Aaron Knapp <a4xbeaverman@yahoo.com> wrote:

I would think it would be in the sent file of his email. But that's fine, I really don't need it. Just wanted to see it as it was the subject of a news story, I really appreciate the response and will consider this request closed.

You were very courteous and professional and I appreciate it!

Make it a wonderful day!

Aaron Christopher Knap

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On Jun 19, 2023, at 09:42, Lorain PD Records Request <LPDRecordsRequest@cityoflorain.org> wrote:

Chief

I have no copies of this letter sir

Fred

Thank you,
Lorain Police Records
100 W Erie Ave.
Lorain, Ohio 44052
440-204-2114

From: Aaron Knapp [a4xbeaverman@yahoo.com]

Sent: Friday, June 16, 2023 6:51 AM

To: Lorain PD Records Request

Subject: Record requests

Please could you also provide the letter the chief sent to the counsel about lack of support on the Facebook page? As it's now public record I'd like to request a copy of it.

Make it a wonderful day!

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Tuesday, June 13, 2023 10:17 AM
To: a4xbeaverman@yahoo.com
Cc: LPDRecordsRequest@cityoflorain.org; aj_mathewson@cityoflorain.org
Subject: FW: Records request

Mr. Knapp:

As I stated prior, and I just reconfirmed with our Law Department, all communications between LPD and our Law Department are privileged and are not public records. You are not entitled to any portion of those communications.

Have a great day

Chief Jim McCann

Lorain Police Department
100 W. Erie Ave.
Lorain, Ohio 44052
Office: 440-204-2103
Fax: 440-204-2519

From: Lorain PD Records Request <LPDRecordsRequest@cityoflorain.org>
Sent: Tuesday, June 13, 2023 9:29 AM
To: McCann, James - Chief <Jim_McCann@cityoflorain.org>
Cc: Mathewson, A.J. <aj_mathewson@cityoflorain.org>
Subject: FW: Records request

Chief

I am unable to fulfill this request.

Fred

Thank you,
Lorain Police Records
100 W Erie Ave.
Lorain, Ohio 44052
440-204-2114

From: Aaron Knapp [a4xbeaverman@yahoo.com]
Sent: Tuesday, June 13, 2023 8:13 AM
To: Lorain PD Records Request
Subject: Records request

I'd like to request the emails between the police and the law department on the closing of the Facebook page, redacted of course not to contain sensitive information, just to prove to the public that the conversations occurred. I was sent a response claiming the department exonerated itself in closing comments on Facebook and in the response the Department stated it consulted the Law Department. As I never brought the process up and the department mentioned the communication as a REASON for the denial I'd like proof the conversation occurred and an email, even redacted, with a title and date could prove that.

Also I'm awaiting any response to my previous requests or acknowledgment of receipt of said request(s) sans the one that I was informed I'd need to call the 911 service to obtain.

Thank you very much and make it a wonderful day!

Aaron Christopher Knapp

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Failing, Mike

From: Jim_McCann@cityoflorain.org
Sent: Thursday, June 1, 2023 8:09 PM
To: Jim_McCann@cityoflorain.org
Subject: Fwd: Aaron Knapp Incident #23-18590

Bill:

See the below email. This is currently under investigation. It seems Mr. Knapp is becoming unhinged.

We have also learned that he has been trespassed in other government buildings due to his erratic behavior in other states and that may be a reason why he has moved from state to state.

Just though you would want this information. Since this is under investigation locally, this is just for your internal info at this time. I anticipate we will wrap up our investigation next week.

It looks to me that Mr. Knapp is becoming more aggressive and unpredictable.

Chief Jim McCann
Lorain Police Department

Sent from my iPhone.

Begin forwarded message:

From: "Swanger, Larry" <Larry_Swanger@cityoflorain.org>
Date: June 1, 2023 at 4:43:25 PM EDT
To: "McCann, James - Chief" <Jim_McCann@cityoflorain.org>
Subject: Aaron Knapp Incident #23-18590