

McCann, James - Chief

From: McCann, James - Chief
Sent: Tuesday, March 21, 2023 1:02 PM
To: 'Aaron Knapp'; Bradley, Jack
Cc: Congresswoman Marcy Kaptur; Morris, Jacob
Subject: RE: Update

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

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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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