

Beko, Michele

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Thursday, February 20, 2025 8:49 AM
To: CityCouncilMailGroup@cityoflorain.org; Carissa Woytach; David Comer; David O'Brien; Garon Petty; Jack Bradley; Brad Dicken; Robert J. Gargas; Rey Carrion; Patrick Riley; Jackie Conrad; Ted Kalo; Sheriff Jack Hall; Joseph LaVeck
Subject: Let the good times roll.

External sender <a4xbeaverman@yahoo.com>

Make sure you trust this sender before taking any actions.

Doing great for himself while committing crimes against Disabled Veterans! James McCann, police Chief. #3 nationwide. Wow.

08:43

🔒 loraindaily.com

LORAIN WORKER:

- **President of the U:**
\$400,000
- **Associate Justice**
Supreme Court – \$
- **Lorain Police Chief**
- **U.S. Army General**
– \$225,698.40
- **Lorain Fire Chief -**
- **Lorain City School**

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

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Beko, Michele

From: Robert J. Gargasz <rjgargasz@gmail.com>
Sent: Wednesday, February 5, 2025 6:27 AM
To: David Yost AG; Anthony Giardini; Lindsay Carr; Major Jack Hall; Tony Cillo; Aaron Knapp; Garon Petty; Michael Scherach; Jeanne Petty; Robert Gargasz; Americans for Independent Leadership; Jon Morrow; Major Steven Scharschmidt; Patrick Riley; Rey Carrion; Jack Bradley
Subject: Intel Agencies Caught in Massive Voter Fraud – Dr. Jerome Corsi | Greg Hunter's USAWatchdog

External sender <rjgargasz@gmail.com>

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<https://usawatchdog.com/intel-agencies-caught-in-massive-voter-fraud-dr-jerome-corsi/>

Sent from my iPhone

Beko, Michele

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Wednesday, February 19, 2025 10:06 AM
To: Jacob Morris; City Group; Robert J. Gargas; Jack Bradley; Brad Dicken; Carissa Woytach; David O'Brien; Garon Petty; Patrick Riley; Rey Carrion; Jackie Conrad; Joseph LaVeck; Ted Kalo; Jack Hall
Subject: Violation

External sender <a4xbeaverman@yahoo.com>
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The city of Lorain released an accident report containing Officer Urbins drivers license number. You folks need to learn what you must protect and must not.

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

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Beko, Michele

From: Garon Petty <garonpetty@roadrunner.com>
Sent: Wednesday, February 19, 2025 10:12 AM
To: City Council Mail Group; Joseph LaVeck; Patrick Riley; Zaleski, Don; Rey Carrion; Bradley, Jack
Cc: Brad Dicken; Brian Ames; Aaron Knapp; Robert J Gargas; Kathryn Kennedy; Elsebeth Baumgartner; Michael Scherach; Clevescene; Mike Mason; Lindsay Carr; David Yost AG; Barbie Washington; Jeff Graham; Jeff Riddell; David J Moore; mgallagher@loraincounty.us; cityofsheffieldlake@gmail.com; Darryl Tucker; Jon Morrow; Fox 8; Linda Rivera; David Graves; rradeff@sheffieldlake.net; Andrew Geronimo, JD; lcp@lcpProsecutor.org; VEK6173@aol.com; Natalio Rodriguez; Carissa Woytach; Carolyn White; Dennis Flores; Tom Niewulis; Jim Dowdell; Jim Renacci
Subject: Just a reminder to city council of their oath of office.

External sender <garonpetty@roadrunner.com>

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AG Yost, Sunshine Laws
youtube.com

Beko, Michele

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Wednesday, February 19, 2025 9:47 AM
To: Breanna Dull; City Group; Brad Dicken; Robert J. Gargas; David O'Brien; Carissa Woytach; Jack Bradley; Patrick Riley; Rey Carrion; Jackie Conrad; Joseph LaVeck; Ted Kalo; Garon Petty; Jack Hall
Cc: David Yost AG; ethics@ethics.ohio.gov; 19tips@woio.com; Mike Mason; Sheriff Jack Hall; Tony Cillo; gofbci@governor.ohio.gov; Auditor; JD Andrew Geronimo; A.J. Mathewson; Fox 8; Jacob Morris
Subject: Open meetings act violations

External sender <a4xbeaverman@yahoo.com>

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Many of you are still texting during meetings. During Jaynes speech it's been pointed out many of you were texting in violation of the law.

I saw Ms Moon whisper to Mr. Arroyo.

I'd like all those texts and I'd like the records of the minutes to reference all whispers in council moving forward, as you approved the last minutes and mentioned no whispers those minutes are invalid.

You apparently must be treated like children. You need to stay off you phones. And only SPEAK TO THE CHAIR on mic.

What did Moon say to Arroyo? We see it on tape.

Please stop being Criminals and breaking the law. Do your jobs. Lock up your phones.

I'm still waiting on several records:

1. The PPO loans given to LaVeck.
2. All texts sent by T. Dimacchai from the meeting I requested.
3. Who spoke on the hot mike about my "campaign commencing" at the city council meeting past (I've asked multiple times)
4. I still need all emails and texts sent to Tim Weitzel by James McCann.
5. City Budget for this year and last.
6. A copy of all business and payments made to the city of Sheffield Lake by Lorain.
7. An accurate set of minutes for all meetings with whispers showing (whispering)

8. A properly redacted copy of McCanns File.

9. A properly redacted copy of Middlebrooks file.

10. James McCanns contract.

11. And some responses to my emails. Also start reading my letters to council aloud instead of receive and file.

12. Get my Ward Council Arroyo to comply with the law and not block constituents on Facebook. And get him. And all of you to answer my emails as my government.

13. Stop breaking the law.

I'm including the Sheriff and Prosecutor as I'm still expecting an investigation into McCann as was promised. This is non negotiable.

I sent you my request. Either investigation commences or take my citizen arrest charges. Police are not above the law.

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

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Beko, Michele

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Wednesday, February 5, 2025 9:51 AM
To: CityCouncilMailGroup@cityoflorain.org; Patrick Riley; Jack Bradley; Robert J. Gargas; Carissa Woytach; Brad Dicken; David O'Brien; Garon Petty; Tony Cillo; Rey Carrion; Jackie Conrad; Joseph LaVeck; Ted Kalo; Sheriff Jack Hall; Jeff Graham; Rey Carrion
Cc: David Yost AG; ethics@ethics.ohio.gov; JD Andrew Geronimo; BCICommunications@ohioago.gov; cgottschling@lorainschools.org
Subject: Update

Warning: Unusual link

This message contains an unusual link, which may lead to a malicious site. Confirm the message is safe before clicking any links.

Verified yesterday with Superintendent Graham this is FERPA protected. So LPD has been violating this students rights the entire time. This is criminal.

Yes, violating the Family Educational Rights and Privacy Act (FERPA) can result in criminal charges. The severity of the penalty depends on the nature of the violation, the amount of harm caused, and whether it was intentional.

FERPA | Protecting Student Privacy
studentprivacy.ed.gov



Riley told the schools cops are not covered by FERPA. This guy is always wrong. You are a "covered entity" and when you released it you broke the law.

Welcome to another lawsuit.

Pg 99-103

<https://www.lorainpolice.com/wp-content/uploads/2016/04/126-W-27TH-ST-MEDIA-RELEASE-ADMINISTRATIVE-INVESTIGATION.pdf>

So you used this knowledge to fire me from the courts because I said it was protected. You attacked my license and employment over this. And here we are almost 3 years later and it's still up. You have released this students data illegally and I have informed the parents.

You should have listened. All the emails I have of each of claiming you were in compliance with the law.

Mayor Bradley, James McCann, and Patrick Riley all stated on the record they had a legal right to post this info on line.

So what now??? Jesus if you folks would just check your this and assume someone might now something you don't.

And I was right about Baez. Jesus. You people never cease to amaze me.

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

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Beko, Michele

From: Garon Petty <garonpetty@roadrunner.com>
Sent: Monday, May 12, 2025 7:12 AM
To: Michael Scherach; Lindsay Carr; Lisa Swenski; Linda Rivera; Brian Ames; City Council Mail Group; Robert J Gargas; Carrion, Rey; Patrick Riley; Jonathan.Schuppe@nbcuni.com; clandestinecanary; Clevescene; Aaron Knapp; Andrew Geronimo, JD; Fox 8; NortheastRegion@ohioauditor.gov; Noelle Williams; LorainNAACP@gmail.com; LoriOlsen2020@gmail.com; loraindems@gmail.com; Jeanne Petty; Jackie Conrad; Kathryn Kennedy; VEK6173@aol.com; rebecca kempton; Natalio Rodriguez; Nathan Manning; Brad Dicken; Denise Wilms; Dennis Flores; Elsebeth Baumgartner; Mike.Brosky@fflorain.bank; Mike Mason; Mike Witte; Tony Cillo; Tori Middlebrooks; Tom Niewulis; JessieTower@gmail.com; Joshua Garcia; Jon Morrow
Subject: Fwd: The Collapse Engineered by Loyalty: How James Burge's Disciplinary Letter Unraveled Lorain County's Prosecutor's O...
Follow Up Flag: Follow up
Flag Status: Flagged

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Begin forwarded message:

From: Aaron C Knapp from Aaron's Substack
<lorainpoliticsunplugged@substack.com>
Subject: The Collapse Engineered by Loyalty: How James Burge's Disciplinary Letter Unraveled Lorain County's Prosecutor's O...
Date: May 12, 2025 at 2:09:12 AM EDT
To: garonpetty@roadrunner.com
Reply-To: Aaron C Knapp from Aaron's Substack
<reply+2p9j pz&5j0f6l&&a5376d1d5830ca1f583a44c1fe30cb7c7966228ae362948e911d43c1d102330a@mg1.substack.com>

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The Collapse Engineered by Loyalty: How James Burge's Disciplinary

Letter Unraveled Lorain County's Prosecutor's Office

Not the romance, not the rumor mill—what ended JD Tomlinson's career was the disciplinary letter written by the one man he trusted most.

AARON C KNAPP

MAY 12



READ IN APP 

Byline:

By Aaron Knapp with Melody Andrich

Investigative Reporters, Lorain Politics Unplugged



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I. Unpacking the James M. Burge Deposition

On February 14, 2025, Attorney Jonathan Rosenbaum, representing his client James V. Barilla, deposed former Judge and former Chief of Staff to Lorain County Prosecutor JD Tomlinson—James M. Burge. In sworn testimony, Burge stated he had been licensed to practice law in the State of Ohio for “a little over 49 years.”

Rosenbaum's deposition quickly laid bare a political time bomb. Burge, once a Lorain County Common Pleas Court judge, had been criminally convicted and suspended from practicing law in 2019 for falsifying financial disclosures, assigning paid legal work to attorneys who rented space from him, and other abuses of office. Despite that legacy, he was welcomed back into power in 2021 as Tomlinson's most trusted adviser.

A 2014 indictment had charged Burge with 12 counts. By 2015, he was convicted on three misdemeanors and three felonies—later reduced to misdemeanors by a visiting judge. He resigned and paid a \$3,000 fine. In 2018, the Ohio Office of Disciplinary Counsel filed formal charges, resulting in a one-year law license suspension, with six months stayed.

This is the man Tomlinson brought back to serve as Chief of Staff.

Rosenbaum established during questioning that Burge knew early on about Tomlinson's romantic relationship with Public Outreach Coordinator Jennifer Battistelli. “There were several of us sitting in Mr. Tomlinson's office,” Burge testified. “They indicated that they were an item, they were boyfriend and girlfriend.” He placed that awareness in either 2020 or 2021—and confirmed Assistant Prosecutor Dan Petticord also knew.

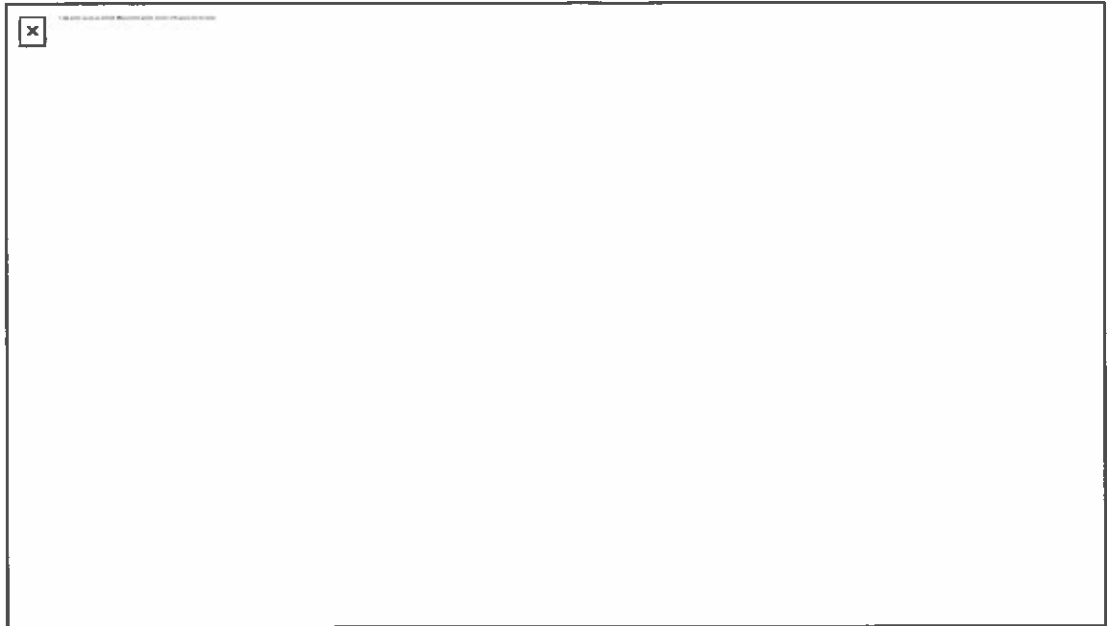
Petticord's deposition corroborates Burge's timeline. He testified he learned of the relationship "sometime in the summer of '21," and that Battistelli described it as "on again, off again" over the years.

In her own July 2024 statement, Battistelli said she met Tomlinson through friends in 2000, volunteered for his failed 2016 Prosecutor campaign, and again in 2020 when he won the Democratic nomination over Dennis Will and later defeated Republican Robert Gargasz.

But Burge's testimony revealed more than just timelines. He admitted to playing an active role in protecting the relationship and managing office fallout. "I was trying to protect the office," he said. His involvement included suppressing public records, attempting to reframe internal complaints, and shielding Tomlinson from scrutiny.

Burge's return to power after a criminal conviction—and his central role in shaping office discipline, personnel oversight, and legal defense strategies—reflects a deep rot within Lorain County government. His presence was not incidental; it was structural. He wasn't just aiding the cover-up—he was architecting it.

What the deposition made clear was this: Burge's reinstatement as Chief of Staff gave him more influence than he had on the bench—and far less accountability. His knowledge of the Tomlinson-Battistelli relationship, and his eventual decision to discipline Battistelli, would become the fulcrum around which the entire scandal turned.



Screenshot Channel 5 ABC Cleveland

II. James Burge Enters the Picture

Jennifer Battistelli testifies that incoming Prosecutor Tomlinson would not be keeping two women employed by his predecessor in his newly structured office. Tomlinson had planned to offer the job of public outreach coordinator to his close confidante in his successful 2020 run for Lorain County Prosecutor, Harry Williamson. After a conversation with Tom Williams in December 2020, Williamson declined Tomlinson's offer and chose to work for Lorain County 911. It was then Battistelli disclosed "that position came open and I talked to Burge about it and well, you can have this position."

Romance blossoms at the Prosecutor's Office in May 2021 according to Ms. Battistelli. She testified that the two were together all the time and informed Dan Petticord that they were dating. Battistelli recalls that Dan Petticord said it was OK. "And then came back a couple of months later and said, no, you guys are not allowed to date, and it became a thing basically." The dye was cast by then, when asked in her interview if she loved him, JD Tomlinson, Battistelli responded "Of course, sure, yeah."

On September 3rd, 2024, JD Tomlinson is deposed by attorney Rosenbaum. In Tomlinson's sworn testimony, he affirms that Jennifer Battistelli reported to his Chief of Staff, James Burge. Tomlinson also says that Ms. Battistelli was given a raise January 30th, 2023, by Burge. When Rosenbaum further presses Tomlinson on if the Chief of Staff has the authority to grant raises to employees who deserve them, Tomlinson replies ***"No, those would typically go through me."*** Tomlinson changed who Ms. Battistelli reported to due to ***"some reorganization going along in the office."*** Tomlinson refers to creating some efficiencies and less confusion in the divisions as the reasoning for the change of Ms. Battistelli direct superior. One can't help but refer to Asst. County Prosecutor Dan Petticord's waffling back and forth with Ms. Battistelli on the relationship between the elected Prosecutor and his subordinate to create some distance between the lovers in the workplace hierarchy.

In reality, the *"reorganization"* served a dual function: it insulated Tomlinson from direct supervision over his romantic partner while allowing him to retain influence over her position and salary. As Burge later admitted, he gave Battistelli a raise because "she was doing a good job," yet Tomlinson testified he didn't authorize it. That contradiction alone speaks volumes about the lack of internal oversight and the informal power dynamics at play.

More troubling, Burge's return to high-level decision-making included overseeing HR complaints—despite his prior judicial sanctions. His fingerprints were on every personnel shift, particularly those that affected people aligned with or in conflict with Battistelli. This power enabled him to maneuver both promotions and punishments, often without transparency or formal review.

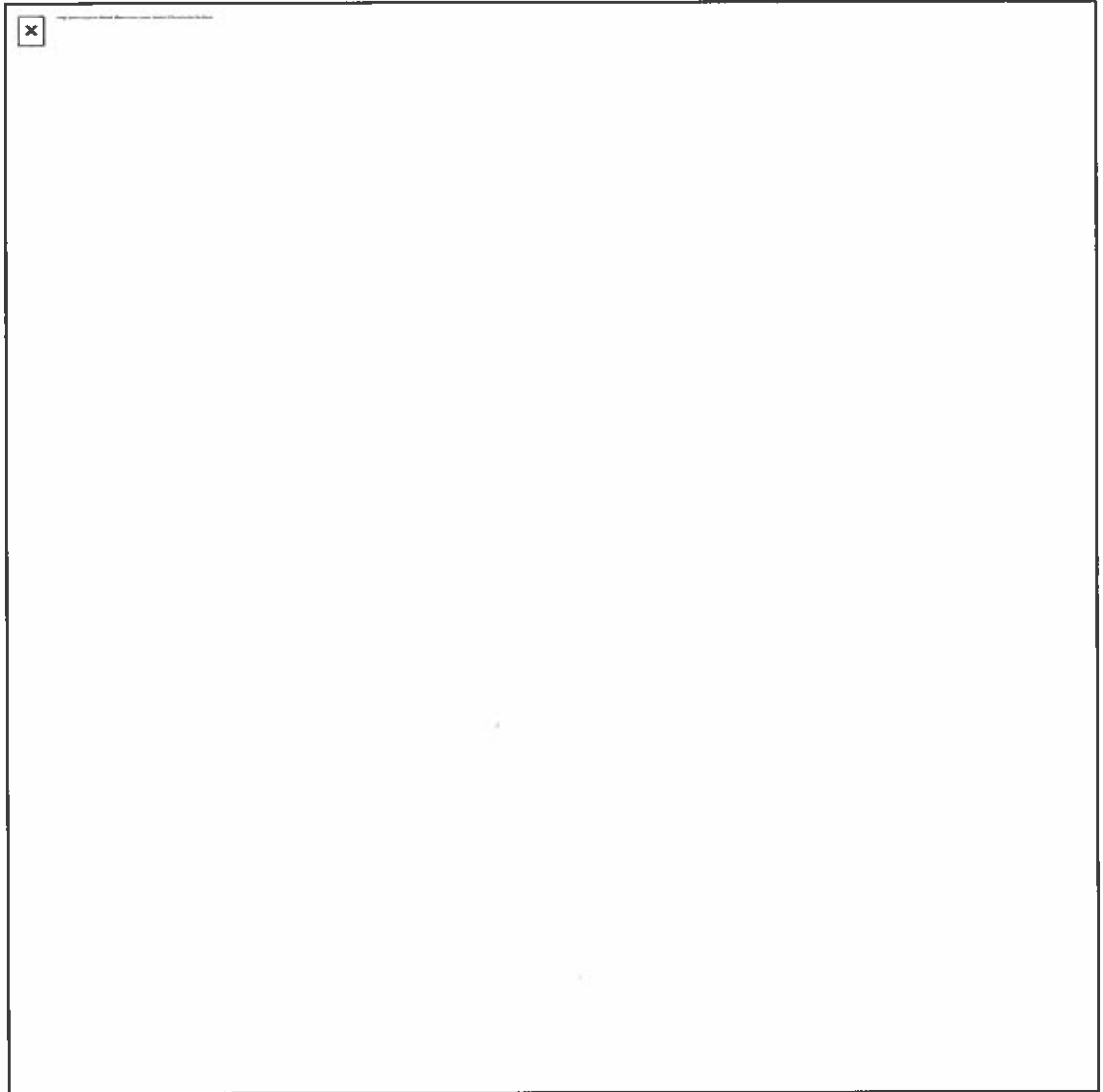
Petticord's initial approval of the relationship, followed by his reversal, reveals not a principled concern but political calculation. He didn't act because the relationship created a legal problem—he acted once it became a political risk. "At first, he said it was fine," Battistelli stated. "Then a few months later he said it wasn't." This selective enforcement of ethics speaks to the deeper culture of conditional accountability.

There's also the question of why Williamson declined the job initially promised to him. Sources suggest he may have sensed that the workplace was already marred by internal favoritism and tension. If so, Williamson's quiet exit was a red flag ignored by everyone else. Into the vacuum stepped Burge—again.

From a broader lens, Tomlinson's decision to install Burge as gatekeeper after his disgraceful exit from the judiciary demonstrates a complete disregard for public trust. The position of Chief of Staff should be one of impartiality and ethical rigor. Instead, it became a post-retirement redemption tour for a man who'd already betrayed the public once.

Thus, the picture becomes clearer: Tomlinson created a political inner circle defined by loyalty over law, optics over ethics, and secrecy over accountability. Battistelli was pulled into that vortex—not just as an employee, not just as a partner, but ultimately as the scapegoat when their web of relationships began to unravel.

The institutional structure they built together—Tomlinson, Burge, and Petticord—was engineered not for justice, but for control. And that structure would soon begin to collapse under the weight of its contradictions.



III. Rosenbaum Public Records Request Sheds Light on Resendez's Actions

The documents obtained in the Barilla vs. Tomlinson public records request shine a glaring, and noticeable spotlight on the crumbling of a secret known to most in the inner circles of Lorain County politics. Sources disclosed that in early 2021, JD Tomlinson had a personal relationship with his employee Jennifer Battistelli. Reports included seeing the pair together at nearly all Tomlinson's public events, with Battistelli never more than three paces behind him. During her interview, Ms. Battistelli recalls "***JD would not leave me***

alone one day and he gets obsessive and he calls me 100 times, and called me until 4 o'clock in the morning."

In the sworn testimony by the former Chief of Staff James Burge he thought that the lovers liked each other and if it led to something, she would have to leave the office. Burge would become involved in their quarrels and often engaged in conversation with Tomlinson who he said was "just trying to manage the relationship and still fulfill his duties as the prosecutor." Burge testified he would speak to Tomlinson about the subject matter Ms. Battistelli and Tomlinson argued about. Battistelli would "often take part of some of our employees who were trying to pursue a promotion or make a lateral change in the office to something that they would enjoy more." When asked by Rosenbaum, Burge confirmed that Tomlinson and Ms. Battistelli fought about Tomlinson seeing other women.

On July 27th, 2023, Garrett Longacre filed a complaint against Jennifer Battistelli to his Department Head Richard Resendez. Listed as the nature of the complaint was "making or publishing of false, vicious or malicious statements concerning employees (Group II #9)." The statement of facts written are that "Battistelli made a verbal complaint to Chief Petticord (civil) alleging discrimination by Longacre against [redacted]." A follow-up by Burge and Resendez revealed that [redacted] never alleged discrimination."

Names of any witnesses [redacted] and finally relief requested by Longacre was "WRITTEN REPRIMAND" in all capital letters. The Department Head/Date Received recorded the complaint on August 8th, 2023, and August 11th, 2023, as Richard Resendez.

The public record of the investigation by Richard Resendez reveals that Ms. Battistelli went to Dan Petticord and shared her concerns. When Longacre was informed by Petticord of the concerns lodged by Ms. Battistelli, Longacre decides to file a formal complaint against her. Petticord, seemingly playing both sides, "stated that he did not believe Longacre had discriminated against [redacted]. Later in the day, the report by Resendez states "Longacre met with Tomlinson and expressed concern

about the complaint of discrimination against [redacted].” Tomlinson stated he did not believe it and would speak to Ms. Battistelli. The report by Resendez details a heated argument, reported by Longacre, between Longacre and Ms. Battistelli on July 27th, 2023.

On August 2nd, 2023, Chief of Staff James Burge is informed by Longacre and Resendez their concerns about the allegation of discrimination by Ms. Battistelli toward Garret Longacre. The men make their case to Burge and request an investigation if warranted. Longacre is insistent that [redacted] did not make a complaint, and he wanted to know why Ms. Battistelli made a false complaint.

This moment becomes a turning point in the internal drama. It marks the shift from quiet conflict to full-blown office warfare, with Resendez and Longacre escalating the matter through formal HR channels, and Burge beginning to act with force. The fact that Resendez sided so quickly with Longacre—despite no corroborated claim from the third party allegedly discriminated against—raises serious questions about the motives behind the complaint.

What’s more, this dispute wasn’t handled in isolation. It was processed in the same informal power vacuum that defined the rest of the office structure. Petticord, despite being the initial recipient of Battistelli’s concerns, stepped back and allowed others to frame the narrative. As usual, Petticord played both sides, distancing himself from Battistelli just when she needed procedural protection.

Behind the scenes, Battistelli’s advocacy for female and minority coworkers had made her unpopular with some men in the office. Burge even admitted in his deposition that she “advocated for Puerto Ricans,” and that this created tension with Tomlinson. Rather than mediate the cultural and political divides inside the workplace, the leadership chose the easier route: isolate the woman they considered difficult.

It’s no surprise then that the response to Battistelli’s alleged misconduct was immediate and forceful, while no similar urgency was shown when she first raised concerns about

discrimination. This double standard permeates every facet of the investigation. If anything, the evidence shows that her advocacy triggered the backlash—not any actual misconduct.

As the dominoes begin to fall, the key actors—Burge, Resendez, Petticord, and Tomlinson—position themselves to protect one another. Meanwhile, the complaint process becomes less about accountability and more about leverage. It's the classic institutional trick: convert the whistleblower into the problem. In this case, it worked with chilling efficiency, by Longacre and Resendez their concerns about the allegation of discrimination by Ms. Battistelli toward Garret Longacre. The men make their case to Burge and request an investigation if warranted. Longacre is insistent that [redacted] did not make a complaint, and he wanted to know why Ms. Battistelli made a false complaint.

IV. Chief of Staff James Burge Acts, and the Office Begins to Crumble

In a letter dated August 11th, 2023, Chief of Staff James Burge writes his opinion and recommendation to JD Tomlinson regarding the Longacre complaint against Jennifer Battistelli.

The conclusion of the document written by Burge states “Based upon my review of this matter, I find that the miscommunication between [redacted] and Battistelli resulted in Battistelli making a statement regarding Longacre’s management of [redacted] that was untrue. I further find that Battistelli’s subsequent conversation with Petticord regarding Longacre was inappropriate and contrary to office policy. Battistelli has been instructed and cautioned.”

On the same day, Jennifer Battistelli wrote correspondence to James Burge. Ms. Battistelli concludes at the end of her statement that [redacted] ***“was saying is that she felt she was being treated differently from the other advocates.” “When I was talking to Dan Petticord, if I said the word ‘discrimination’ it was not the right word.”***

Ms. Battistelli spoke up for what she thought may have been mistreatment of a fellow female employee. Burge said in his deposition referring to Battistelli, *“if the people she liked weren’t in the mix, she would argue with JD about that.”* Burge went on to say, “She is Puerto Rican and she would advocate for Puerto Ricans and sometimes they weren’t exactly what we were looking for and they would argue about it.” This kind of characterization reduces her advocacy to favoritism and dismisses legitimate concerns about equity and representation.

Burge’s report to Tomlinson was not an impartial finding—it was the culmination of a calculated effort to discredit Battistelli. There was no formal hearing. No second review. Just Burge deciding, on his own terms, that the complaint against her was valid while her concerns about discrimination were invalid. This unilateral handling of sensitive personnel disputes raises serious due process concerns and reflects a culture of top-down retaliation.

By August 15th, Battistelli met with Tomlinson to express her concern about the handling of the situation. This was no ordinary workplace meeting. According to her EEOC complaint, that encounter escalated to physical violence.

“Tomlinson yelled at me, grabbed me, and shook me, leaving injuries and bruises,” she wrote. “I immediately left the office and resigned my position.”

The fact that this occurred only four days after Burge’s memo indicates that the administrative retaliation quickly bled into personal confrontation.

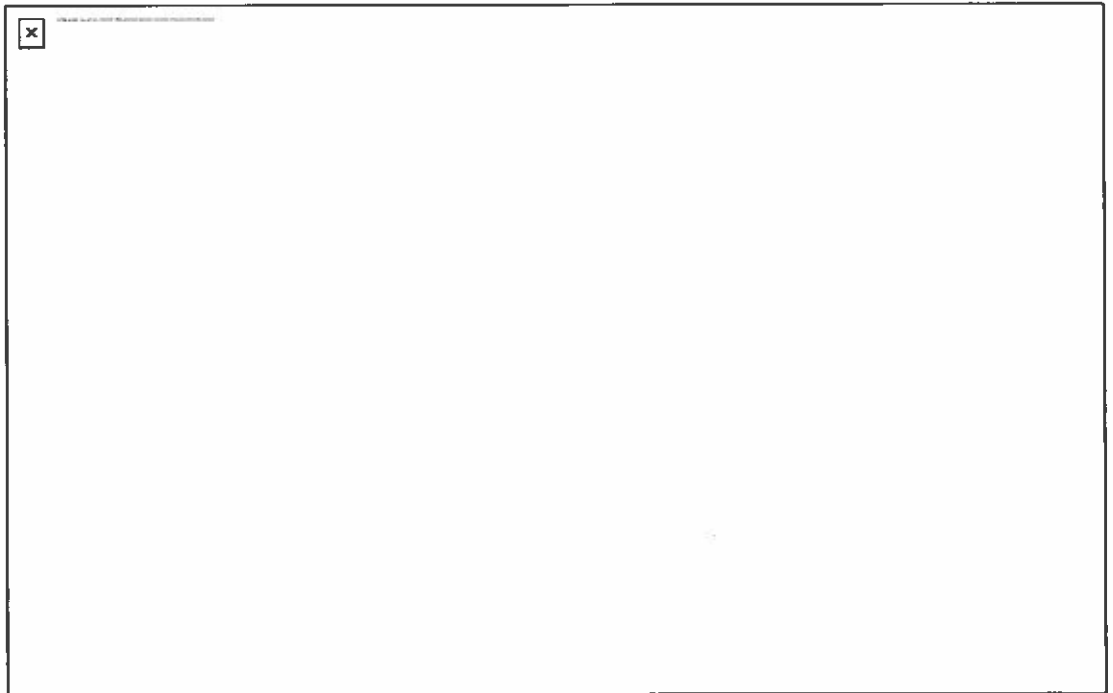
At this point, it becomes impossible to separate personal bias from procedural failure. Battistelli wasn’t just an employee under scrutiny—she was the Prosecutor’s girlfriend, being disciplined by his Chief of Staff, following a complaint instigated by a male coworker who felt slighted. And the internal chain of authority—Tomlinson, Burge, Petticord—all aligned to silence her rather than solve the problem.

Burge's subsequent justification for disciplining Battistelli reveals a deep paternalistic instinct. "She had been cautioned," he insisted. But what was she being punished for, really? Speaking up for a colleague? Questioning internal dynamics? Or simply refusing to play the silent role expected of her?

The paper trail shows a clear sequence: Battistelli raises concerns → Petticord waffles → Longacre files complaint → Resendez validates it → Burge punishes her → Tomlinson allegedly assaults her → she resigns. That is not a coincidence. That is a chain of retaliation disguised as administrative policy.

In most workplaces, this kind of conduct would trigger an independent investigation. In Lorain County, it triggered a cover-up. Burge never consulted an outside HR professional. No one was put on leave pending inquiry. Instead, the leadership doubled down, choosing loyalty over legality.

This section of the timeline is crucial. It demonstrates how quickly an office built on personal loyalty and unchecked power can implode when faced with internal accountability. Rather than pause and reassess, Tomlinson and Burge hit the gas—and drove the office into scandal.



V. The Hidden Hands: The Withholding of the EEOC Complaint

The full deposition of James Burge reveals that he, Dan Petticord, and J.D. Tomlinson collectively made the decision to withhold Jennifer Battistelli's EEOC complaint from public release, even after multiple formal public records requests had been submitted. Despite acknowledging the complaint was a government record, Burge stated that they feared political damage and legal liability. *"If we were to produce this pursuant to a public record" request,* Burge testified, *"Tomlinson would have exposure for libel."*

The complaint in question included allegations that Battistelli had been retaliated against and assaulted after reporting discrimination. Burge claimed some statements in the complaint were false, pointing specifically to Garrett Longacre allegedly calling a colleague "ghetto," which Longacre denied. Still, they never sought an independent review. Instead, they played judge, jury, and gatekeeper to the truth.

Rather than submit the \$100,000 settlement claim to the county's insurer, CORSA, Petticord and Burge pushed it through as a requisition—sidestepping the normal resolution process. This maneuver denied the public and the commissioners a chance to debate or vet the payment. "We never intended to pay a cent or even negotiate on Claim 1," Burge admitted, referring to the sexual harassment and assault allegations.

Burge also admitted he selectively disclosed only parts of the EEOC complaint to certain commissioners. He stated he informed Dave Moore and Jeff Riddell about Claim 2 involving racial discrimination but deliberately omitted Claim 1. "They're friends of mine," Burge explained. ***"We relied upon the advice of counsel for that."*** The intent, clearly, was to manage fallout—not accountability.

Time pressure further influenced the decision. According to Burge, Petticord received the EEOC complaint via email on October 10, 2023. By the next morning, Burge had reviewed it. He testified: ***"Dan got it on the 10th... I saw it on the 11th on his phone."*** Soon after, the payout was pushed

through. ***“She wanted her money,”*** Burge said of Battistelli. Jack Moran, her attorney, was reportedly pushing for a rapid resolution.

*When asked why the document was withheld despite legal obligations, Burge admitted: **“Because of the false and defamatory nature of it... under the law, it was not a public record subject to production.”** Yet the court would later rule the opposite, ordering the EEOC complaints release, exposing the **unlawful suppression of a public record.***

The rationale for suppressing the document was, in Burge’s words, to avoid *“political embarrassment.”* When asked if releasing the document would have hurt Tomlinson politically, Burge responded, *“It would depend on how we managed it.”* Ultimately, he conceded: “It probably would have been a better move to tell Moran bring it and defend it.”

In the same testimony, Burge confirmed that the statement used to justify withholding was never shown to the commissioners. The response by Eric Xamba, the paralegal tasked with denying the public record, was allegedly reviewed by Petticord. *“Ultimately, the decision lies with the commissioners,”* Burge admitted, *“but it’s hard to imagine them not taking advice from the Prosecutor’s office.”*

This wasn’t just a misstep. It was a deliberate concealment of a credible discrimination and assault complaint by public officials, using the county’s legal machinery to shield themselves and shut down inquiry. And it was a strategy agreed upon by Burge, Petticord, and Tomlinson—three men protecting each other instead of serving the public.

The broader implication is chilling: if a credible claim involving workplace assault and racial discrimination can be buried under the pretense of libel and “friendly discretion,” then Lorain County’s promise of transparency is meaningless.

VI. Coercion and Control: “Sign This So We Can Bury It”

Perhaps the most disturbing part of James Burge’s deposition is the window it provides into the tactics used to silence Jennifer Battistelli after she dared to challenge the power structure. In his sworn testimony, Burge admits he personally wrote a statement—by hand—intended for Battistelli to adopt, rewrite, and sign. This document would have served as a retraction of her claims, downplaying her concerns about workplace discrimination to a mere “miscommunication.”

“This was a document that I wanted to give Jennifer a chance to explain herself,” Burge testified. “I think I did—she acknowledged that moving or not having Lisa in the victim advocate office at that time did not arise from her ethnicity.” But when pressed, he conceded that Battistelli never signed it. “I never did [receive it],” he admitted.

Instead of dropping the issue, Burge pivoted. He unilaterally issued a report that mirrored the unsent statement and submitted it as the official conclusion to the Longacre complaint. “Had she adopted and signed that statement, it would end the investigation,” Burge admitted. But she didn’t, and yet the investigation was still marked as resolved in Tomlinson’s favor.

Burge’s tactics didn’t stop there. In follow-up emails and text messages, he urged Battistelli to affirm the EEOC complaint was false. One message read, “I wanted her to agree that she was not a whore on salary and benefits... because that was false.” The level of misogyny is jaw-dropping—and it came from a former judge tasked with investigating misconduct.

In another communication marked as Exhibit 18, Burge explained to Battistelli that if she admitted the EEOC complaint was false, the county could avoid releasing it: “The Prosecutor’s office can resist publication... on the grounds that it’s false and defamatory.” This was not legal advice—it was strategic manipulation to protect reputations.

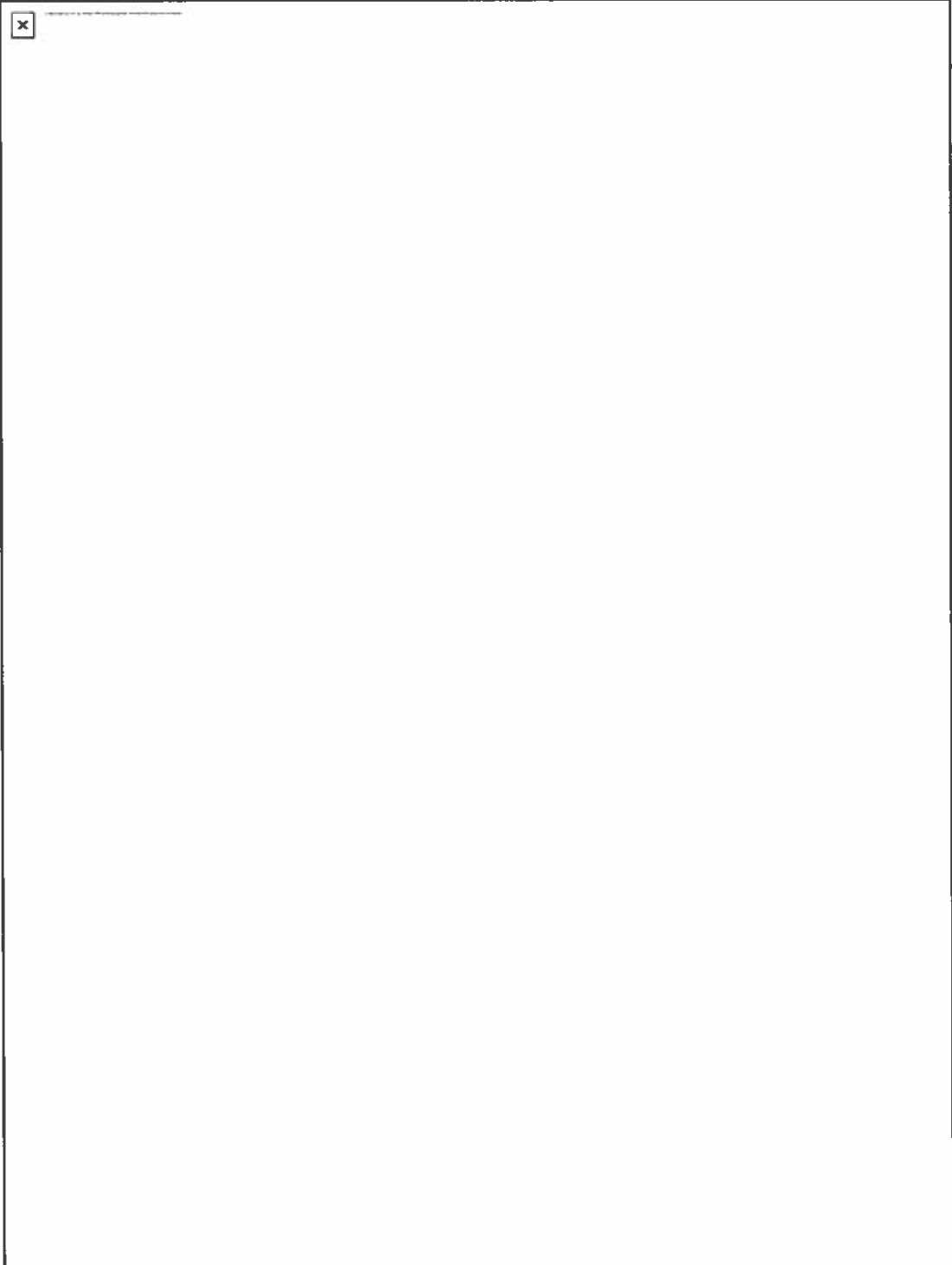
Asked by Rosenbaum if he believed the complaint's defamatory claims disqualified it from being a public record, Burge said yes, relying on unnamed legal memos. But the court later ruled otherwise. The complaint was a public record. The suppression was unlawful.

The underlying goal was clear: retroactively reframe the narrative. Burge, Petticord, and Tomlinson had no interest in investigating the complaint in good faith. Their concern was damage control. As Burge stated bluntly in his deposition, "We never intended to pay a cent or even negotiate on Claim 1." Yet the payout still happened—quickly, quietly, and with every attempt to make it disappear.

Burge's belief that he could define the truth for Battistelli—force her to recant, rewrite her trauma, and deny what happened—is emblematic of a broken justice system. "I was hoping that if she acknowledged that," he said, "then I wouldn't have to take any other action." Translation: sign this and shut up.

The fact that she refused to sign anything, despite being pushed by the most powerful men in the office, is telling. Battistelli stood her ground, and for that, she was targeted, discredited, and ultimately forced out. It's textbook retaliation dressed up in bureaucratic procedure.

What Burge, Petticord, and Tomlinson did wasn't just unethical. It was a concerted effort to rewrite the official record, deny the public transparency, and silence a woman whose only mistake was believing the system might protect her.



VII. The Resendez Reversal: Public Denial vs. Documented Involvement

Editor's Note: While much attention has focused on the romantic relationship at the center of this case, the actual collapse of JD Tomlinson's

administration began the moment James Burge, his longtime mentor and Chief of Staff, filed the formal discipline letter against Jennifer Battistelli. That action—trusted, personal, and procedural—set the entire chain reaction into motion.

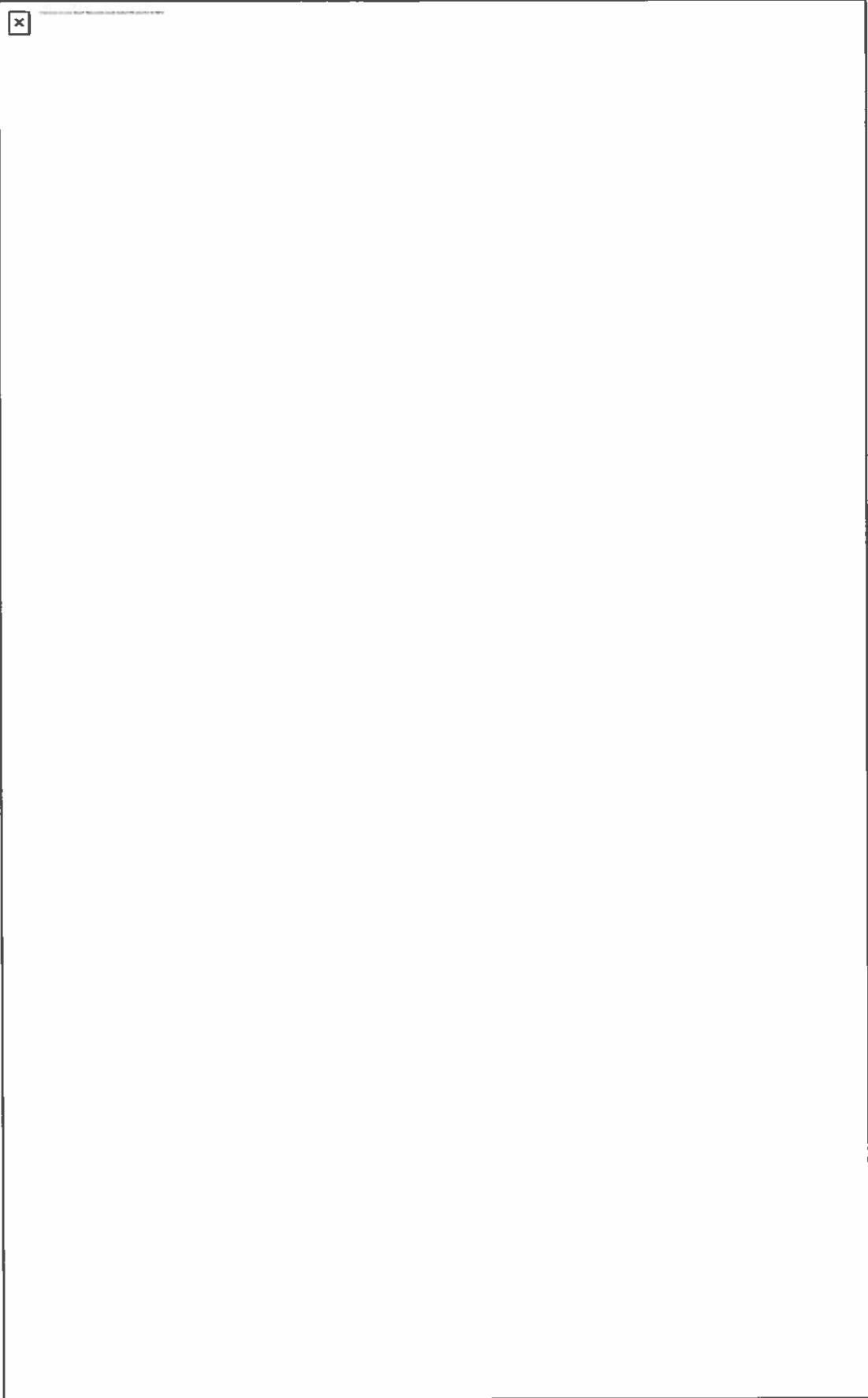
As the Tomlinson-Battistelli scandal unraveled publicly, one figure attempted to distance himself from the fallout: then-Chief Investigator and 2024 sheriff candidate Richard Resendez. In a campaign statement issued under his official logo, Resendez denied having any prior knowledge of the internal conflict between JD Tomlinson and Jennifer Battistelli. *“Neither I nor any other staff member was aware of the argument depicted in the initial video,”* the statement read. He further insisted that the romantic relationship *“was personal and did not involve any staff members of the prosecutor’s office.”*

However, official documents and internal emails tell a different story. On August 8 and 11, 2023, Resendez received and signed off on a written complaint by Garrett Longacre against Battistelli. Resendez also participated in the investigation process, communicating with both Longacre and Burge regarding the claims. The fact that his name appears on the official documentation contradicts his public denial months later.

The contradiction deepens when one considers the content of Resendez’s own investigation. He confirmed in internal notes that he and Burge discussed the substance of the complaint and concluded that Battistelli’s actions warranted an administrative response. At no point during that process did Resendez distance himself or signal a lack of awareness. Instead, he was a facilitator.

In fact, James Burge confirmed in his sworn deposition that Resendez was the department head who received and processed the complaint against Battistelli. *“Rich Resendez and Garrett Longacre brought the matter to me,”* Burge testified, underscoring the inconsistency with Resendez’s campaign narrative.

Adding fuel to the fire, a post by the “City of Lorain Politics” Facebook page, dated October 25, 2024, quotes Resendez telling reporter Dave O’Brien that he “didn’t know Tomlinson and Battistelli were dating” and that he had “no intention of interfering” in the matter. The public relations pivot was evident—Resendez was attempting to downplay involvement amid mounting political scrutiny.



Yet this directly contradicts sworn testimony and public records already available by that time. Resendez had already been a named party to the HR investigation into Battistelli, received the original complaint from Longacre, and communicated concerns internally—there is no credible basis to assert ignorance.

These contradictions raise serious concerns about the politicization of the Sheriff's race and the reliability of public statements made by a candidate who had a material role in the county's most explosive personnel scandal in years. His selective amnesia appears timed to preserve political viability rather than to reflect the truth.

Resendez's denial was not a harmless oversight—it was a deliberate act of omission designed to obscure a paper trail that already had his name on it. Whether that constitutes ethical misconduct may be up for debate. Whether it was misleading is not.

This kind of revisionism isn't just dishonest—it undermines public trust. Voters deserve accountability from those who seek to lead law enforcement. In this case, Resendez offered spin instead of transparency, denials instead of documentation, and political calculus over public integrity.

In the end, it wasn't Tomlinson's affair that undid him—it was the man he trusted most. Burge's August 11, 2023 letter to discipline Battistelli triggered her EEOC complaint, Tomlinson's physical outburst, the \$100,000 payout, and eventually the loss of his job and public reputation. Burge, the mentor, may have signed the very document that ensured his protégé's political demise.

Legal Disclaimer: This report is based on sworn depositions, EEOC filings, and public records. While every effort has been made to present verified and accurate information, readers are advised that this is an independent analysis and not a legal finding. Always consult primary documents or legal counsel for official interpretation.

Thoughts by the Author:

What happened inside the Lorain County Prosecutor's Office was not just an HR failure—it was a systemic collapse driven by ego, favoritism, and fragile men clinging to power. The record shows a woman of color advocating for her peers, punished by a cadre of white men more interested in protecting the club than the public. The three-man coalition of Burge, Resendez, and Petticord decided that Battistelli had to go—and they made it happen.

It is easy to blame the romance. But that's a distraction. The real issue is retaliation—an entire county office more comfortable silencing a woman than addressing its own misconduct. And at the core of it all? Assistant Prosecutor Dan Petticord, the shapeshifter of this sordid tale. It was his early shrug, his indecision, his failed leadership that set the train in motion. He enabled the cover-up, then pretended it was above his pay grade.

Next up: Petticord's Deception – Who Knew What, and When?

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The Collapse Engineered by Loyalty: How James Burge's Disciplinary Letter Unraveled Lorain County's Prosecutor's Office

Not the romance, not the rumor mill—what ended JD Tomlinson’s career was the disciplinary letter written by the one man he trusted most.

AARON C KNAPP

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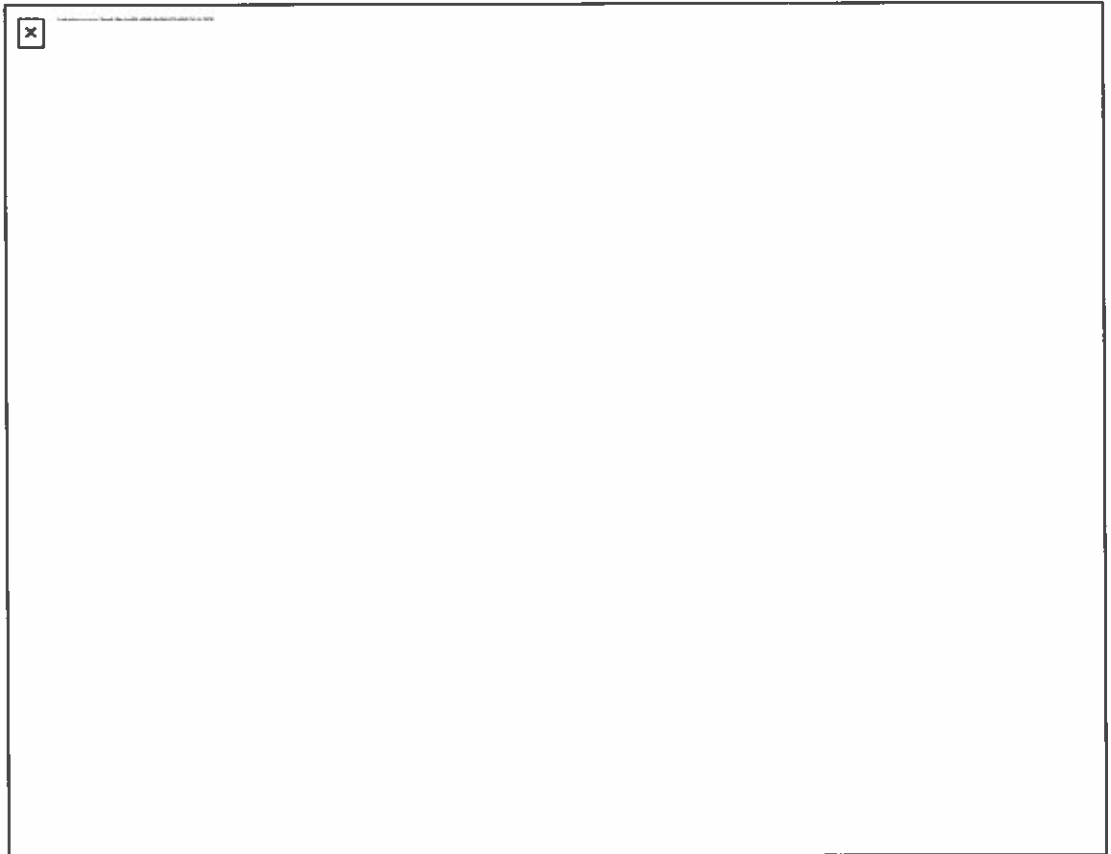
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By Aaron Knapp with Melody Andrich

Investigative Reporters, Lorain Politics Unplugged



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I. Unpacking the James M. Burge Deposition

On February 14, 2025, Attorney Jonathan Rosenbaum, representing his client James V. Barilla, deposed former Judge and former Chief of Staff to Lorain County Prosecutor JD Tomlinson—James M. Burge. In sworn testimony, Burge stated he had been licensed to practice law in the State of Ohio for “a little over 49 years.”

Rosenbaum’s deposition quickly laid bare a political time bomb. Burge, once a Lorain County Common Pleas Court judge, had been criminally convicted and suspended from practicing law in 2019 for falsifying financial disclosures, assigning paid legal work to attorneys who rented space from him, and other abuses of office. Despite that legacy, he was welcomed back into power in 2021 as Tomlinson’s most trusted adviser.

A 2014 indictment had charged Burge with 12 counts. By 2015, he was convicted on three misdemeanors and three felonies—later reduced to misdemeanors by a visiting judge. He resigned and paid a \$3,000 fine. In 2018, the Ohio Office of Disciplinary Counsel filed formal charges, resulting in a one-year law license suspension, with six months stayed.

This is the man Tomlinson brought back to serve as Chief of Staff.

Rosenbaum established during questioning that Burge knew early on about Tomlinson’s romantic relationship with Public Outreach Coordinator Jennifer Battistelli. “There were several of us sitting in Mr. Tomlinson’s office,” Burge testified. “They indicated that they were an item, they were boyfriend and girlfriend.” He placed that awareness in either 2020 or 2021—and confirmed Assistant Prosecutor Dan Petticord also knew.

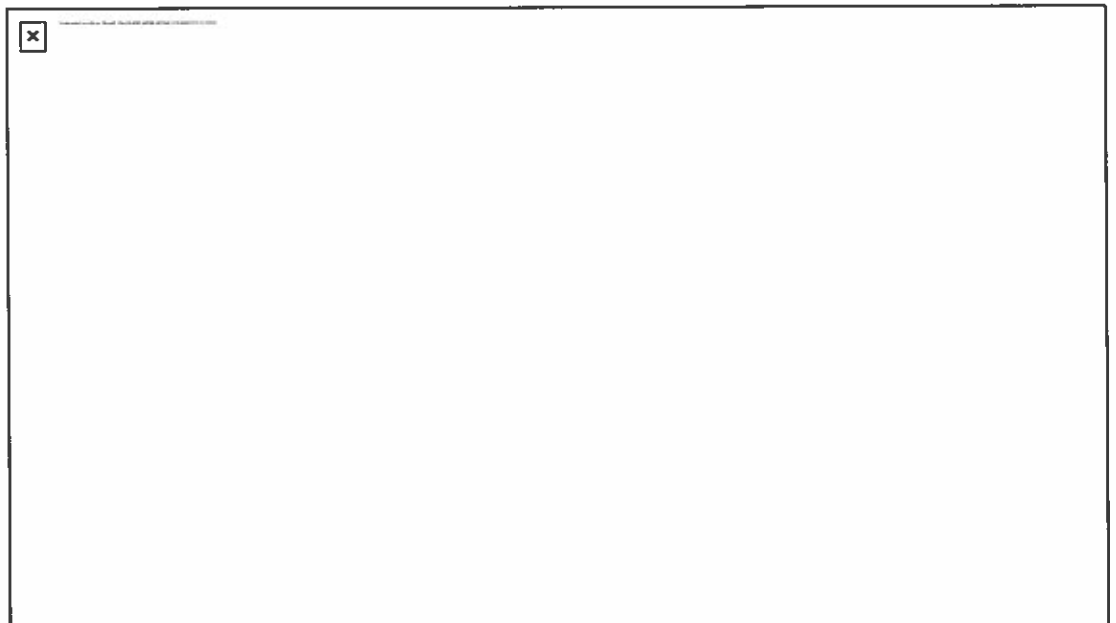
Petticord’s deposition corroborates Burge’s timeline. He testified he learned of the relationship “sometime in the summer of ’21,” and that Battistelli described it as “on again, off again” over the years.

In her own July 2024 statement, Battistelli said she met Tomlinson through friends in 2000, volunteered for his failed 2016 Prosecutor campaign, and again in 2020 when he won the Democratic nomination over Dennis Will and later defeated Republican Robert Gargasz.

But Burge's testimony revealed more than just timelines. He admitted to playing an active role in protecting the relationship and managing office fallout. "I was trying to protect the office," he said. His involvement included suppressing public records, attempting to reframe internal complaints, and shielding Tomlinson from scrutiny.

Burge's return to power after a criminal conviction—and his central role in shaping office discipline, personnel oversight, and legal defense strategies—reflects a deep rot within Lorain County government. His presence was not incidental; it was structural. He wasn't just aiding the cover-up—he was architecting it.

What the deposition made clear was this: Burge's reinstatement as Chief of Staff gave him more influence than he had on the bench—and far less accountability. His knowledge of the Tomlinson-Battistelli relationship, and his eventual decision to discipline Battistelli, would become the fulcrum around which the entire scandal turned.



II. James Burge Enters the Picture

Jennifer Battistelli testifies that incoming Prosecutor Tomlinson would not be keeping two women employed by his predecessor in his newly structured office. Tomlinson had planned to offer the job of public outreach coordinator to his close confidante in his successful 2020 run for Lorain County Prosecutor, Harry Williamson. After a conversation with Tom Williams in December 2020, Williamson declined Tomlinson's offer and chose to work for Lorain County 911. It was then Battistelli disclosed "that position came open and I talked to Burge about it and well, you can have this position."

Romance blossoms at the Prosecutor's Office in May 2021 according to Ms. Battistelli. She testified that the two were together all the time and informed Dan Petticord that they were dating. Battistelli recalls that Dan Petticord said it was OK. "And then came back a couple of months later and said, no, you guys are not allowed to date, and it became a thing basically." The dye was cast by then, when asked in her interview if she loved him, JD Tomlinson, Battistelli responds "Of course, sure, yeah."

On September 3rd, 2024, JD Tomlinson is deposed by attorney Rosenbaum. In Tomlinson's sworn testimony, he affirms that Jennifer Battistelli reported to his Chief of Staff, James Burge. Tomlinson also says that Ms. Battistelli was given a raise January 30th, 2023, by Burge. When Rosenbaum further presses Tomlinson on if the Chief of Staff has the authority to grant raises to employees who deserve them, Tomlinson replies "**No, those would typically go through me.**" Tomlinson changed who Ms. Battistelli reported to due to "**some reorganization going along in the office.**" Tomlinson refers to creating some efficiencies and less confusion in the divisions as the reasoning for the change of Ms. Battistelli direct superior. One can't help but refer to Asst. County Prosecutor Dan Petticord's waffling back and forth with Ms. Battistelli on the relationship between the elected Prosecutor and his

subordinate to create some distance between the lovers in the workplace hierarchy.

In reality, the “*reorganization*” served a dual function: it insulated Tomlinson from direct supervision over his romantic partner while allowing him to retain influence over her position and salary. As Burge later admitted, he gave Battistelli a raise because “she was doing a good job,” yet Tomlinson testified he didn’t authorize it. That contradiction alone speaks volumes about the lack of internal oversight and the informal power dynamics at play.

More troubling, Burge’s return to high-level decision-making included overseeing HR complaints—despite his prior judicial sanctions. His fingerprints were on every personnel shift, particularly those that affected people aligned with or in conflict with Battistelli. This power enabled him to maneuver both promotions and punishments, often without transparency or formal review.

Petticord’s initial approval of the relationship, followed by his reversal, reveals not a principled concern but political calculation. He didn’t act because the relationship created a legal problem—he acted once it became a political risk. “At first, he said it was fine,” Battistelli stated. “Then a few months later he said it wasn’t.” This selective enforcement of ethics speaks to the deeper culture of conditional accountability.

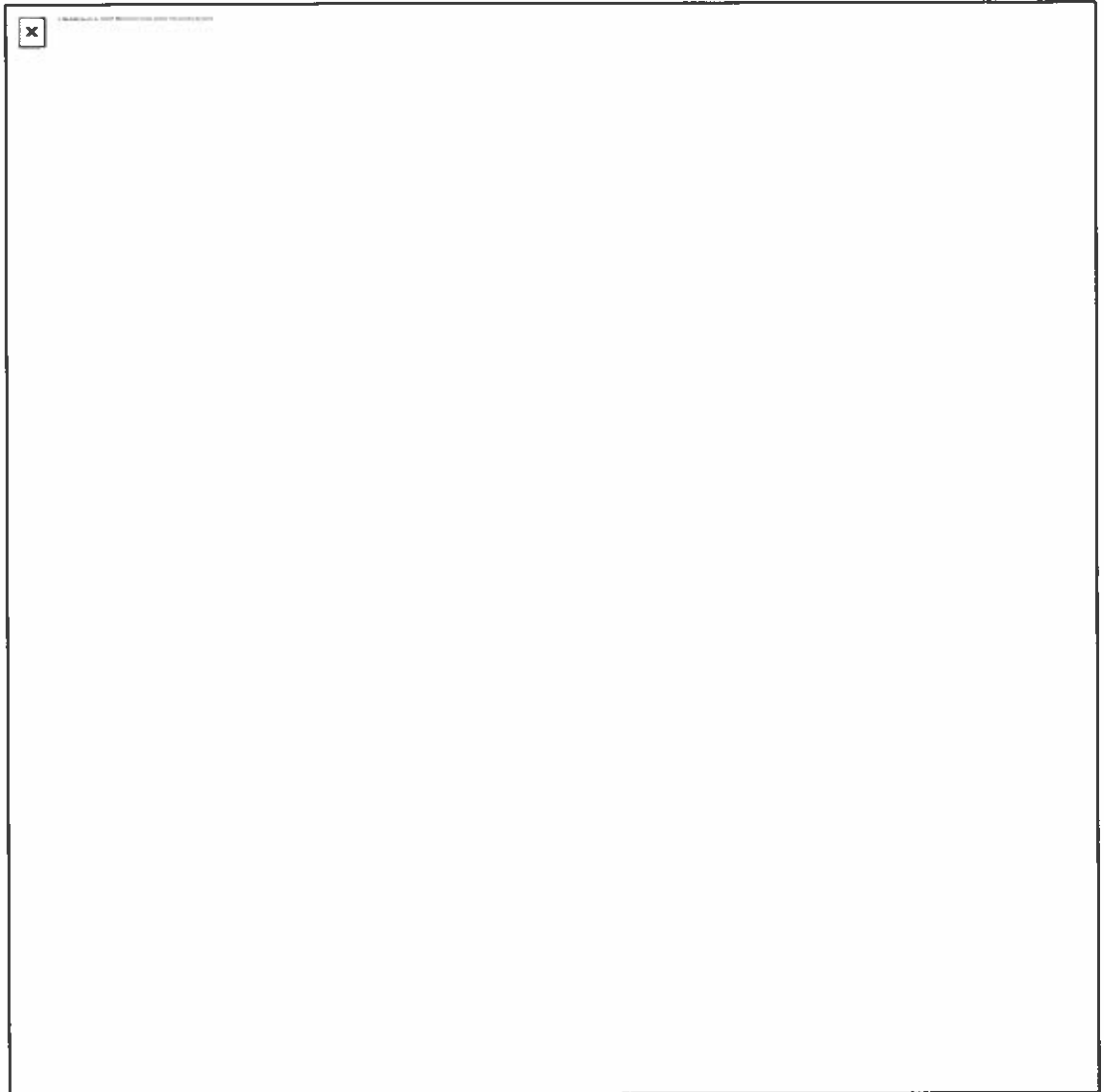
There’s also the question of why Williamson declined the job initially promised to him. Sources suggest he may have sensed that the workplace was already marred by internal favoritism and tension. If so, Williamson’s quiet exit was a red flag ignored by everyone else. Into the vacuum stepped Burge—again.

From a broader lens, Tomlinson’s decision to install Burge as gatekeeper after his disgraceful exit from the judiciary demonstrates a complete disregard for public trust. The position of Chief of Staff should be one of impartiality and

ethical rigor. Instead, it became a post-retirement redemption tour for a man who'd already betrayed the public once.

Thus, the picture becomes clearer: Tomlinson created a political inner circle defined by loyalty over law, optics over ethics, and secrecy over accountability. Battistelli was pulled into that vortex—not just as an employee, not just as a partner, but ultimately as the scapegoat when their web of relationships began to unravel.

The institutional structure they built together—Tomlinson, Burge, and Petticord—was engineered not for justice, but for control. And that structure would soon begin to collapse under the weight of its contradictions.



III. Rosenbaum Public Records Request Sheds Light on Resendez's Actions

The documents obtained in the Barilla vs. Tomlinson public records request shine a glaring, and noticeable spotlight on the crumbling of a secret known to most in the inner circles of Lorain County politics. Sources disclosed that in early 2021, JD Tomlinson had a personal relationship with his employee Jennifer Battistelli. Reports included seeing the pair together at nearly all Tomlinson's public events, with Battistelli never more than three paces behind him. During her interview, Ms. Battistelli recalls "***JD would not leave me***

alone one day and he gets obsessive and he calls me 100 times, and called me until 4 o'clock in the morning."

In the sworn testimony by the former Chief of Staff James Burge he thought that the lovers liked each other and if it led to something, she would have to leave the office. Burge would become involved in their quarrels and often engaged in conversation with Tomlinson who he said was "just trying to manage the relationship and still fulfill his duties as the prosecutor." Burge testified he would speak to Tomlinson about the subject matter Ms. Battistelli and Tomlinson argued about. Battistelli would "often take part of some of our employees who were trying to pursue a promotion or make a lateral change in the office to something that they would enjoy more." When asked by Rosenbaum, Burge confirmed that Tomlinson and Ms. Battistelli fought about Tomlinson seeing other women.

On July 27th, 2023, Garrett Longacre filed a complaint against Jennifer Battistelli to his Department Head Richard Resendez. Listed as the nature of the complaint was "making or publishing of false, vicious or malicious statements concerning employees (Group II #9)." The statement of facts written are that "Battistelli made a verbal complaint to Chief Petticord (civil) alleging discrimination by Longacre against [redacted]." A follow-up by Burge and Resendez revealed that [redacted] never alleged discrimination."

Names of any witnesses [redacted] and finally relief requested by Longacre was "WRITTEN REPRIMAND" in all capital letters. The Department Head/Date Received recorded the complaint on August 8th, 2023, and August 11th, 2023, as Richard Resendez.

The public record of the investigation by Richard Resendez reveals that Ms. Battistelli went to Dan Petticord and shared her concerns. When Longacre was informed by Petticord of the concerns lodged by Ms. Battistelli, Longacre decides to file a formal complaint against her. Petticord, seemingly playing both sides, "stated that he did not believe Longacre had discriminated against [redacted]. Later in the day, the report by Resendez states "Longacre met with Tomlinson and expressed concern

about the complaint of discrimination against [redacted]." Tomlinson stated he did not believe it and would speak to Ms. Battistelli. The report by Resendez details a heated argument, reported by Longacre, between Longacre and Ms. Battistelli on July 27th, 2023.

On August 2nd, 2023, Chief of Staff James Burge is informed by Longacre and Resendez their concerns about the allegation of discrimination by Ms. Battistelli toward Garret Longacre. The men make their case to Burge and request an investigation if warranted. Longacre is insistent that [redacted] did not make a complaint, and he wanted to know why Ms. Battistelli made a false complaint.

This moment becomes a turning point in the internal drama. It marks the shift from quiet conflict to full-blown office warfare, with Resendez and Longacre escalating the matter through formal HR channels, and Burge beginning to act with force. The fact that Resendez sided so quickly with Longacre—despite no corroborated claim from the third party allegedly discriminated against—raises serious questions about the motives behind the complaint.

What's more, this dispute wasn't handled in isolation. It was processed in the same informal power vacuum that defined the rest of the office structure. Petticord, despite being the initial recipient of Battistelli's concerns, stepped back and allowed others to frame the narrative. As usual, Petticord played both sides, distancing himself from Battistelli just when she needed procedural protection.

Behind the scenes, Battistelli's advocacy for female and minority coworkers had made her unpopular with some men in the office. Burge even admitted in his deposition that she "advocated for Puerto Ricans," and that this created tension with Tomlinson. Rather than mediate the cultural and political divides inside the workplace, the leadership chose the easier route: isolate the woman they considered difficult.

It's no surprise then that the response to Battistelli's alleged misconduct was immediate and forceful, while no similar urgency was shown when she first raised concerns about

discrimination. This double standard permeates every facet of the investigation. If anything, the evidence shows that her advocacy triggered the backlash—not any actual misconduct.

As the dominoes begin to fall, the key actors—Burge, Resendez, Petticord, and Tomlinson—position themselves to protect one another. Meanwhile, the complaint process becomes less about accountability and more about leverage. It's the classic institutional trick: convert the whistleblower into the problem. In this case, it worked with chilling efficiency, by Longacre and Resendez their concerns about the allegation of discrimination by Ms. Battistelli toward Garret Longacre. The men make their case to Burge and request an investigation if warranted. Longacre is insistent that [redacted] did not make a complaint, and he wanted to know why Ms. Battistelli made a false complaint.

IV. Chief of Staff James Burge Acts, and the Office Begins to Crumble

In a letter dated August 11th, 2023, Chief of Staff James Burge writes his opinion and recommendation to JD Tomlinson regarding the Longacre complaint against Jennifer Battistelli.

The conclusion of the document written by Burge states “Based upon my review of this matter, I find that the miscommunication between [redacted] and Battistelli resulted in Battistelli making a statement regarding Longacre’s management of [redacted] that was untrue. I further find that Battistelli’s subsequent conversation with Petticord regarding Longacre was inappropriate and contrary to office policy. Battistelli has been instructed and cautioned.”

On the same day, Jennifer Battistelli wrote correspondence to James Burge. Ms. Battistelli concludes at the end of her statement that [redacted] ***“was saying is that she felt she was being treated differently from the other advocates.” “When I was talking to Dan Petticord, if I said the word ‘discrimination’ it was not the right word.”***

Ms. Battistelli spoke up for what she thought may have been mistreatment of a fellow female employee. Burge said in his deposition referring to Battistelli, *“if the people she liked weren’t in the mix, she would argue with JD about that.”* Burge went on to say, “She is Puerto Rican and she would advocate for Puerto Ricans and sometimes they weren’t exactly what we were looking for and they would argue about it.” This kind of characterization reduces her advocacy to favoritism and dismisses legitimate concerns about equity and representation.

Burge’s report to Tomlinson was not an impartial finding—it was the culmination of a calculated effort to discredit Battistelli. There was no formal hearing. No second review. Just Burge deciding, on his own terms, that the complaint against her was valid while her concerns about discrimination were invalid. This unilateral handling of sensitive personnel disputes raises serious due process concerns and reflects a culture of top-down retaliation.

By August 15th, Battistelli met with Tomlinson to express her concern about the handling of the situation. This was no ordinary workplace meeting. According to her EEOC complaint, that encounter escalated to physical violence.

“Tomlinson yelled at me, grabbed me, and shook me, leaving injuries and bruises,” she wrote. “I immediately left the office and resigned my position.”

The fact that this occurred only four days after Burge’s memo indicates that the administrative retaliation quickly bled into personal confrontation.

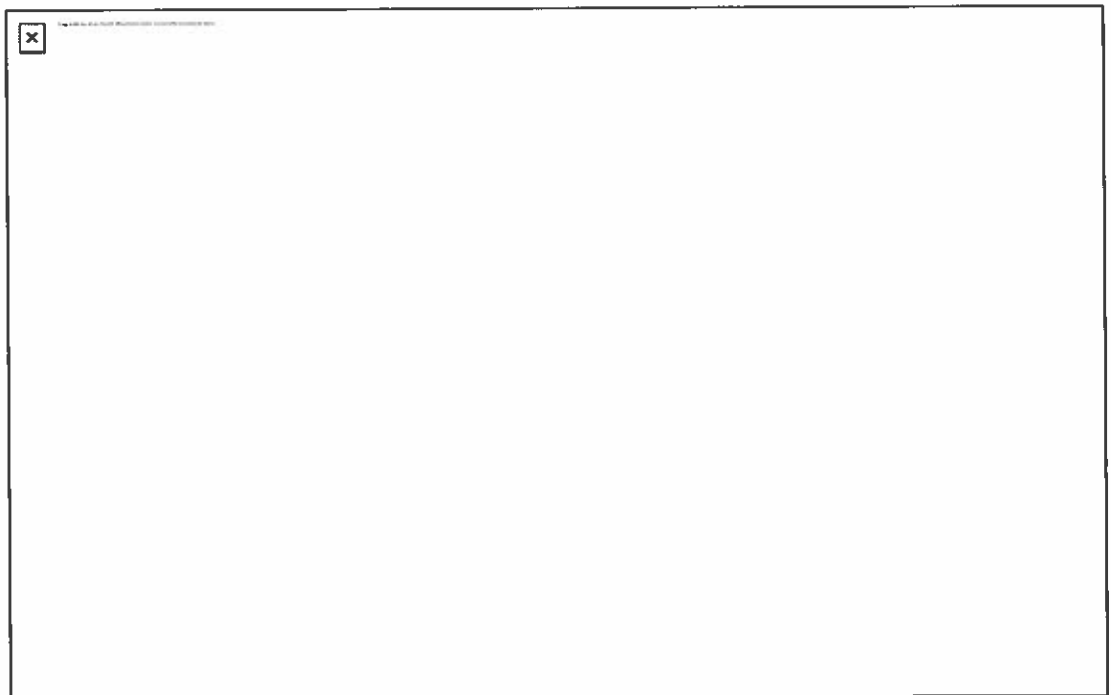
At this point, it becomes impossible to separate personal bias from procedural failure. Battistelli wasn’t just an employee under scrutiny—she was the Prosecutor’s girlfriend, being disciplined by his Chief of Staff, following a complaint instigated by a male coworker who felt slighted. And the internal chain of authority—Tomlinson, Burge, Petticord—all aligned to silence her rather than solve the problem.

Burge's subsequent justification for disciplining Battistelli reveals a deep paternalistic instinct. "She had been cautioned," he insisted. But what was she being punished for, really? Speaking up for a colleague? Questioning internal dynamics? Or simply refusing to play the silent role expected of her?

The paper trail shows a clear sequence: Battistelli raises concerns → Petticord waffles → Longacre files complaint → Resendez validates it → Burge punishes her → Tomlinson allegedly assaults her → she resigns. That is not a coincidence. That is a chain of retaliation disguised as administrative policy.

In most workplaces, this kind of conduct would trigger an independent investigation. In Lorain County, it triggered a cover-up. Burge never consulted an outside HR professional. No one was put on leave pending inquiry. Instead, the leadership doubled down, choosing loyalty over legality.

This section of the timeline is crucial. It demonstrates how quickly an office built on personal loyalty and unchecked power can implode when faced with internal accountability. Rather than pause and reassess, Tomlinson and Burge hit the gas—and drove the office into scandal.



V. The Hidden Hands: The Withholding of the EEOC Complaint

The full deposition of James Burge reveals that he, Dan Petticord, and J.D. Tomlinson collectively made the decision to withhold Jennifer Battistelli's EEOC complaint from public release, even after multiple formal public records requests had been submitted. Despite acknowledging the complaint was a government record, Burge stated that they feared political damage and legal liability. *"If we were to produce this pursuant to a public record" request,* Burge testified, *"Tomlinson would have exposure for libel."*

The complaint in question included allegations that Battistelli had been retaliated against and assaulted after reporting discrimination. Burge claimed some statements in the complaint were false, pointing specifically to Garrett Longacre allegedly calling a colleague "ghetto," which Longacre denied. Still, they never sought an independent review. Instead, they played judge, jury, and gatekeeper to the truth.

Rather than submit the \$100,000 settlement claim to the county's insurer, CORSA, Petticord and Burge pushed it through as a requisition—sidestepping the normal resolution process. This maneuver denied the public and the commissioners a chance to debate or vet the payment. "We never intended to pay a cent or even negotiate on Claim 1," Burge admitted, referring to the sexual harassment and assault allegations.

Burge also admitted he selectively disclosed only parts of the EEOC complaint to certain commissioners. He stated he informed Dave Moore and Jeff Riddell about Claim 2 involving racial discrimination but deliberately omitted Claim 1. "They're friends of mine," Burge explained. ***"We relied upon the advice of counsel for that."*** The intent, clearly, was to manage fallout—not accountability.

Time pressure further influenced the decision. According to Burge, Petticord received the EEOC complaint via email on October 10, 2023. By the next morning, Burge had reviewed it. He testified: ***"Dan got it on the 10th... I saw it on the 11th on his phone."*** Soon after, the payout was pushed

through. ***“She wanted her money,”*** Burge said of Battistelli. Jack Moran, her attorney, was reportedly pushing for a rapid resolution.

*When asked why the document was withheld despite legal obligations, Burge admitted: **“Because of the false and defamatory nature of it... under the law, it was not a public record subject to production.”** Yet the court would later rule the opposite, ordering the EEOC complaints release, exposing the unlawful suppression of a public record.*

The rationale for suppressing the document was, in Burge’s words, to avoid *“political embarrassment.”* When asked if releasing the document would have hurt Tomlinson politically, Burge responded, *“It would depend on how we managed it.”* Ultimately, he conceded: *“It probably would have been a better move to tell Moran bring it and defend it.”*

In the same testimony, Burge confirmed that the statement used to justify withholding was never shown to the commissioners. The response by Eric Xamba, the paralegal tasked with denying the public record, was allegedly reviewed by Petticord. *“Ultimately, the decision lies with the commissioners,”* Burge admitted, *“but it’s hard to imagine them not taking advice from the Prosecutor’s office.”*

This wasn’t just a misstep. It was a deliberate concealment of a credible discrimination and assault complaint by public officials, using the county’s legal machinery to shield themselves and shut down inquiry. And it was a strategy agreed upon by Burge, Petticord, and Tomlinson—three men protecting each other instead of serving the public.

The broader implication is chilling: if a credible claim involving workplace assault and racial discrimination can be buried under the pretense of libel and “friendly discretion,” then Lorain County’s promise of transparency is meaningless.

VI. Coercion and Control: “Sign This So We Can Bury It”

Perhaps the most disturbing part of James Burge’s deposition is the window it provides into the tactics used to silence Jennifer Battistelli after she dared to challenge the power structure. In his sworn testimony, Burge admits he personally wrote a statement—by hand—intended for Battistelli to adopt, rewrite, and sign. This document would have served as a retraction of her claims, downplaying her concerns about workplace discrimination to a mere “miscommunication.”

“This was a document that I wanted to give Jennifer a chance to explain herself,” Burge testified. “I think I did—she acknowledged that moving or not having Lisa in the victim advocate office at that time did not arise from her ethnicity.” But when pressed, he conceded that Battistelli never signed it. “I never did [receive it],” he admitted.

Instead of dropping the issue, Burge pivoted. He unilaterally issued a report that mirrored the unsent statement and submitted it as the official conclusion to the Longacre complaint. “Had she adopted and signed that statement, it would end the investigation,” Burge admitted. But she didn’t, and yet the investigation was still marked as resolved in Tomlinson’s favor.

Burge’s tactics didn’t stop there. In follow-up emails and text messages, he urged Battistelli to affirm the EEOC complaint was false. One message read, “I wanted her to agree that she was not a whore on salary and benefits... because that was false.” The level of misogyny is jaw-dropping—and it came from a former judge tasked with investigating misconduct.

In another communication marked as Exhibit 18, Burge explained to Battistelli that if she admitted the EEOC complaint was false, the county could avoid releasing it: “The Prosecutor’s office can resist publication... on the grounds that it’s false and defamatory.” This was not legal advice—it was strategic manipulation to protect reputations.

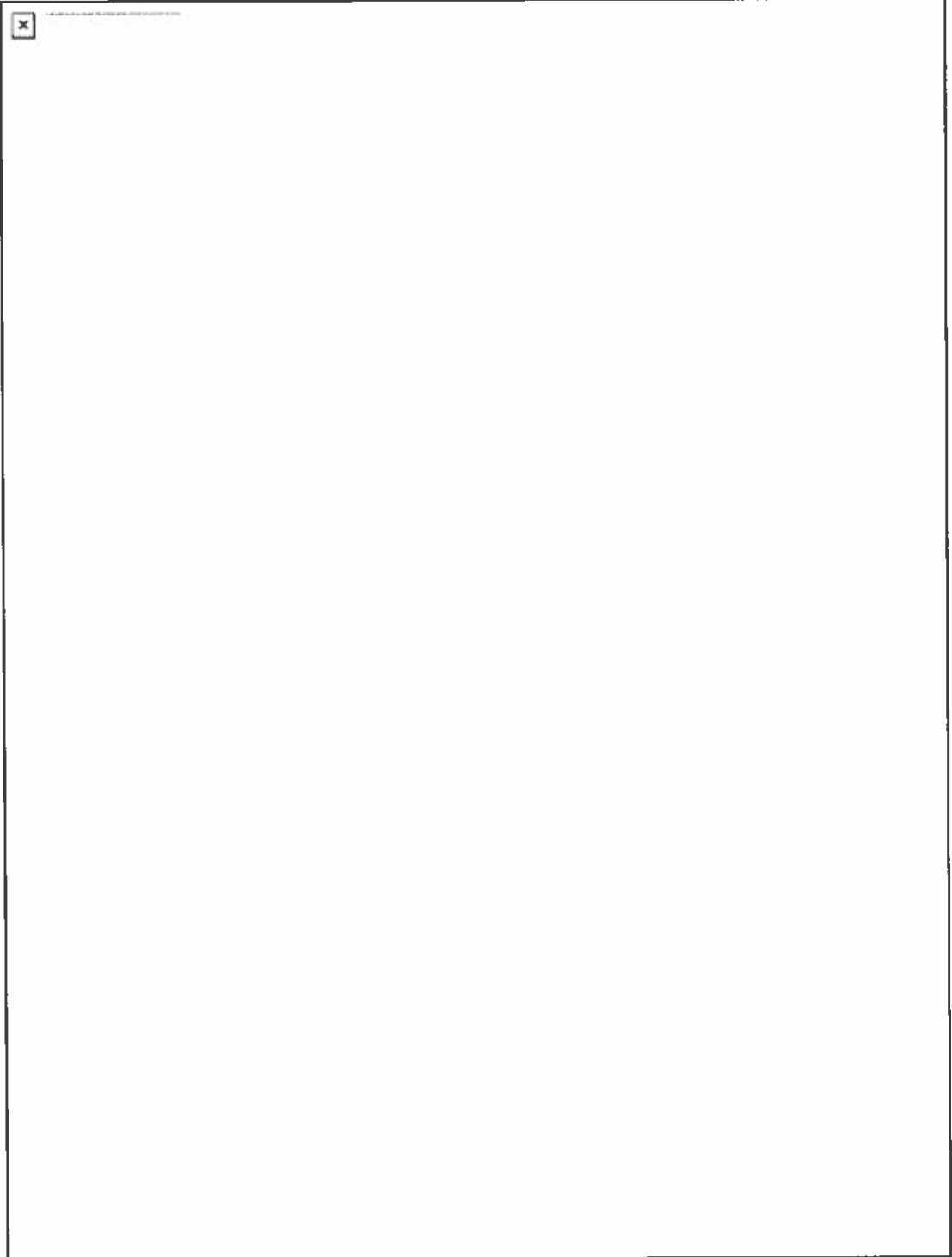
Asked by Rosenbaum if he believed the complaint's defamatory claims disqualified it from being a public record, Burge said yes, relying on unnamed legal memos. But the court later ruled otherwise. The complaint was a public record. The suppression was unlawful.

The underlying goal was clear: retroactively reframe the narrative. Burge, Petticord, and Tomlinson had no interest in investigating the complaint in good faith. Their concern was damage control. As Burge stated bluntly in his deposition, "We never intended to pay a cent or even negotiate on Claim 1." Yet the payout still happened—quickly, quietly, and with every attempt to make it disappear.

Burge's belief that he could define the truth for Battistelli—force her to recant, rewrite her trauma, and deny what happened—is emblematic of a broken justice system. "I was hoping that if she acknowledged that," he said, "then I wouldn't have to take any other action." Translation: sign this and shut up.

The fact that she refused to sign anything, despite being pushed by the most powerful men in the office, is telling. Battistelli stood her ground, and for that, she was targeted, discredited, and ultimately forced out. It's textbook retaliation dressed up in bureaucratic procedure.

What Burge, Petticord, and Tomlinson did wasn't just unethical. It was a concerted effort to rewrite the official record, deny the public transparency, and silence a woman whose only mistake was believing the system might protect her.



VII. The Resendez Reversal: Public Denial vs. Documented Involvement

Editor's Note: While much attention has focused on the romantic relationship at the center of this case, the actual collapse of JD Tomlinson's

administration began the moment James Burge, his longtime mentor and Chief of Staff, filed the formal discipline letter against Jennifer Battistelli. That action—trusted, personal, and procedural—set the entire chain reaction into motion.

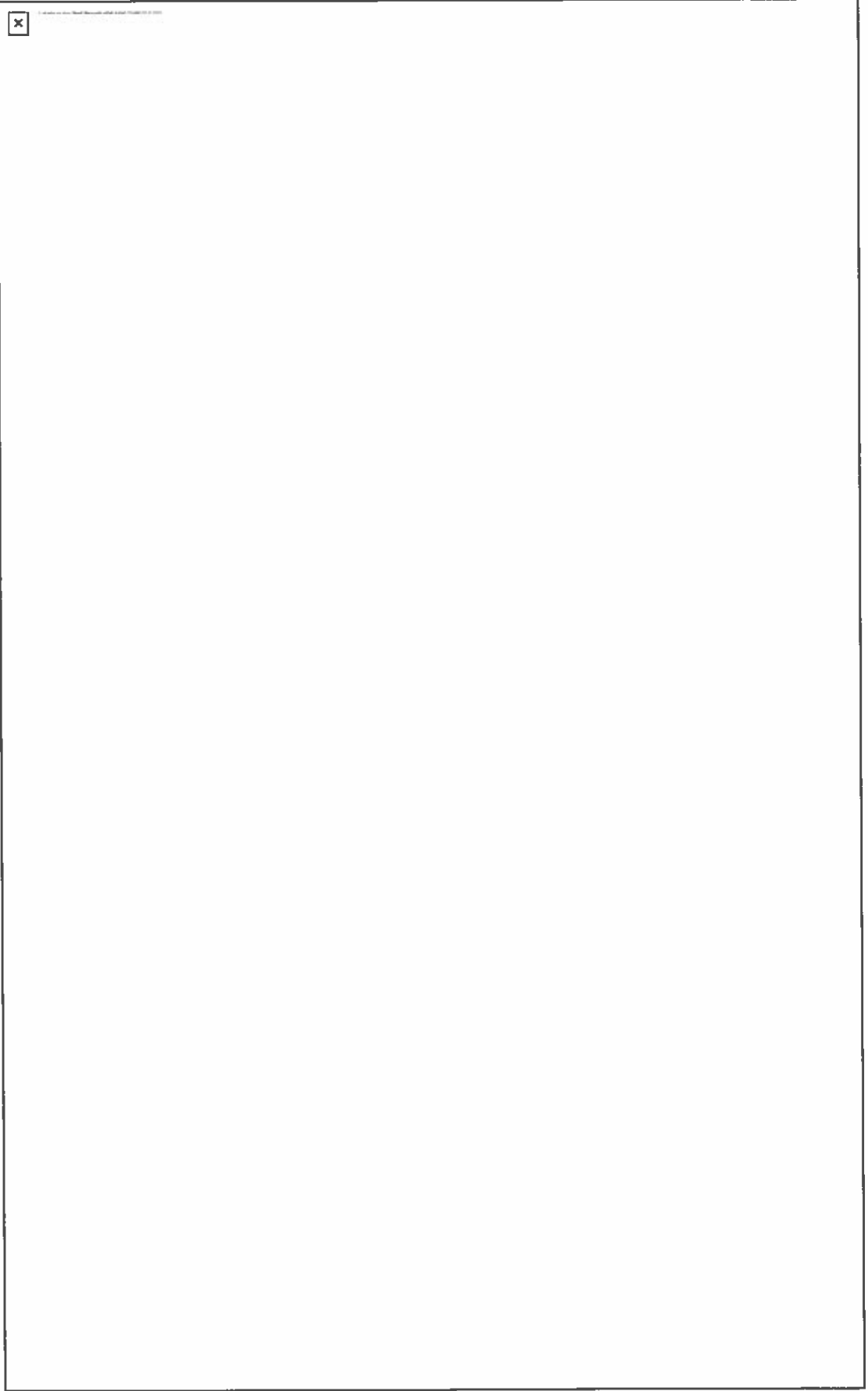
As the Tomlinson-Battistelli scandal unraveled publicly, one figure attempted to distance himself from the fallout: then-Chief Investigator and 2024 sheriff candidate Richard Resendez. In a campaign statement issued under his official logo, Resendez denied having any prior knowledge of the internal conflict between JD Tomlinson and Jennifer Battistelli. *“Neither I nor any other staff member was aware of the argument depicted in the initial video,”* the statement read. He further insisted that the romantic relationship *“was personal and did not involve any staff members of the prosecutor’s office.”*

However, official documents and internal emails tell a different story. On August 8 and 11, 2023, Resendez received and signed off on a written complaint by Garrett Longacre against Battistelli. Resendez also participated in the investigation process, communicating with both Longacre and Burge regarding the claims. The fact that his name appears on the official documentation contradicts his public denial months later.

The contradiction deepens when one considers the content of Resendez’s own investigation. He confirmed in internal notes that he and Burge discussed the substance of the complaint and concluded that Battistelli’s actions warranted an administrative response. At no point during that process did Resendez distance himself or signal a lack of awareness. Instead, he was a facilitator.

In fact, James Burge confirmed in his sworn deposition that Resendez was the department head who received and processed the complaint against Battistelli. *“Rich Resendez and Garrett Longacre brought the matter to me,”* Burge testified, underscoring the inconsistency with Resendez’s campaign narrative.

Adding fuel to the fire, a post by the “City of Lorain Politics” Facebook page, dated October 25, 2024, quotes Resendez telling reporter Dave O’Brien that he “didn’t know Tomlinson and Battistelli were dating” and that he had “no intention of interfering” in the matter. The public relations pivot was evident—Resendez was attempting to downplay involvement amid mounting political scrutiny.



Yet this directly contradicts sworn testimony and public records already available by that time. Resendez had already been a named party to the HR investigation into Battistelli, received the original complaint from Longacre, and communicated concerns internally—there is no credible basis to assert ignorance.

These contradictions raise serious concerns about the politicization of the Sheriff's race and the reliability of public statements made by a candidate who had a material role in the county's most explosive personnel scandal in years. His selective amnesia appears timed to preserve political viability rather than to reflect the truth.

Resendez's denial was not a harmless oversight—it was a deliberate act of omission designed to obscure a paper trail that already had his name on it. Whether that constitutes ethical misconduct may be up for debate. Whether it was misleading is not.

This kind of revisionism isn't just dishonest—it undermines public trust. Voters deserve accountability from those who seek to lead law enforcement. In this case, Resendez offered spin instead of transparency, denials instead of documentation, and political calculus over public integrity.

In the end, it wasn't Tomlinson's affair that undid him—it was the man he trusted most. Burge's August 11, 2023 letter to discipline Battistelli triggered her EEOC complaint, Tomlinson's physical outburst, the \$100,000 payout, and eventually the loss of his job and public reputation. Burge, the mentor, may have signed the very document that ensured his protégé's political demise.

Legal Disclaimer: This report is based on sworn depositions, EEOC filings, and public records. While every effort has been made to present verified and accurate information, readers are advised that this is an independent analysis and not a legal finding. Always consult primary documents or legal counsel for official interpretation.

Thoughts by the Author:

What happened inside the Lorain County Prosecutor's Office was not just an HR failure—it was a systemic collapse driven by ego, favoritism, and fragile men clinging to power. The record shows a woman of color advocating for her peers, punished by a cadre of white men more interested in protecting the club than the public. The three-man coalition of Burge, Resendez, and Petticord decided that Battistelli had to go—and they made it happen.

It is easy to blame the romance. But that's a distraction. The real issue is retaliation—an entire county office more comfortable silencing a woman than addressing its own misconduct. And at the core of it all? Assistant Prosecutor Dan Petticord, the shapeshifter of this sordid tale. It was his early shrug, his indecision, his failed leadership that set the train in motion. He enabled the cover-up, then pretended it was above his pay grade.

Next up: Petticord's Deception – Who Knew What, and When?

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Beko, Michele

From: Robert J. Gargasz <rjgargasz@gmail.com>
Sent: Saturday, May 10, 2025 5:36 PM
To: Thomas Hach; Tom Niewulis; KRAUS STEVEN W; Jim Dowdell; Michael Scherach; Timothy Josoph (nephew) Gargasz; Mark Campolo; andrewgargasz; Brian Sarvas; Mike Gargasz; Pauline Sherry; Joseph Gargasz; Kate Zvara; Anne Olsen; Maggie Kent; Elizabeth Sauer; Barb DeFelice; Wanda Gargasz; M. Elissa Cachon; Janice Gargasz; Kathy Cucco; Edward Chavez; Robby Zsigray; Terry and Marie Hall; Jeanne Petty; Dan Plow; Garon Petty; Aaron Knapp; James Ohliger; Mike Campolo; Wendy Ohliger; Terry and Marie Hall; Kirsten Hill; Wyers; Fran Smith; Don Killinger; Tony Cillo; Major Steven Scharschmidt; Brian Massie; Darryl Tucker; David O'Brien; Carissa Woytach; Brad Dicken; Julie Wallace; Brad Dicken; Teresa Upton; Patrick Riley; Rey Carrion; Joel Arredondo; City Group; Jack Bradley; Joe K Auditor; Don Zaleski; Rocky Radeff; Patrick Ward; Maggie Partin; jfr_74@hotmail.com Jeff Riddel; david@yesce.com Moore, David
Cc: Marty Gallagher; GAYLE MANNING; Manning@ohiosenate.gov; Jeff Baxter; Daniel Gross; Ken Balko; Dan Balko; Al Buckholtz; Edmund Gargasz; Edward Chavez; Chuck Butterfield; Craig Snodgrass; Chris Niehart; al vargas; Bob Meilander; kirsten@totallyengagedamericans.org Hill
Subject: Fwd: Committee to Abolish Property Taxes Receives Approval from Attorney General

External sender <rjgargasz@gmail.com>

Make sure you trust this sender before taking any actions.

Sent from my iPhone

Begin forwarded message:

From: Lobbyists for Citizens <donotreply@wordpress.com>
Date: May 10, 2025 at 11:30:12 AM EDT
To: rjgargasz@gmail.com
Subject: Committee to Abolish Property Taxes Receives Approval from Attorney General

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Lobbyists for Citizens

Committee to Abolish Property Taxes Receives Approval from Attorney General



By **Contributing Writer** on May 10, 2025

May 10, 2025

By Brian Massie, A Watchman on the Wall

Initiative Petition to Abolish Ohio's Property Taxes Certified by the Ohio Attorney General

Ohio Attorney Dave Yost has certified the Committee's Initiative Petition to abolish Ohio's property taxes.

"...I hereby certify that the title and summary are fair and truthful statements of the proposed constitutional amendment."

"With all of the county boards of elections reporting back, at least 1,000 signatures have been verified."

Full text of the proposed amendment:

Be it Resolved by the People of the State of Ohio that the Constitution of Ohio is hereby amended to add Section 14 to Article XII to read as follows:

Section 14, Abolishment of Taxes on Real Property

(A) No real property shall be taxed and no law shall impose any taxes on real property.

(B) No other provision of the Constitution shall impose any taxes on real property,

(C) As used in this Section, "real property" includes and itself, all growing crops therein, and all buildings, structures, and improvements permanently attached to the land.

This Amendment shall take effect on the first day of the year after it passes.

Next steps: The Attorney General will forward the petition to the Ohio Ballot Board, which has 10 days from receipt to evaluate the petition to ensure it contains only one constitutional amendment. After the Ballot Board certifies the petition, a verified copy of the proposed Constitutional Amendment, together with its summary and the Attorney General's certification must then be filed with the Secretary of State by the Attorney General. After this step, the Committee may begin collecting the approximately 500,000 signatures needed to get the Constitutional Amendment on the ballot. To get the Constitutional Amendment on the November 4, 2025 ballot, signatures must be filed with the Secretary of State not later than July 1, 2025.



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Subscribe, bookmark, and get real-time notifications - all from one app!



Automattic, Inc.
60 29th St. #343, San Francisco, CA 94110

Beko, Michele

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Saturday, May 10, 2025 11:18 AM
To: City Group; Robert J. Gargas; Garon Petty; Jack Bradley; Brad Dicken; David O'Brien; Carissa Woytach; Tony Cillo; Patrick Riley; Rey Carrion; Jackie Conrad; Joseph LaVeck; Sheriff Jack Hall; Ted Kalo; David Yost AG; Breanna Dull; Jacob Morris; Lori Kokoski; Dennis Flores; Jeff Riddell; David J. Moore; Monica D. Pluta
Subject: Re: Upholding Transparency: The Duty of Public Officials to Accept and Retain Constituent Communications.

External sender <a4xbeaverman@yahoo.com>

Make sure you trust this sender before taking any actions.

FYI: I didn't sign the second letter as its now posted for Free Use on my website. Thank you for your attention and make it a wonderful Day.

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

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On Saturday, May 10, 2025 at 11:09:49 AM EDT, Aaron Knapp <a4xbeaverman@yahoo.com> wrote:

A Reminder of Duty, Decency, and the Public's Right to Be Heard

Dear Public Officials,

Some of you may have already received portions of this message. I'm now sending it formally and publicly on behalf of several concerned constituents, but primarily Mr. Garon Petty.

You may not appreciate Mr. Petty's persistence, his frequent emails, or his pointed opinions regarding your job performance. But quite frankly, from what I can tell—and what the law supports—you have no legal right to demand that he or any other citizen stop communicating with you about matters of public concern.

There's a reason we CC multiple officials: it ensures accountability and liability. If the content of these communications involves potential ethical misconduct or misuse of public resources, you are obligated—under both Ohio's Public Records Act and whistleblower protections in Ohio Revised Code § 4113.52—to preserve or report that information. If you've failed to recognize this responsibility, I'm not only concerned—I'm appalled. You are now on notice, and you are now responsible.

Ohio's Public Records Act applies broadly. Any communication received by a public official, in any department or role, that relates to public business must be treated as a public record—regardless of whether the issue “falls directly under your authority.” Deputies, prosecutors, city attorneys, and department heads are all bound by this standard when operating in their public capacity.

Moreover, constituent communication is not governed by some rigid, jurisdictional gatekeeping standard. In practice, many agencies work together. Sheriffs coordinate with city police. County prosecutors handle municipal complaints. Law directors advise multiple departments. The public has every right to contact those involved in governance—especially when their goal is oversight, transparency, or the reporting of wrongdoing.

And so, quite frankly, it's time for everyone involved to act with the professionalism and maturity the public deserves. If you receive an email that does not directly apply to your duties, simply mark it as read and move on. What is not acceptable is making a constituent—especially a senior citizen—feel dismissed, disrespected, or burdensome because you don't wish to receive their concerns.

Let's not forget: Mr. Petty is a tax-paying, engaged citizen who, like many seniors, sometimes struggles with modern communication tools. I have done what I can to assist him, but it is disheartening to watch officials who hold power fail to extend the most basic patience and compassion to someone who simply wants to participate in their government.

In one instance, an official responded with a formal "*cease and desist*" after receiving a single email. Another told Mr. Petty not to send anything unless it directly involved the Sheriff's Office. That is not leadership—it's evasion. And frankly, if the burden of reading or deleting one email from a constituent is too great, then the real question becomes whether public service is the right role for some of you.

Finally, I must address a phrase I hear far too often: "*That's not my department.*" While that may be technically true in some cases, it has become a convenient excuse to avoid involvement, dodge accountability, and ignore public concerns. When officials in city and county government begin treating constituents as a nuisance rather than their purpose, the erosion of trust is not just predictable—it is inevitable.

We must do better. All of us. If an email doesn't apply to you, skip it. Archive it. Move on. But don't belittle or silence the very people who rely on you for guidance and representation. That's not just a matter of policy—it's a matter of decency.

Sincerely,
Aaron Knapp
Constituent & Advocate
Lorain, Ohio

To Whom It May Concern,

I am writing to address an increasingly concerning trend among public officials and government employees who, when contacted about matters of public concern, respond with statements such as: "Do not email me unless it pertains directly to my department" or issue informal cease-and-desist demands when copied on emails sent to multiple recipients. These types of responses are not only legally unsupported — they may also violate the First Amendment and contradict the duties of public service.

I. Public Records Obligations Under Ohio Law

Under Ohio's Public Records Act (Ohio Revised Code §149.43), any document, item, or electronic communication that documents the functions, policies, decisions, or other activities of a public office is a public record. These records must be made available to any person upon request, and the requester need not identify themselves or state a purpose. Emails received or generated by public officials, even on personal devices, are public records if they pertain to government business. The courts have consistently affirmed this interpretation, including in *Chernin v. Geauga Park District* (2018), where constituent letters read at a board meeting were ruled to be public records.

Officials may not delete, disregard, or refuse to accept such communications outside of a formal retention policy approved by the appropriate records commission. Simply put, if you are acting in an official capacity and you receive an email from a constituent about public matters, you are required to treat it as a public record.

II. First Amendment Protections for Petitioning Government

The First Amendment to the United States Constitution protects the right "to petition the Government for a redress of grievances." This right is not limited by agency, jurisdiction, or volume. Citizens have the constitutional authority to contact one or many public officials at once. The act of emailing — even repeatedly — for lawful purposes like seeking redress, reporting corruption, or requesting records is a protected form of expression.

Attempts by government employees or elected officials to discourage or penalize these communications through intimidation, censorship, or outright dismissal may constitute viewpoint discrimination and could be subject to legal challenge. The U.S. Supreme Court has repeatedly held that public officials may not suppress public speech conducted through official channels, including email and social media, based solely on the message's content or the identity of the sender.

III. Jurisdictional Excuses Do Not Nullify Public Duties

Some public officials argue that if an issue is not within their agency's jurisdiction — for example, a city matter sent to a county sheriff's deputy or the sheriff's legal counsel — they are under no obligation to receive or retain the communication. This interpretation is incorrect.

First, Ohio's Public Records Act applies to any public office or official who receives a record related to public business. The fact that a deputy or legal counsel may not have "direct oversight" of a matter does not exempt them from the duty to retain or forward communications if they were acting in a public capacity when receiving them. In fact, if the subject matter involves potential misuse of public funds or unethical conduct, **Ohio R.C. 4113.52** requires public employees and officials to report it.

Second, constituent communication is not governed by a rigid jurisdictional gatekeeping standard. Many agencies and officials have overlapping or interrelated responsibilities. A sheriff's office may interact with municipal police. A county prosecutor may handle city cases. A legal counsel may advise multiple departments. The public has every right to contact those involved in public governance, especially when the goal is transparency, oversight, or prevention of misconduct.

IV. The Legitimacy and Necessity of CC'ing Multiple Officials

Copying (cc'ing) multiple public officials in a communication is not harassment or spam — it is a legitimate and often essential act of democratic accountability. Here's why:

1. **Proof of Contact:** If a public office later denies awareness of an issue, a well-copied email serves as indisputable proof that the communication occurred.
2. **Deterrence of Retaliation or Suppression:** When multiple eyes are on a conversation, it becomes harder to suppress, distort, or retaliate against the sender.
3. **Ethical Oversight:** If one recipient fails to act on potential wrongdoing, others copied may be legally or ethically obligated to escalate the issue.

4. **Public Transparency:** Multi-party communication forms part of the public record and reflects a pattern of concern or accountability that can later be reviewed or audited.
5. **No Legal Prohibition:** There is no statute or administrative rule in Ohio that prohibits a resident from copying multiple officials in a lawful communication. The First Amendment does not limit how many people you can petition — only that you do so peacefully and lawfully.

If a public official feels that a message does not pertain to their specific role, they may choose not to respond — but they cannot demand exclusion from further communications on that basis alone. That is not how open government works.

V. Ethical and Statutory Duties to Respond or Report

Beyond the legal right to contact government officials lies the moral and statutory duty of those officials to act. Under Ohio R.C. 102 and R.C. 4113.52, public employees must avoid even the appearance of impropriety and must report credible evidence of fraud, waste, or abuse. Ignoring communications that document such allegations may constitute misconduct, especially when the official is aware of the content and has chosen to sidestep responsibility by citing jurisdiction or inconvenience.

To avoid misunderstanding, let me be clear: my communications — and those of my peers — are done in good faith and in furtherance of public integrity. They are legally protected, ethically necessary, and constitutionally grounded.

If any public servant or department has concerns about content or intent, those concerns should be addressed professionally through appropriate channels — not through informal censorship, digital exile, or dismissive responses. Until then, I will continue exercising my rights to transparency, petition, and public accountability.

Respectfully,

[Your Full Name]
[City, State]
[Email Address (if desired)]
[Date]

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

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Beko, Michele

From: Robert J. Gargasz <rjgargasz@gmail.com>
Sent: Saturday, May 10, 2025 2:13 AM
To: Patrick Ward; Patrick Riley; Jack Bradley; Joel Arredondo; Rey Carrion; Joe K Auditor; Don Zaleski; Rocky Radeff; Garon Petty; City Group; Jacob Morris; Aaron Knapp; Michael Scherach
Subject: Arrested for Being "an A**hole" | Police Chief Responds to Viral Video

Warning: Unusual link

This message contains an unusual link, which may lead to a malicious site.
Confirm the message is safe before clicking any links.

<https://youtu.be/1Ku5L9ZWFsg?si=a6Yvy-YHYIxZGM4D>

Sent from my iPhone

Beko, Michele

From: Robert J. Gargasz <rjgargasz@gmail.com>
Sent: Thursday, May 8, 2025 3:44 PM
To: Jack Bradley; Rey Carrion; Patrick Riley; Joel Arredondo; City Council Mail Group; Joe K Auditor; Don Zaleski; Rocky Radeff; Jacob Morris; Aaron Knapp; Jeanne Petty; Garon Petty; Patrick Ward
Subject: Fwd: Council and Committee meetings removed

External sender <rjgargasz@gmail.com>

Make sure you trust this sender before taking any actions.

Why?

Sent from my iPhone

Begin forwarded message:

From: Garon Petty <garonpetty@roadrunner.com>
Date: May 8, 2025 at 3:07:45 PM EDT
To: "Dull, Breanna" <Breanna_Dull@cityoflorain.org>, "Partin, Maggie" <Maggie_Partin@cityoflorain.org>, City Council Mail Group <CityCouncilMailGroup@cityoflorain.org>, Joel Arredondo <Joel.arredondo47@gmail.com>, Lindsay Carr <Lindsay.Carr@ohioago.gov>, ethics@ethics.ohio.gov
Cc: Robert J Gargasz <rjgargasz@gmail.com>, Aaron Knapp <a4xbeaverman@yahoo.com>, Michael Scherach <mjscherach.law@centurytel.net>, Tony Cillo <antcillo.cill@gmail.com>, Tori Middlebrooks <tmiddlebrooks4@gmail.com>, Kathryn Kennedy <kathrynkennedy627@gmail.com>
Subject: Council and Committee meetings removed

Why have Council meetings been removed from the record?

Chrome File Edit View History Bookmarks Profiles Tab Window Help Thu May 8 3:03 PM

Facebook Agenda - View Meetings

Not Secure destinyhosted.com/agenda_publish.cfm?ml=ALL&get_month=6&get_year=2023&countDown...

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June, 2023

| endas | Meeting | Minutes | Other Links |
|-------------------------------|-----------------------------|-------------------------|------------------------------------|
| June 30, 2023 | Civil Service Commission | minutes | Meeting on Demand |
| June 28, 2023 | Board of Control | Minutes | |
| June 23, 2023 | Civil Service Commission | minutes | Meeting on Demand |
| June 21, 2023 | Board of Control | Minutes | |
| June 15, 2023 | Demolition Board of Appeals | | Meeting on Demand |
| June 14, 2023 | Board of Control | Minutes | |
| June 14, 2023 | Fair Housing Board | | Meeting Livestream |
| June 13, 2023 | Design Review Board | | Meeting on Demand |
| June 7, 2023 | Board of Control | Minutes | |
| June 7, 2023 | Planning Commission | | Meeting on Demand |
| June 7, 2023 | Zoning Board of Appeals | | Meeting on Demand |

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From Month From Year To Month To Year Text to search for

Beko, Michele

From: Garon Petty <garonpetty@roadrunner.com>
Sent: Thursday, May 8, 2025 8:31 AM
To: Dull, Breanna; Partin, Maggie; Patrick Riley; City Council Mail Group
Cc: Brian Ames; Aaron Knapp; Robert J Gargas
Subject: Fwd: Violations of Ohio Sunshine Law 121.22

External sender <garonpetty@roadrunner.com>

Make sure you trust this sender before taking any actions.

Begin forwarded message:

From: Garon Petty <garonpetty@roadrunner.com>
Subject: Re: Violations of Ohio Sunshine Law 121.22
Date: March 10, 2025 at 10:20:57 AM EDT
To: Lindsay Carr <Lindsay.Carr@OhioAGO.gov>, David Yost AG <AGOCARES@ohioago.gov>, ethics@ethics.ohio.gov, Patrick Riley <Patrick_Riley@cityoflorain.org>, City Council Mail Group <CityCouncilMailGroup@cityoflorain.org>, "Dull, Breanna" <Breanna_Dull@cityoflorain.org>, lcp@lcprosecutor.org, "Comer, David" <dcomer@cityoflorain.org>, "Beko, Michele" <Michele_Beko@cityoflorain.org>, Lorain Police <Kyle_Gelenius@cityoflorain.org>, "Partin, Maggie" <Maggie_Partin@cityoflorain.org>, "Bradley, Jack" <Jack_Bradley@CityofLorain.org>, "Soto, Rick" <Rick_Soto@CityofLorain.org>, "Kokoski, Lori" <lori_kokoski@cityoflorain.org>, "Arredondo, Joel" <Joel_Arredondo@CityofLorain.org>
Cc: Robert J Gargas <rjgargas@gmail.com>, "Andrew Geronimo, JD" <andrew.geronimo@case.edu>, Aaron Knapp <a4xbeaverman@yahoo.com>, Jackie Conrad <botanist62@hotmail.com>, Michael Scherach <mjscherach.law@centurytel.net>, Brad Dicken <BDicken@chroniclet.com>, clandestinecanary <clandestinecanary@proton.me>, Noelle Williams <noelle.williams@woio.com>, Carolyn White <cwhite@centurytell.net>, Stephanie Jablonsky <stephanie.jablonsky@thefire.org>, Institute for Justice <ifj@ij.org>, Dennis Flores <dennisforlorain@gmail.com>, Jon Morrow <greaterlorainareacaucus@gmail.com>, Jonathan.Schuppe@nbcuni.com, sandemeilander@yahoo.com, Elsebeth Baumgartner <baumgartner.elsebeth@yahoo.com>, Kathryn Kennedy <kathrynkennedy627@gmail.com>

Good morning council clerk, Please send me the certificates for the Sunshine Law Training course and any other training courses completed of all council members per council rules 41 and 149.43 ORC for the last 10 years.

Beth Henley, JoAnne Moon, Angle Arroyo, Joshua Thornsberry and Mary Springowski.
Council Rules 41
is clear on the retention of records.

Please send my request ASAP.
Thank You,
Garon Petty

The business to be conducted at a special and/or emergency meeting shall be identified in the notice and no other business shall be considered. Should the legislative authority adjourn into Executive Session during a special and/or emergency meeting, the topic shall be directly related to matters identified in the notice.

RULE 3 - Public Meetings

All regular, special, emergency, committee, work sessions and public hearings etc., of the legislative authority shall be open to the public and conducted in accordance with O.R.C. 121.22. All minutes and records of the Council shall be available to the public to view and/or purchase in the Clerk of Council Office during business hours.

1 | Page

RULE 4 - Committee-of-the-Whole

... into a Committee-of-the-Whole by a majority

...may call him to order. The question of order shall be decided immediately and without debate.

RULE 41- Other Rules/Council Chamber

Except as provided herein, the most current version of Roberts Rules of Order shall govern the proceedings of Council. It shall be the duty of the Presiding Officer to comprehend and enforce such rules together with the rules herein set forth. No person, other than members of Lorain City Council, staff or other city official shall enter the designated area beyond the bar of the chamber assigned to the Elected Officials after commencement of the meeting. A space shall be designated in the Council Chamber as "Reserved for the Media" and shall be used only by the media in attendance for that purpose.² Members of Council shall attend the following training sessions prior to the end of their term and submit the certificate of completion to the Clerk for retention purposes. Ohio Attorney General Sunshine Law Training, BRIT/PERC training module(s) Sensitivity Basics -(two sessions) and Diversity -(one session.)



On Mar 4, 2025, at 1:30 PM, Garon Petty <garonpetty@roadrunner.com> wrote:

Hello,

The last twenty minutes of the March 3, 2025 Lorain City Council meeting and during the whole meeting has clear violations of Ohio's Sunshine Laws 121.22 ORC. Whispering, Texting, passing notes. The Council Clerk monitors the activities of members during the meetings on a computer. Yet violations of the Ohio Sunshines Laws are not reported many times in the Council approved meeting minutes.

Council rule 41 reads, Council members will attend and complete the Sunshine Law training provided by the Ohio Attorney General and provide a certificate of completion at the end of their term. I would like a copy of all council Sunshine Laws certificates for the year of 2022 of current and past members of council which certificates are on record sent to all I have included in this Public Records Request 149.43 by Friday March 7, 2025.

Also I have observed by the Council provided Meeting on Demand videos, that many members of council violate rules 45 and 46 of Lorain City Council. Use of Electronic Devices. What punishments are provided in Lorain city council rules and the Ohio Revised Code to STOP those Observed Violations of Law?

How will Lorain City Council protect the Ohio Sunshine Laws and your Oaths to uphold the Laws of Ohio in the future?

Thank you,
Garon Petty

Meeting: City Council Regular
Meeting
lorainoh.suiteonemedia.com

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Beko, Michele

From: Robert J. Gargasz <rjgargasz@gmail.com>
Sent: Tuesday, May 6, 2025 8:14 PM
To: City Council Mail Group; Jack Bradley; Rey Carrion; Joel Arredondo; Patrick Riley; Don Zaleski; Joe K Auditor; Garon Petty; Jeanne Petty; Michael Scherach; Aaron Knapp; Rocky Radeff
Subject: Florida Becomes Second State to Ban Fluoride in Public Drinking Water • Children's Health Defense

External sender <rjgargasz@gmail.com>

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<https://childrenshealthdefense.org/defender/florida-second-state-ban-fluoride-public-drinking-water/>

Sent from my iPhone

Beko, Michele

From: Garon Petty <garonpetty@roadrunner.com>
Sent: Tuesday, May 6, 2025 12:37 PM
To: Robert J Gargas; City Council Mail Group; David Yost AG; lcp@lcprosecutor.org; Andrew Geronimo, JD; Lorain PD Records Request; Patrick Riley; Bradley, Jack; Carrion, Rey; Sheriff Jack Hall; Lindsay Carr; Brian Ames; mallory_holmes@cityoflorain.org; Joseph LaVeck; Zaleski, Don; Michael Scherach; Mike.Brosky@fflorain.bank; Denise Wilms; Rocky_Radeff@cityoflorain.org; Darryl Tucker; Stephanie Jablonsky; Jonathan.Schuppe@nbcuni.com; Mike Mason; Fox 8; clandestinecanary; Clevescene; Lorain Police; Monica D. Pluta; Beko, Michele; Craig Snodgrass; Jeff Riddell; JessieTower@gmail.com; LorainNAACP@gmail.com; Dan Gilles; Kathryn Kennedy; Ted Kalo; Tori Middlebrooks; Tom Niewulis; Dennis Flores; Nathan Manning; Stewart, Scott; Jeanne Petty; Linda Rivera; Elsebeth Baumgartner
Subject: Fwd: Wrecked and Gone: Lorain Police Covered Up a Hit-and-Skip—But the Truth Just Crashed In

External sender <garonpetty@roadrunner.com>

Make sure you trust this sender before taking any actions.

Rules for thee, but not for the Royal WE?

Begin forwarded message:

From: Aaron C Knapp from Aaron's Substack
<lorainpoliticsunplugged@substack.com>
Subject: **Wrecked and Gone: Lorain Police Covered Up a Hit-and-Skip—But the Truth Just Crashed In**
Date: May 6, 2025 at 12:22:25 PM EDT
To: garonpetty@roadrunner.com
Reply-To: Aaron C Knapp from Aaron's Substack
<reply+2p19vr&5j0f6l&&27957a582512de9870c169bb3ac2062590b00a6cce5aed18144c7f847e39c6e5@mg1.substack.com>

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Wrecked and Gone: Lorain Police Covered Up a Hit-and-Skip—But the Truth Just Crashed In

Wrecked and Protected: Lorain Officer Eric Rivera Crashes, Flees, and Walks Away Without a DUI Charge



READ IN APP

“Alcohol suspected. Scene fled. No public acknowledgment. No press release. No consequences—yet.”



By Aaron C Knapp, Investigative Journalist, LSW, CDCA (retired)

On April 17, 2025, a violent car crash tore through a quiet corner of Lorain’s west side. A silver Dodge Charger veered off W. 9th Street near Long Avenue, blew through a lot, slammed into two parked cars, destroyed a burn barrel, hit a shed, and then—with astonishing audacity—*fled the scene*. The driver? **Eric Jose Rivera**, a City of Lorain employee, a Lorain Police Sergeant. The police response? Minimal. No statement. No media release. No charges beyond a traffic ticket.

Thanks for reading Aaron’s Substack! Subscribe for free to receive new posts and support my work.

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This is the story they didn’t want you to know—until now.

I. The Crash on W. 9th: What the Public Wasn't Told

On April 17, 2025, a violent crash erupted at the bend where W. 9th Street curves toward Long Avenue in Lorain, Ohio. Witnesses described hearing an explosive sound as a city-owned Dodge Charger, driven by off-duty Lorain Police Sergeant Eric Jose Rivera, barreled through the neighborhood. According to official crash report #2025-00011116, the Charger crossed the center line, hit a curb, veered off-road, and plowed into a small open lot.

The Charger first struck a parked silver 2004 Honda Civic with enough force to shove it into a green 1996 Honda Accord parked alongside it. Then, Rivera's vehicle continued forward, smashing into a burn barrel and slamming

into a backyard shed. Tire tracks, shattered plastic, and strewn vehicle fragments told the story long before police arrived.

Most damning of all, Rivera did not stay. As residents emerged from their homes, Rivera allegedly reversed out of the lot, turned around, and fled back up W. 9th Street toward Lexington Avenue. The crash report explicitly states, "Unit 1 then backed up, turned around, and fled the scene." The Dodge was gone by the time police arrived.

"It was chaos. You could see the car tracks, and the way he peeled off—I thought someone might have died," said one witness, Shelonda Holmes, who called dispatch and remained on scene.

This wasn't just a moment of panic. It was a violation of the law—and not a minor one. Hit-and-run, or failure to stop after an accident, is codified under Ohio law as a first-degree misdemeanor when no one is injured. Even more disturbing, the crash report checked the box for "Alcohol Suspected." Yet no DUI charge followed.

When Officer David Rees and Sgt. Thomas Orlosky arrived to investigate, they documented the fleeing driver, the damage to both private and city property, and noted alcohol suspicion. Despite this, Rivera was never arrested. No field sobriety test is documented. No breathalyzer results are included in the report.

The only trace of alcohol testing in the file? A handwritten ".00" beside a checkbox. There is no confirmation of when, how, or if Rivera was tested.

Despite hitting multiple cars, destroying a shed, fleeing the scene, and suspected alcohol use, Rivera was charged only with weaving and failure to control—a minor citation under LCO 331.34. The public wouldn't learn his name for weeks.

Rivera, who holds a supervisory role in the department, was not only spared public scrutiny—he was quietly placed on paid leave. No official

press release. No statement of accountability. Just a damaged neighborhood and unanswered questions.



II. Charges Filed—And Charges That Weren't

The crash might have ended when Rivera left the scene, but the legal issues were just beginning. Rivera was ultimately cited for two violations: failure to control and failure to stop after an accident—both misdemeanors under Ohio law. Yet many in the public are questioning why more serious charges, especially those related to suspected impairment, were never pursued.

Failure to stop after an accident is addressed under Ohio Revised Code 4549.02. It mandates that any driver involved in a crash must stop and provide their identity. Rivera did not. The crash report indicates he reversed and fled, and officers documented this. This alone could have warranted arrest and booking. Instead, Rivera received a citation and was not taken into custody.

More glaring is the issue of suspected alcohol use. The crash report explicitly checks the box for "Alcohol Suspected," a designation typically made based on observed behavior, odors, or visible signs of intoxication. According to ORC 4511.19, any suspicion of driving under the influence should trigger immediate field sobriety tests and a chemical BAC assessment. No such test is recorded. No arrest occurred. The only reference to alcohol level is a handwritten ".00," with no supporting documentation.

Under Ohio's implied consent law, drivers are required to submit to chemical testing if arrested for OVI. Refusing a test leads to an automatic license suspension. But Rivera was never arrested, which meant the statute was never triggered. If alcohol was truly suspected, this gap raises significant concerns.

Even if Rivera had tested below the legal limit, field sobriety tests should still have been conducted and documented. The absence of such protocol

suggests either a lapse in procedure or the exercise of discretion in a way that defies consistency.

Civilian drivers in similar scenarios often face immediate arrest. Property damage, a suspected DUI, and fleeing the scene are rarely treated lightly. In Rivera's case, there appears to be a departure from standard enforcement expectations.

Field sobriety test results, probable cause documentation, or incident narratives justifying discretion are not included in the crash file. The lack of these elements leaves an incomplete account and undermines public confidence in the thoroughness of the investigation.

If there were legitimate reasons not to test Rivera or to refrain from pressing further charges, they have not been disclosed. No official explanation has been provided by the Lorain Police Department, the City of Lorain, or the prosecutor's office.

The implications of this silence are broad. What might have been a textbook case of DUI and hit-skip became a citation and paid administrative leave. Without transparency, the perception of preferential treatment persists.

The community deserves answers. Until clear documentation is produced and accountability demonstrated, the question remains: Was Rivera treated like any other driver—or like one of the department's own?



III. Media Silence and Public Misinformation

In the immediate aftermath of the crash, no press release was issued by the Lorain Police Department. There was no public statement acknowledging that an off-duty officer in a city-owned vehicle had left the scene of a crash. Although the crash was documented and citations were issued, the absence of proactive communication left the public uninformed.

The first mentions of the incident in local media came weeks after the fact, in short news items in the *Morning Journal* and *Chronicle-Telegram*. These reports confirmed the citations but offered little context. Notably, they included the statement that "no evidence of alcohol" was found—a phrase at odds with the crash report's notation that alcohol was suspected.

Public access to the crash report was delayed, and until it was obtained, most residents had no idea a hit-and-skip involving a police officer had even occurred. The lack of immediate transparency limited public awareness and hindered scrutiny. (I recieved the report today 5/06/2025 these are usually available online the next day in other accidents)

Crash reports for incidents involving city vehicles and employees typically warrant some form of public acknowledgment. In this case, the silence created the appearance—if not the reality—of an attempt to minimize attention.

No press event or departmental statement was issued in the days following the crash. This stands in contrast to past practice, where the department has publicized other vehicle crashes or internal investigations, even for lower-profile incidents.

The absence of transparency extended to social media. Neither the City of Lorain nor the police department published updates about the crash, the involved officer, or the internal review process. These omissions contributed to public frustration.

The timeline of information release reflects a reactive—not proactive—approach to public communication. Only after citations were filed and outside inquiries were made did information begin to surface.

In communities where law enforcement transparency is already under strain, this pattern raises valid concerns. Consistent communication is a cornerstone of public trust. Without it, even lawful decisions can appear suspicious.

If there were compelling reasons for the department’s silence—such as ongoing administrative review—they have not been articulated publicly. In the absence of explanation, the public is left to draw its own conclusions.

The city’s communications strategy—or lack thereof—allowed a serious incident involving a police officer to fade from view before it ever truly entered it. That silence, more than any single decision, may be the most damaging element of all.

IV. The Officers Involved: Familiar Names, Unfamiliar Accountability

Officers David Lee Rees and Thomas Orlosky were the investigating officers listed in the crash report filed after Rivera’s April 17 hit-skip. Both are long-serving members of the Lorain Police Department and currently hold the rank of sergeant. City documents show that Rees has previously served in patrol and K-9 roles, while Orlosky has worked in traffic enforcement.

Neither officer has been publicly disciplined in connection with this incident. However, the decisions made during their investigation have raised valid questions. Despite the crash report explicitly indicating that alcohol was suspected, there is no documented evidence that a field sobriety test was conducted. Nor is there confirmation of a formal breathalyzer test.

Ohio Revised Code 4511.19, which governs operating a vehicle under the influence, gives officers clear authority to conduct field sobriety testing when impairment is suspected. The crash report checked the box for “Alcohol Suspected,” which should have triggered further investigation. Yet, no arrest occurred, and the report lacks sufficient detail to show what actions, if any, were taken to assess Rivera’s sobriety.

The absence of documented testing raises procedural concerns. Officers are required to justify their actions—or inactions—through narrative documentation, especially in cases involving suspected alcohol use. In this instance, no narrative supplements are attached to the report, leaving a gap in the accountability trail.

Under ORC 4511.191, implied consent laws require testing if a driver is arrested for OVI. But since Rivera was never arrested, the statute was never triggered. This raises a troubling possibility: by choosing not to arrest Rivera despite alcohol suspicion, the officers effectively avoided initiating a process that would have required sobriety testing.

These discretionary decisions deserve scrutiny. Rees and Orlosky were not dealing with an unknown driver—they were responding to a crash involving a fellow officer. That relationship introduces a potential conflict of interest. The integrity of any internal investigation depends on whether those responding upheld the same standards they would apply to any other citizen.

The official crash report, as released, includes no mention of body-worn camera footage or dash cam recordings. If such video exists, it has not been made public, nor has it been referenced in available documents. The absence of this evidence leaves a void that should be filled.

If either officer witnessed behavior consistent with impairment—slurred speech, glassy eyes, or the smell of alcohol—they were obligated to document it. If such signs were absent, they should have documented that too. Without either, the report remains incomplete.

There is also no indication that the officers were interviewed as part of a broader administrative investigation. If their actions were reviewed or cleared internally, no public record of those findings has been provided.

In the end, the credibility of the department rests not only on how it disciplines misconduct but how it investigates its own. The omissions in this case—whether accidental or deliberate—point to a larger cultural issue. One where silence and omissions speak louder than any sworn statement could.

V. Ohio Law vs. Officer Discretion: A Legal Gap Wide Enough to Drive Through

Ohio's legal framework around operating a vehicle under the influence (OVI), leaving the scene of an accident, and implied consent is unambiguous. When there is probable cause to suspect impairment, police officers are mandated

to initiate testing and follow arrest protocols. In Rivera's case, the facts laid out in the crash report meet multiple thresholds that should have triggered enforcement.

The most compelling statutory tool in such cases is Ohio Revised Code 4511.19, which criminalizes operation of a motor vehicle under the influence of alcohol or drugs. This law is not optional—it obligates law enforcement to act when signs of impairment are present. The crash report's notation of "Alcohol Suspected" strongly suggests that such signs existed. Yet no OVI charge was filed, and no formal test results were made part of the public record.

Equally clear is the obligation under ORC 4549.02, which governs failure to stop after an accident. Rivera's flight from the crash scene should have resulted in a first-degree misdemeanor charge. While he was cited for this violation, he was not arrested. Instead, the report simply documents his departure and indicates he was later identified.

Most concerning, however, is the failure to apply ORC 4511.191—the implied consent statute. This provision mandates that drivers, by operating a vehicle in Ohio, consent to alcohol or drug testing if arrested for OVI. The statute even permits administrative license suspension for test refusal. But Rivera's arrest never occurred. The process was never triggered, and thus, this legal safeguard failed entirely.

This pattern—checking the alcohol box while avoiding arrest—creates a loophole that undermines the statute's purpose. The law is structured to prevent exactly this type of evasion: a suspected impaired driver leaving the scene, avoiding immediate arrest, and never being subjected to testing.

Whether Rivera was actually impaired may remain unknown. But that is beside the point. The legal issue is whether the suspicion, based on the scene and officer observations, required further action. The law says yes. The officers said no—or at least failed to document otherwise.

Civilian drivers in similar cases often face a very different outcome. They are pulled from their vehicles, subjected to roadside tests, sometimes even taken for blood draws at local hospitals. The speed with which those actions occur is routinely justified by citing the very same laws that were neglected here.

By bypassing the mechanisms of the law—arrest, testing, documentation—the officers effectively prevented the public from knowing whether an OVI occurred. This does not merely look like preferential treatment; it functionally neutralizes the legal system itself.

That legal vacuum cannot be filled by speculation. It can only be addressed by transparency. The public needs to see the process. In this case, the process appears to have been avoided or concealed.

The consequence is a breakdown of equal justice. When officers are empowered to selectively enforce—or ignore—statutes in cases involving fellow officers, the law loses credibility. Rivera may have avoided charges. But the system lost something more: its legitimacy.

VI. Two Standards of Justice: One for Civilians, One for Officers

Perhaps the most jarring aspect of the Rivera incident is not just the failure to apply Ohio law—it's how starkly the treatment contrasts with how everyday civilians are handled. Across Ohio and in Lorain specifically, drivers accused of hit-skips or suspected OVIs face immediate and often harsh consequences. Rivera, by contrast, walked away from the scene and faced only a citation.

In Lorain County alone, dozens of OVI arrests are made each month. These typically involve field sobriety tests, breathalyzer assessments, bodycam footage, arrests, and booking photographs. The names of the accused are publicly disclosed, and press releases are often circulated when high-profile or city-affiliated individuals are involved. None of that happened in Rivera's case.

When civilians flee a crash scene—particularly one with property damage—the result is usually swift: license suspension, possible jail time, and insurance consequences. The discrepancy in Rivera’s treatment points to a systemic pattern of differential enforcement.

The fact that Rivera was operating a city vehicle should have heightened—not softened—scrutiny. Government vehicles are held to a higher standard. The crash involved public property, occurred in a residential neighborhood, and impacted at least two civilians whose vehicles were struck. Yet the city has remained silent about whether they have been compensated or even formally notified.

Had a citizen crashed into two vehicles, destroyed a shed, left the scene, and returned home without alerting police—while alcohol was suspected—they would almost certainly face criminal charges. The law does not distinguish based on job title, but enforcement often does.

Ohio’s implied consent law exists to eliminate ambiguity in suspected DUI cases. It operates on the principle that when a driver refuses to submit to testing after being stopped or arrested, legal consequences must follow. But when officers choose not to arrest or test their own, they bypass this framework entirely.

This isn’t just about one crash or one officer. It reflects a wider issue in law enforcement: when officers are treated as exceptions to the rules they enforce, public faith in the system erodes. The idea of equal protection under the law is undermined when discretion is selectively applied.

The community sees this disparity. In forums, local Facebook groups, and neighborhood conversations, residents have asked why Rivera was not arrested. They wonder why no field test occurred. They’re left to speculate—because official channels remain silent.

That silence fuels mistrust. And mistrust, when compounded by double standards, fractures the relationship between police and the public they

serve. Accountability isn't about punishment—it's about proving that no one is above the law.

Until the city can answer, plainly and publicly, why Rivera was treated differently than others would have been, this story will remain more than a scandal—it will stand as an indictment of the system itself.

VII. Paid Leave, Public Dismissal: Rivera's Continued Employment Raises Eyebrows

Following the crash, Sgt. Eric Rivera was not suspended without pay, terminated, or reassigned. Instead, he was placed on paid administrative leave—a standard policy in cases under internal investigation, but one that continues to spark public frustration given the seriousness of the conduct alleged in the crash report.

Paid leave means that Rivera continues to collect a taxpayer-funded salary despite a pending investigation into his conduct. According to routine city payroll disclosures, Rivera has remained on the books at full pay while the city weighs disciplinary options. There has been no announcement of a disciplinary hearing or any transparency about investigative progress.

This type of administrative purgatory is not uncommon in public safety employment. But in a case involving suspected alcohol use, fleeing the scene of a crash, and property damage—all in a city-owned vehicle—many in the community expected faster and more visible action. Instead, the department has offered no timeline for resolution, no updates to the public, and no comment from its acting leadership.

The silence has not gone unnoticed. Critics have asked whether Rivera's continued employment—despite the serious allegations—sends a message that misconduct is tolerated, or worse, quietly excused within the ranks. They point to other cases where civilians have lost jobs, licenses, or liberty over far less.

The issue is not just that Rivera is on leave. It's the broader question of accountability for city employees, especially those empowered to enforce the

law. Rivera, a ranking officer, represents the department not just in uniform but in his behavior off-duty. Crashing a marked vehicle while off-duty and fleeing the scene without testing violates both public trust and departmental standards.

No document released by the city has indicated whether Rivera has been ordered to complete substance abuse counseling, vehicle safety training, or internal affairs interviews. These are common post-incident expectations in other departments across the state.

The failure to disclose even these basic facts raises transparency issues that stretch beyond the Rivera case. Are Lorain police officers held to internal behavioral standards even when off-duty? What protocols exist for post-accident review? What are the consequences for failing to remain on-scene when driving city property?

As of this writing, Rivera remains a paid employee of the Lorain Police Department. If there is a review board, the city hasn't confirmed it. If Rivera has been interviewed or reprimanded internally, the public hasn't seen the findings. If a decision has been made, it hasn't been shared.

Until answers are provided, residents will remain in the dark about whether one of their senior officers is being held accountable—or shielded by policy and silence. The longer this persists, the more it appears that paid leave is being used not as a safeguard for investigation, but as a cover for delay.

VIII. Community Trust Undermined: A Crisis of Confidence

The Rivera incident has once again cast a harsh spotlight on Lorain's already fraught relationship between law enforcement and the community it serves. For residents, the optics of the crash—paired with the lack of accountability—have confirmed long-standing fears: that officers are protected, and the public is not.

In many neighborhoods across Lorain, residents have expressed frustration with what they perceive as selective enforcement. Community leaders have

pointed to this case as a textbook example of why calls for police reform remain urgent and necessary.

"How can we tell young people to trust the system," one resident asked, "when it won't even hold its own officers accountable for a hit-and-run?"

Lorain has been the focus of past investigations into policing practices and transparency lapses, especially around use-of-force incidents, racial disparities, and internal discipline. The Rivera case adds fuel to an already simmering fire. A public servant crashing a city car, fleeing, and remaining on paid leave with no charges beyond citations has become a symbol of systemic privilege.

Public trust is not just a byproduct of effective policing—it is a foundational necessity. When that trust is fractured, crime reporting drops. Community cooperation wanes. Witnesses stay silent. And ultimately, both residents and officers are less safe.

Trust cannot be demanded—it must be earned. And earned trust comes from transparency, accountability, and a consistent application of justice. Rivera's case so far offers none of those. Instead, it reveals a culture more concerned with protecting its own than upholding the law.

In response, several residents have called for independent oversight. Some are demanding that the Ohio Bureau of Criminal Investigation (BCI) step in to evaluate whether the city has acted appropriately. Others have submitted public records requests and are considering civil rights complaints.

City Council has yet to hold a public hearing on the matter. Mayor Jack Bradley has not issued a formal statement. And the Lorain Police Department has not confirmed whether any internal review has concluded. This silence allows speculation to thrive—and further erodes community faith.

The longer city leaders avoid addressing the matter publicly, the more damage is done—not just to public image, but to real relationships with the

people of Lorain. Elected officials and department heads are not just accountable to the law—they're accountable to the people.

Every day that passes without answers is another day that residents are reminded of the double standard. They see the police cruiser tire marks. They see the damaged cars. And they see the officer still getting paid.

In Lorain, where residents have long demanded a new era of transparent and community-first policing, the Rivera incident is more than a public safety issue. It's a crisis of credibility—and one that won't be resolved with silence.

IX. Final Thought: What Accountability Looks Like

The crash that occurred on April 17, 2025, was not just an isolated mistake. It was a warning shot. A red flag that speaks volumes about what happens when those tasked with upholding the law are allowed to bypass it. Sgt. Eric Rivera's conduct, and the city's response, have raised every red flag a resident could fear: silence, secrecy, and selective enforcement.

Accountability begins with honesty. It requires that public officials—not just police officers, but department heads, prosecutors, and mayors—respond to serious incidents with candor. Rivera's name should not have been buried for weeks. The crash should not have been handled in virtual darkness. The public should not be forced to file records requests just to learn if a city vehicle struck their neighbor's car.

Second, accountability means equity. Every driver in Lorain—regardless of their badge or rank—should be subject to the same traffic laws, sobriety checks, and consequences. There is no clause in Ohio law that exempts city employees from OVI suspicion, hit-skip enforcement, or testing requirements. Discretion is not a shield for misconduct.

Third, the city must rebuild trust with action, not apologies. Paid leave may be standard policy, but it cannot become a default excuse for delay or deflection. If internal investigations are occurring, the public deserves to know the process and the timeline. If no internal investigation is underway, that is a failure of leadership.

Transparency does not mean violating due process. It means showing the public that due process exists and is being followed fairly. In this case, the silence has spoken louder than any disciplinary decision could.

The Rivera case is not about vengeance or public shaming. It's about integrity. Can the Lorain Police Department police itself? Can the city confront its mistakes publicly? Can leadership show the same urgency for transparency that it demands from citizens during a crime wave or budget hearing?

Public officials should not fear scrutiny. They should welcome it. Because only under scrutiny can real reform begin. Only with public pressure can a system built on silence be reshaped into one rooted in trust.

Lorain deserves a department that serves—not one that shields. It deserves leaders who step forward—not ones who hide behind procedure. And it deserves a legal system where no one, not even a sergeant in uniform, is above the rules.

This isn't just about one crash. It's about whether Lorain is willing to confront a pattern: of silence, avoidance, and institutional protection. If we can't fix that, then no policy or PR campaign will matter.

The crash on W. 9th Street may have ended in shattered plastic and splintered wood. But the damage to public confidence runs far deeper. Accountability is the only path forward—and it's long past due.

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