

Beko, Michele

From: LaVeck, Joseph <Joseph_LaVeck@cityoflorain.org>
Sent: Monday, June 23, 2025 2:36 PM
To: 'Aaron Knapp'
Cc: Failing, Mike
Subject: RE: Response to Public Records Denial and Misapplication of R.C. 149.43(A)(1)(v)

Mr. Knapp:

Thank you for your email. The City of Lorain is not the repository of any relevant investigatory records. As you know, the other individuals on the referenced email chain are members of the Ohio CSWMFT Board. Further, as you know, any investigative material that the Board possesses are confidential – you have specifically said so yourself in prior correspondence. The Lorain Police Department is the custodian of records for employees within the Lorain Police Department. I do not know who the custodian of records for the Ohio CSWMFT Board is, though you may contact them directly for further inquiry.

Joseph T. LaVeck, Esq
Chief Asst. Law Director & Police Legal Advisor
200 W. Erie Avenue, 3rd Floor
Lorain, Ohio 44052
joseph_laveck@cityoflorain.org

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Monday, June 23, 2025 1:06 PM
To: LaVeck, Joseph <Joseph_LaVeck@cityoflorain.org>; Failing, Mike <Mike_Failing@cityoflorain.org>; Robert J. Gargasz <rjgargasz@gmail.com>; Sheriff Jack Hall <jhall@loraincountysheriff.com>; Tony Cillo <antcillo.cill@gmail.com>; Robert Gargasz <robertgargasz@gmail.com>; Garon Petty <onelung2014@gmail.com>; City Council Mail Group <CityCouncilMailGroup@cityoflorain.org>; Bradley, Jack <Jack_Bradley@cityoflorain.org>; Carrion, Rey <Rey_Carrion@cityoflorain.org>; David Yost AG <AGOCARES@ohioago.gov>; Morris, Jacob <Jacob_Morris@cityoflorain.org>; Mike Mason <Mike.Mason@woio.com>; Noelle Williams <Noelle.Williams@woio.com>; Major Steven Scharschmidt <SScharschmidt@lcdtf.com>; Fox 8 <tips@fox8.com>; Mike Massie <MMASSIE@lcdtf.com>; Clevescene <news@clevescene.com>; Andrew Geronimo JD <andrew.geronimo@case.edu>; Brian Ames <bmames00@gmail.com>; Jonathan Schuppe <Jonathan.Schuppe@nbcuni.com>
Subject: Re: Response to Public Records Denial and Misapplication of R.C. 149.43(A)(1)(v)

External sender <a4xbeaverman@yahoo.com>

Make sure you trust this sender before taking any actions.

Mr. LaVeck,

Thank you for your response. While I appreciate your referral to others on the email chain, the City—specifically your office—is still obligated to clarify the public record status of any referenced “investigation,” especially when prior correspondence from Chief McCann directly stated that such an investigation was “ongoing.”

To that end, I respectfully reiterate the following:

1. Clarification Required: What exactly was the nature and scope of the “investigation” referred to by Chief McCann? Was it internal, administrative, or external in nature? Who initiated it, and what agency or department led or documented it?
2. Record Custodianship: If you are not the custodian of those records, I ask that you identify the appropriate department or individual who is. Referring me to unnamed individuals “on the chain” is insufficient under R.C. 149.43, which requires a good faith effort to identify and produce public records.
3. Email Record Obligation: As stated previously, any record—including emails—created by public employees using public resources, which document official actions or communications (even informal investigations), are presumptively public unless a specific statute exempts them. No such exemption has been clearly cited regarding the supposed investigation.

If the City maintains no documentation whatsoever of this investigation, that in itself is concerning and raises further questions regarding procedure and accountability.

Absent a more complete response, I will move forward with a complaint to the Ohio Court of Claims pursuant to R.C. 2743.75, and preserve all rights under the Ohio Public Records Act.

Respectfully,

Aaron Christopher Knapp, LSW, CDCA, BSSW

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

NOTICE: THIS ELECTRONIC MESSAGE TRANSMISSION CONTAINS INFORMATION WHICH MAY BE CONFIDENTIAL OR PRIVILEGED. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL(S) OR ENTITY(IES) NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION, OR USE OF THE CONTENTS OF THIS INFORMATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS ELECTRONIC TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY THE SENDER AND DELETE THE COPY YOU RECEIVED.

On Jun 23, 2025, at 12:51, LaVeck, Joseph <Joseph_LaVeck@cityoflorain.org> wrote:

Mr. Knapp:

Perhaps those persons on the email chain are better suited to answer that question.

Thank you.

Best Regards,

Joseph T. LaVeck, Esq
Chief Asst. Law Director & Police Legal Advisor
200 W. Erie Avenue, 3rd Floor
Lorain, Ohio 44052
joseph_laveck@cityoflorain.org

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Monday, June 23, 2025 10:47 AM
To: LaVeck, Joseph <Joseph_LaVeck@cityoflorain.org>
Subject: Re: Response to Public Records Denial and Misapplication of R.C. 149.43(A)(1)(v)

External sender <a4xbeaverman@yahoo.com>
Make sure you trust this sender before taking any actions.

What was the "investigation" then? McCann stated it was still ongoing?

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

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On Jun 23, 2025, at 10:20, LaVeck, Joseph
<Joseph_LaVeck@cityoflorain.org> wrote:

Mr. Knapp:

Please see the attached records responsive to your request. I will request a copy of the attachment. The City of Lorain does not have records responsive to your request with respect to the "investigation."

Thank you.

Best Regards,

Joseph T. LaVeck, Esq
Chief Asst. Law Director & Police Legal Advisor
200 W. Erie Avenue, 3rd Floor
Lorain, Ohio 44052
joseph_laveck@cityoflorain.org

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Wednesday, June 18, 2025 8:08 PM
To: LaVeck, Joseph <Joseph_LaVeck@cityoflorain.org>
Subject: Re: Response to Public Records Denial and Misapplication of R.C. 149.43(A)(1)(v)

External sender <a4xbeaverman@yahoo.com>

Make sure you trust this sender before taking any actions.

And what was the "investigation" he was speaking of? That was "wrapped up soon". Can you please provide this investigation?

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

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On Jun 18, 2025, at 19:57, Aaron Knapp
<a4xbeaverman@yahoo.com> wrote:

I appreciate the response. Can you provide the other end of that conversation as well?
It seems there are replies that then Chief McCann was asking for.

Any responses the chief received sent or received in regards to this.

And I can ask the Department but can you clarify who Lt. Tim Thompson is?

And can you provide the attachments that were sent with that email. It states he sent attachments.

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

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On Jun 18, 2025, at 13:35, LaVeck, Joseph
<Joseph_LaVeck@cityoflorain.org> wrote:

Mr. Knapp:

Please find the attached records responsive to your public records request.

Thank you.

Best Regards,

Joseph T. LaVeck, Esq
Chief Asst. Law Director & Police Legal Advisor
200 W. Erie Avenue, 3rd Floor
Lorain, Ohio 44052
joseph_laveck@cityoflorain.org

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Wednesday, June 18, 2025 10:02 AM
To: LaVeck, Joseph <Joseph_LaVeck@cityoflorain.org>

Subject: Re: Response to Public Records Denial and Misapplication of R.C. 149.43(A)(1)(v)

External sender <a4xbeaverman@yahoo.com>

Make sure you trust this sender before taking any actions.

You have 3 days I wish to inspect the records now. After I will file a mandamus act. This is not a reasonable time frame.

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

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On Jun 18, 2025, at 09:27, LaVeck, Joseph
<Joseph_LaVeck@cityoflorain.org>
> wrote:

Mr. Knapp:

Thank you for your email. Your request is still being processed. Thank you for your continued patience.

Best Regards,

Joseph T. LaVeck, Esq

Chief Asst. Law Director & Police
Legal Advisor
200 W. Erie Avenue, 3rd Floor
Lorain, Ohio 44052
joseph_laveck@cityoflorain.org

From: Aaron Knapp
<a4xbeaverman@yahoo.com>
Sent: Tuesday, June 17, 2025 3:58 PM
To: LaVeck, Joseph
<Joseph_LaVeck@cityoflorain.org>
Cc: Robert J. Gargasz
<rigargasz@gmail.com>; David Yost AG
<AGOCARES@ohioago.gov>; Mike
Mason <Mike.Mason@woio.com>
Subject: Re: Response to Public Records
Denial and Misapplication of R.C.
149.43(A)(1)(v)

External sender
<a4xbeaverman@yahoo.com>
Make sure you trust this sender before
taking any actions.

Two more weeks and still nothing.
Can you even do your job?
Please provide my records.

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

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ELECTRONIC TRANSMISSION IN
ERROR, PLEASE IMMEDIATELY

NOTIFY THE SENDER AND DELETE
THE COPY YOU RECEIVED.

On Jun 3, 2025, at
15:58, Aaron Knapp
<a4xbeaverman@yahoo.com> wrote:

It doesn't take this
long. Stop and just
do what is required
and provide them in
a timely manner.

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

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INTENDED
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On Jun
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Josep
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ityoflo
rain.or
g](mailto:Josep_h_LaVeck@cityoflorain.org)>
wrote:

Mr.
Knapp:

The
City is
still
working
on
process
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your
public
records
request

Thank
you.

Best
Regards
,

Joseph
T.
LaVeck
, Esq
Chief
Asst.
Law
Directo
r &
Police
Legal
Adviso
r
200 W.
Erie
Avenu
e, 3rd
Floor
Lorain,
Ohio
44052
[joseph
_lavec
k@city
oflorai
n.org](mailto:joseph_laveck@cityoflorain.org)

From:
LaVeck,
Joseph
Sent:
Wedne
sday,
May
28,
2025
1:22
PM
To:
'Aaron
Knapp'
<a4xbe

averman@yahoo.com
>

Subject
: RE:
Response to
Public
Records
Denial
and
Misappli-
cation
of R.C.
149.43(
A)(1)(v)

Mr.
Knapp:

As you know, the Law Department is not the repository of records that may be responsive to your request. Your request is being processed, and I will have a response to you as soon as possible. I appreciate your

continu
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Thank
you.

Best
Regards

,

Joseph
T.
LaVeck
, Esq
Chief
Asst.
Law
Directo
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Police
Legal
Adviso
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200 W.
Erie
Avenu
e, 3rd
Floor
Lorain,
Ohio
44052
[joseph
_lavec
k@city
oflorai
n.org](mailto:joseph_laveck@cityoflorain.org)

From:
Aaron
Knapp
<[a4xbe
averma
n@yah
oo.com](mailto:a4xbeaverman@yahoo.com)
>

Sent:
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sday,

May
28,
2025
12:36
PM
To:
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Joseph
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oflorain
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**Make
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you
trust
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before
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**Aaron
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On
Tuesday, May
13,
2025 at
02:28:53 PM
EDT,
Aaron
Knapp
<a4xbeaverman@yahoo.com>
> wrote:

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July
24,
2023,
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to: [redacted]

From: Aaron Kapp [mailto:akapp@...]>

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Public Records Request

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**Aaron
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On
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13,
2025 at
02:25:2
7 PM
EDT,
Aaron
Knapp
<a4xbeaverman@yahoo.com>
> wrote:

Underst
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know
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was
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a year
ago.
Recent
discussi
on and

discovery have lead me to understand the law differently in how it applies to the different branches of the government. In this case if he did use a city server to send it then it's my contention I would be afforded the document based on this interpretation of the the ORC.

Thank you. I'll forward the original.

**Aaron
Christopher
Knapp,
LSW,
CDCA(
p),BSS
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you for your email. I am in the process of reviewing your original request, the response provided, and checking City records. I am working to provide a timely response to your request.

Thank you.

Best Regards,

Joseph T. LaVeck, Esq

Chief Asst. Law Director &

Police
Legal
Advisor

200 W.
Erie
Avenue
, 3rd
Floor

Lorain,
Ohio
44052

joseph.laveck@cityoflorain.org

From:
Aaron
Knapp
<a4xbeeaverman@yahoo.com>

Sent:
Tuesd
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May
13,
2025
1:36
PM

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<CityCouncilMailGroup@cityoflorain.org>

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Bradley, Jack
<JackBradley@cityoflorain.org>;
Garon
Petty
<oneung2014@gmail.com>;
Lorain
PD
Records
Request
<LPDRrecordsrequest@cityoflorain.org>
Subject:
Response to
Public
Records
Denial
and
Misapplication
of R.C.
149.43
(A)(1)(
v)

External sender
<a4xbeaverman@yahoo.com>

Make sure you trust this sender before taking any actions.

Aaron Christopher Knapp, LSW, CDCA, BSSW
4220
Talbot Lane
Lorain, OH
44055
Email: a4xbeaverman@yahoo.com

July 13, 2025

Joseph T. LaVeck, Esq.
Assistant Law Director & Police Legal Advisor
City of

Lorain
200 W.
Erie
Avenue
, 3rd
Floor
Lorain,
Ohio
44052
Email:
joseph.laveck@cityoflorain.org

**RE:
Response to
Public
Records
Denial
and
Misapp
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of R.C.
149.43(
A)(1)(v)**

Dear
Attorne
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Thank
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July 24,
2023
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Marriage & Family Therapist Board by a member of the Lorain Police Department. I respectfully submit this written reply to clarify the applicable legal standards and to dispute your cited basis for denial.

You state that *"even if there was a complaint made or information provided by a City of Lorain employee to 'the Board,' any complaint or information provided would*

be
confidential
and
therefore not a
public record,"
citing
R.C.
149.43(A)(1)(v)
and
R.C.
4757.3
8(B)(1).
However,
your
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misapplies
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by
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the
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Under Ohio's Public Records Act, a "public record" includes any document, regardless of format, ***that is created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions,***

which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.”
R.C. 149.011(G); see also R.C. 149.43(A)(1).

It is well-settled that emails sent from city-owned computers or email accounts, relating to public business, are public records. See State ex rel. Wilson-Simmons v. Lake Cty. Sheriff

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82 Ohio
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2. The Confidentiality of the

**Board's
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You cite R.C. 4757.38(B)(1), which indeed prohibits the Social Work Board from disclosing complaints or investigative records. However, this statute applies only to the Board. It does not prohibit the originating agency from disclosing the same docum

ent.
There
is no
language in
R.C.
4757.38 that
extends this
confidentiality
mandate to
third-party
public
offices
like the
City of
Lorain.
As the
Ohio
Attorney
General's
*Sunshine
Laws
Manual*
explains, an
exception to
the
Public
Records Act
must
be
"explicit," and
cannot
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another
agency's
rules
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duties.

Moreover, the
Supreme Court
of Ohio

has been clear that a public record does not become confidential simply because it was later transferred to another agency with stricter disclosure laws. See *State ex rel. Findlay Publishing Co. v. Hancock Cty. Bd. of Comm'rs*, 80 Ohio St.3d 134 (1997).

**3.
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statute here. Again, R.C. 4757.3 8(B)(1) governs the Board —not your office, not the police department.

Unless you can cite an actual statute that forbids the City of Lorain from releasing an email authored and sent by one of its employees from city servers, the record remains a public record and must be disclosed.

4. Public Accountability Dem

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nt a public agency, it absolutely qualifies as a matter of public interest, accountability, and transparency. It raises significant ethical and administrative questions if a city employee falsely represented the agency to an outside licensing body, and the public has a right to inspect such correspondence.

5. Next Steps

I remain committed to resolving this

matter cooperatively. However, if your office continues to deny this request without proper statutory justification, I will proceed with a formal complaint to the Ohio Court of Claims under R.C. 2743.75. Additionally, I will consider filing a whistleblower retaliation claim based on the retaliatory nature of the original complaint and the City's subsequent actions affecting my employment and

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Respectfully,

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

**Aaron
Christopher
Knapp,
BSSW,
LSW,
CDCA**

**NASW
Member
r
ID: 886
836612**

**NOTICE: THIS
ELECTRONIC
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CONTAINS
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BE
CONFIDENTIAL OR
PRIVILEGED.
THE
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<Aaron Knapp Public Records Request - Social
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<Aaron Knapp Public Records Request - Social Workers Board Emails -
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