



Ohio Auditor of State Special Investigations Unit



Report of Interview

Case Number	2023-CA13751	Case Name	City of Lorain
Date of Interview	10-5-2023	Individual Interviewed	Police Chief James McCann
Interview Location	200 W. Erie Ave.	Individuals Present	Investigator Greg Kopniske
	Lorain, OH 44052		Auditor Cara Yoder
	Lorain City Hall		Asst. Law Direct. Don Zaleski
			Asst. Law Direct. Joseph LaVeck
			Law Director Pat Riley

October 5, 2023

Forensic Audit Manager (FAM) Cara Yoder and I interviewed Lorain City Police Chief James McCann (McCann). Also present during the interview were Lorain City Law Director Pat Riley, Assistant Law Director Don Zaleski, and Assistant Law Director Joseph LaVeck. I advised that I wanted to record the interview and McCann stated no. When asked why he didn't want the interview recorded he replied because that's the way I want to do it. Below is a summary of the interview, based on handwritten notes taken during the interview. It is not intended to be a verbatim account and does not memorialize all statements made during the interview.

I told the Chief the reason for the interview was regarding a complaint about some police department employees receiving higher pay (HPP) when he was not working.

McCann stated that he is in a salaried position as Chief. He further stated that he does not have a set schedule/shift, but he works at least 40 hours a week (he stated usually 70-80 hours in a week), generally Monday-Thursday, and he is always on call.

He also said that he has two Captains directly under him (one is called an executive Captain) and they would receive HPP if he was not available to work (for example, if he was out of town). He said no one would get HPP only because he was off, they would only get it if he was not able to respond.

McCann said they do use the Telestaff system to manage schedules, requests for time off, overtime, etc. He stated that they use New World System as their audit system. HPP is entered as it occurs, and McCann or his staff lieutenant (with McCann's verbal okay) would approve it. He said that for his schedule in the Telestaff system, unless he used paid time off his hours would reflect four ten-hour days every week regardless of the actual hours he worked since he is a salaried employee, and his pay is not dependent on the number of hours worked.

At this point in the interview, McCann became angry regarding Karen Shawver (Lorain City Auditor) whom he believed made the complaint against him. He made the comment that they (police department) had done investigations about Karen and her family.

McCann was then informed of another complaint regarding him being in Florida on vacation when an officer shooting of a dog occurred on June 2, 2023, and McCann putting in for regular pay instead of using vacation time for that time.

The first question asked of McCann was did he remember when the shooting incident occurred. He replied that he did not remember, adding that his payroll was accurate for the time in question, and that you (auditor's office) do what you have to do. He then asked if we were auditors or investigators and we replied both. He said when all of this is done everything is public record, and he will make a request.

At this point, Assistant Law Director Zaleski stated that we did not know the pressure McCann was under, dealing with the dog shooting incident and the fall out from that, in addition to other crime happening in the city. Law Director Riley made the comment that the law department has a great reputation not only in the state but in the country. He added that this was unbecoming, an insult to the core of the people. He also said the incident wasn't just local, but it was international, Australia had reported on the dog shooting.

All parties were asked if they had any documentation showing the Chief worked 40 hours. Mr. Riley said he had spent personal time with McCann to manage the situation, adding that now the city was under attack from dog lovers. Mr. Zaleski also said he had phone calls with the McCann during the time of the incident. McCann showed his cell phone calendar with times/dates listed he spent dealing with the situation while he was in Florida. He was asked to provide a copy of the calendar, and he said he would do so once he removed other personal info from his calendar.

McCann then asked Law Director Riley who has the authority to decide if he (McCann) is required to work, and Mr. Riley stated you do. You decide if you have to become operational, even if you are on vacation.

Nothing further at this time.

Investigator Greg Kopniske
FAM Cara Yoder