

Outlook

Fw: Submission for Council Record and Agenda – Request for Oversight

From: Springowski, Mary <Mary_Springowski@cityoflorain.org>

Date: Mon 9/8/2025 1:51 PM

2 attachments (842 KB)

LETTER TO THE RECORD.pdf, FORMAL REQUEST FOR AGENDA ITEM AND INVESTIGATION.pdf

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From: Aaron Knapp <a4xbeaverman@yahoo.com>

Sent: Monday, September 8, 2025 1:42:44 PM

To: City Council Mail Group <CityCouncilMailGroup@cityoflorain.org>; Anthony Nici <anici@loraincountysheriff.com>; Arroyo, Angel <Angel_Arroyo@cityoflorain.org>; Dull, Breanna <Breanna_Dull@cityoflorain.org>; LaVeck, Joseph <Joseph_LaVeck@cityoflorain.org>; Riley, Patrick <Patrick_Riley@cityoflorain.org>; Tony Cillo <tony.cillo@lcprosecutor.org>; Failing, Mike <Mike_Failing@cityoflorain.org>; Sheriff Jack Hall <jhall@loraincountysheriff.com>; Springowski, Mary <Mary_Springowski@cityoflorain.org>

Cc: Robert J. Gargasz <rjgargasz@gmail.com>; Mike Mason <mike.mason@woio.com>; Garon Petty <onetung2014@gmail.com>; Lorain Daily <erik@loraindaily.com>; Cleveland Scene <news@clevescene.com>; Noelle Williams <noelle.williams@woio.com>; Bradley, Jack <Jack_Bradley@cityoflorain.org>; Fox 8 <tips@fox8.com>; Carrion, Rey <Rey_Carrion@cityoflorain.org>; Brian Ames <bmames00@gmail.com>; Morris, Jacob <Jacob_Morris@cityoflorain.org>; Mike Massie <mmassie@lcdtf.com>; State of Ohio <ethics@ethics.ohio.gov>

Subject: Submission for Council Record and Agenda – Request for Oversight

External sender <a4xbeaverman@yahoo.com>

Make sure you trust this sender before taking any actions.

Dear Clerk Dull,

Please accept the attached documents for inclusion in the official record of the Lorain City Council and for placement on the next available council agenda:

1. **Letter to the Record** – to be read aloud in full and entered into the minutes.
2. **Formal Request for Agenda Item and Investigation** – seeking council oversight, evidence preservation, and referral for prosecutorial review.

These filings address ongoing retaliation and misuse of public office by Councilwoman Mary Springowski, including the unlawful forwarding of my private email to Tia Hilton without a records request, and her subsequent circulation of a



Riley, and the Sheriff's Office (Legal Affairs)

Respectfully,

Aaron C. Knapp
LSW, BSSW
4220 Talbot Ln
Lorain, OH 44055
a4xbeaverman@yahoo.com
Editor, *Lorain Politics Unplugged*

Aaron Christopher Knapp, BSSW, LSW
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LETTER TO THE RECORD

To Be Entered into the Minutes of Lorain City Council

Date: September 8th, 2025

From:

Aaron C. Knapp, LSW, BSSW

4220 Talbot Ln

Lorain, Ohio 44055

Email: a4xcaverman@yahoo.com

To:

Lorain City Council

Attn: Breanna Dull, Clerk of Council

200 West Erie Avenue

Lorain, OH 44052

Re: Response to September 6, 2025 Circulated Email - Request for Council Action

Councilwoman Springowski, Councilman Arroyo, Law Director LaVeck, Prosecutor Riley, members of the Lorain County Sheriff's Office, and Clerk Dull,

On September 6, 2025, Councilwoman Springowski circulated an email alleging that in my video I "plan to confront her in public." That message was forwarded to the Law Director, the Prosecutor's Office, the Sheriff's Office, and others. Because the email was distributed widely, I place this response in the public record and address each recipient directly.

As a constituent, my rights are guaranteed by **R.C. 121.22, the Ohio Open Meetings Act**, which ensures that the public may attend, observe, and participate in council proceedings, and by the **First Amendment to the United States Constitution**, which protects the right to petition government and engage in political speech. Attending meetings and addressing my representatives is not a threat; it is the essence of representative government.

Nothing in my video was threatening. I have never spoken to Councilwoman Springowski at a council meeting. To mischaracterize my video as a threat is to weaponize my speech against me. This is not an isolated incident. **Councilwoman Springowski participated in retaliatory tactics directed at me in the prior Hilton matter, where she forwarded my personal email directly to Tim Hilton outside of any public records request and without lawful redaction, despite Hilton having an active Civil Protection Order against me. That disclosure was improper and dangerous.**

For the record, the video that Councilwoman Springowski now cites as proof of a "threat" was made in response to that misconduct. My statement that I would "confront" her was not a threat of violence or any unlawful act. It was a declaration that I intended to hold her publicly accountable through lawful civic means. The attempt to twist that statement into a criminal accusation is nothing more than an effort to criminalize protected speech. Courts have repeatedly held that such retaliation is unlawful. See *Norwell v. Cincinnati*, 414 U.S. 14 (1973); *City of Houston v. Hill*, 482 U.S. 451 (1987).

The current circulation of my video to prosecutorial and law enforcement offices follows the same retaliatory playbook. I now state for the record that these coordinated efforts constitute harassment and retaliation. Councilwoman Springowski is falsely reporting to law enforcement that I am threatening her, and enough is enough. Such false accusations not only chill my constitutional rights but also amount to defamation, as they falsely impute criminal conduct to me in communications with third parties.

Retaliation by public officials is unlawful. Under Ohio law, a public servant who, under color of office, knowingly deprives a person of rights protected by the Constitution or laws of Ohio may be guilty of a crime (see R.C. 2921.45, Interference with Civil Rights). In addition to criminal exposure, such conduct may give rise to civil liability under 42 U.S.C. § 1983 and Ohio tort law, including defamation. Because the conduct at issue here has already occurred, I demand that all relevant communications, records, and metadata be preserved immediately, that the Clerk of Council and Law Director notify the appropriate prosecutorial authority to review these actions, and that Council open a formal oversight inquiry without delay. Failure to preserve evidence or to refer this matter for review will itself be noted in any future legal or administrative filing.

Councilman Arroyo, as my Ward representative, I remind you that I first asked you to represent me and take action when Councilwoman Springowski improperly forwarded my private email to Hilton without a records request and without redaction. You did not respond. I now renew that request in light of this new misconduct. You have a statutory duty under R.C. 731.05 to act as legislator for the City of Lorain and under R.C. 731.10 to exercise oversight of municipal officers and ensure that the business of council is conducted lawfully and openly. This duty is not ceremonial. It requires you to protect the public's right to attend, observe, and speak at council meetings under R.C. 121.22, and to intervene when other public officials attempt to chill or suppress those rights.

I now renew my demand that you place this matter on the council agenda for formal discussion and oversight. The forwarding of my video to law enforcement and prosecutors under the pretense that it constitutes a threat is not only a misuse of public office and resources but also a potential violation of R.C. 2921.45 (Interference with Civil Rights).

When a councilmember recasts peaceful civic engagement as a criminal threat and circulates that narrative to law enforcement, it undermines the very statutory guarantees you are duty-bound to uphold. The United States Supreme Court has made clear that such tactics violate the Constitution. In *Norwell v. City of Cincinnati*, 414 U.S. 14 (1973), the Court held that a citizen may not be punished merely for "non-provocatively voicing his objection" to government action.

In *City of Houston v. Hill*, 482 U.S. 451 (1987), the Court struck down an ordinance criminalizing verbal challenges to police, emphasizing that the First Amendment protects “a significant amount of verbal criticism and challenge directed at police officers.” In *Nieves v. Bartlett*, 587 U.S. ___ (2019), the Court reaffirmed that retaliation against lawful expressive conduct—even when officials claim to perceive it as hostile—is impermissible.

Ohio courts have likewise recognized that the Open Meetings Act must be liberally construed in favor of openness and participation. In *State ex rel. White v. Cleveland*, 125 Ohio St.3d 526 (2010), the Ohio Supreme Court stressed that transparency and public participation are fundamental obligations of government. In *State ex rel. Fairfield Leader v. Ricketts*, 56 Ohio St.2d 97 (1978), the Court held that public officials may not conduct business in a manner that deters or excludes citizens. These rulings reinforce that the law presumes in favor of citizen participation—not suppression.


Your failure to investigate or respond compounds the problem. As my Ward representative, you are obligated to ensure that public resources are not weaponized against constituents and that council business is not conducted in a retaliatory or exclusionary manner. Allowing false accusations of threats to stand unchallenged violates both constitutional precedent and statutory duty under R.C. 731.05, R.C. 731.10, and R.C. 121.22.

I will continue to attend and participate in council meetings peacefully, lawfully, and within my constitutional rights. Continued attempts to classify or prosecute my protected speech as criminal conduct will be treated as retaliatory actions. Such conduct will be documented and may give rise to claims under both Ohio and federal law.

Let the record reflect that I expressly reserve all rights under R.C. 149.43, the Ohio Public Records Act, and under 42 U.S.C. § 1983, the federal civil rights statute, to pursue remedies if my speech and participation are further mischaracterized or if public officials, acting under color of law, retaliate against me for exercising my rights.

Respectfully submitted,

Aaron C. Knapp
LSW, BSSW
Editor, *Lorain Politics Unplugged*

X  Aaron C. Knapp

CC for Record:
Councilwoman Mary Springowski
Councilman Angel Arroyo
Clerk of Council Breanna Dull
Law Director Joseph LaVeck
Prosecutor Patrick Riley
Lorain County Sheriff's Office (Legal Affairs, Tony Nitti)

Legal Citations for Record:

R.C. 121.22; R.C. 731.05; R.C. 731.10; R.C. 2921.45; R.C. 149.43; U.S. Const. Amend. I, 42 U.S.C. § 1983; *Norwell v. Cincinnati*, 414 U.S. 14 (1973); *City of Houston v. Hill*, 482 U.S. 451 (1987); *Nieves v. Bartlett*, 587 U.S. ____ (2019); *State ex rel. White v. Cleveland*, 125 Ohio St.3d 526 (2010); *State ex rel. Fairfield Leader v. Ricketts*, 56 Ohio St.2d 97 (1978)

FORMAL REQUEST FOR AGENDA ITEM AND INVESTIGATION

CITY OF LORAIN COUNCIL

Submitted by:

Aaron C. Knapp, LSW, BSSW

4220 Talbot Ln

Lorain, Ohio 44055

Email: a4xbeaverman@yahoo.com

Date: September 8th, 2025

Re: Request for Council Oversight – Misuse of Public Office, Harassment, Retaliation, and Conflict of Interest

Pursuant to **R.C. 731.05** and **R.C. 731.10**, which vest legislative authority and oversight responsibility in council members, and **R.C. 121.22 (Ohio Open Meetings Act)**, which guarantees public participation and transparency, I respectfully request that Lorain City Council place on its next agenda a discussion and investigation into Councilwoman Mary Springowski's conduct.

The authority of city council members is not ceremonial. As the Ohio Supreme Court has held, municipal legislators are entrusted with both legislative and oversight duties to ensure that government operations are lawful, transparent, and protective of citizen rights. See *State ex rel. White v. Cleveland*, 125 Ohio St.3d 526 (2010). This duty includes preventing retaliation and misuse of public office against constituents.

First, Councilwoman Springowski previously forwarded my private email directly to Tia Hilton without a lawful public records request and without required redaction, despite Hilton having an active Civil Protection Order against me. Such conduct violated not only the **Ohio Public Records Act (R.C. 149.43)**, which prescribes procedures and exemptions for disclosure, but also **Lorain Codified Ordinance 109.02**, which incorporates state public records obligations into municipal practice.

Second, on September 6, 2025, Councilwoman Springowski circulated an email alleging that I "plan to confront her in public," which she forwarded to the Law Director, the Prosecutor's Office, and the Sheriff's Office. This was an effort to recast my protected speech as a criminal threat, when in fact my statement was a declaration of intent to hold her publicly accountable through lawful civic means.

Legal Standards on “True Threats”

It is essential for Council to recognize that my statement does not meet the constitutional definition of a true threat. The United States Supreme Court has long held that only *true threats* fall outside the First Amendment.

- In *Watts v. United States*, 394 U.S. 705 (1969), the Court ruled that a citizen’s statement about “getting [the President] in my sights” was political hyperbole, not a threat, because context showed no serious intent to commit violence.
- In *Virginia v. Black*, 538 U.S. 343 (2003), the Court defined a true threat as a statement where the speaker means to communicate a serious expression of intent to commit unlawful violence.
- In *Elonis v. United States*, 575 U.S. 723 (2015), the Court overturned a conviction for alleged threats posted on Facebook because prosecutors failed to prove the defendant’s subjective intent that his words be taken as a threat.
- In *Counterman v. Colorado*, 600 U.S. ___ (2023), the Court clarified that the First Amendment requires proof that the speaker acted with at least recklessness—consciously disregarding a substantial risk that their words would be taken as a threat.

Ohio courts follow the same principle. See *State v. Smith*, 126 Ohio St.3d 108 (2010) (context and intent are essential), and *State v. Hoffman*, 57 Ohio St.2d 129 (1979) (mere angry words do not constitute threats).

Context of My Statement

For further clarity, my statement that I would “confront” a councilmember referred to the same kind of civic engagement I exercised when I confronted former Council President Joel Arredondo after a public meeting in City Hall. The City Council chamber and its adjoining lobby are the only true public forums where residents may directly address their representatives outside of the limited public comment period. Courts have long held that speech in such public forums receives the strongest First Amendment protection. See *Perry Educ. Ass’n v. Perry Local Educators’ Ass’n*, 460 U.S. 37 (1983); *United States v. Grace*, 461 U.S. 171 (1983).

When I used the word “confront,” I meant engaging a councilmember in this civic, nonviolent, and constitutionally protected manner. To treat such conduct as a “threat” is to criminalize ordinary constituent participation in its only available forum.

Retaliation and Liability

These actions constitute harassment and retaliation. They implicate R.C. 2921.45 (**Interference with Civil Rights**), which makes it a criminal offense for a public servant, under color of office, to knowingly deprive any person of rights secured by law. They further expose the City of Lorain to civil liability under 42 U.S.C. § 1983, which provides a federal cause of action for retaliation against First Amendment activity. In addition, to the extent Councilwoman Springowski’s statements falsely impute criminal conduct to me, they amount to **defamation per se** under Ohio law.

Because retaliation has already occurred, I demand that:

1. **All related records, emails, texts, and metadata** be preserved immediately in compliance with both state law and **Lorain Codified Ordinance 109.01 (Records Commission)**, which requires the retention of public records.
2. **The Clerk of Council and the Law Director** notify the appropriate prosecutorial authority for criminal review of potential violations of **R.C. 2921.45** and related statutes.
3. **Lorain City Council** exercise its oversight authority under **R.C. 731.05** to hold a formal inquiry and ensure that the misuse of office, retaliation, and harassment of constituents does not continue.

Duty to Recuse

Because this matter involves Councilwoman Mary Springowski's own conduct, she has a clear conflict of interest and must not participate in any deliberations or votes concerning this request. Under **Ohio Ethics Law, R.C. 102.03(D) and (E)**, no public official may use or authorize the use of their office to secure an improper benefit for themselves or to influence matters where their personal conduct is under review. Further, **Lorain Codified Ordinance 159.01 et seq. (Ethics and Conduct)** prohibits councilmembers from participating in decisions in which they have a direct personal interest.

Accordingly, I demand that Councilwoman Springowski recuse herself entirely from any consideration of this matter and that her recusal be formally noted in the minutes.

Failure to preserve evidence, notify the proper prosecutorial authority, or ensure recusal will itself be noted in the public record and may be raised in future administrative, civil, or criminal proceedings.

Respectfully submitted,

Aaron C. Knapp
LSW, BSSW
Editor, *Lorain Politics Unplugged*

X 

Aaron C. Knapp LSW, BSSW

Disclosures

I certify that the statements herein are true and accurate to the best of my knowledge and belief, based on contemporaneous records and publicly available information. If requested, I am willing to provide a sworn affidavit or notarized statement to the same effect.

I understand this submission is a public record under R.C. 149.43. Any personal identifiers included are provided knowingly for the purpose of official notice and government action. I request that any statutorily exempt information be handled consistent with applicable exemptions and redaction duties.

This filing constitutes a formal request that the City of Lorain, the Clerk of Council, the Law Director, the Prosecutor's Office, and the Lorain County Sheriff's Office preserve all documents, emails, texts, messages, voicemails, body-worn or in-car video, meeting recordings, and related metadata relevant to the matters described herein, pending review and resolution.

Please acknowledge receipt of this filing and confirm placement on the next available council agenda for discussion and oversight. If additional formatting or a separate cover sheet is required, please advise immediately.

Nothing in this submission waives any right or remedy available to me under Ohio or federal law, including but not limited to R.C. 149.43, R.C. 2921.45, and 42 U.S.C. § 1983, nor any claim for defamation or other torts arising from false statements impugning criminal conduct.

CC – Delivered via Email

Councilwoman Mary Springowski – mary_springowski@cityoflorain.org

Councilman Angel Arroyo – Angel_arroyo@cityoflorain.org

Clerk of Council Breanna Dull – breanna_dull@cityoflorain.org

Asst Law Director Joseph LaVeck – joseph_laveck@cityoflorain.org

Law Director Patrick Riley – patrick_riley@cityoflorain.org

Lorain County Sheriff's Office (Legal Affairs, Tony Nici) – tnici@loraincountysheriff.com