

The City of Lorain, Ohio

Department of Law

Patrick D. Riley

Law Director



May 23, 2023

Office of the Mayor
Lorain City Council
200 West Erie Avenue
Lorain, Ohio 44052

CIVIL DIVISION

Donald M. Zaleski
Asst. Law Director

Joseph T. LaVeck
Asst. Law Director &
Police Legal Advisor

Kenneth R. Resar
Asst. Law Director

Joseph H. Pritchard
Asst. Law Director &
Contract Admin.

CRIMINAL DIVISION

Mallory J. Santiago
Prosecutor

Rocky R. Radeff
Prosecutor

Re: 2022 Report of Law Director and
2021/2022 VOCA Grant Summary

Dear City Officials:

Please consider this correspondence as the 2022 Report of the Law Director and 2021/2022 VOCA Grant Summary ("Report"). The reports address the work performed by the Law Director's Civil & Criminal Divisions, the structure and administration of the Law Director's Office, its budget performance and the performance of the Victim Advocate Program. The Victim Advocate Program operated for funding cycle October 1, 2021 to September 30, 2022. Please review this Report and direct any questions regarding same to the undersigned.

The Criminal Division

In 2022, the Lorain City Prosecutors Office was staffed with two full-time prosecutors, two full-time and one part-time administrative staff member and two full-time Victim Advocates. In 2022, the Lorain City Prosecutors Office handled 12,064 cases including misdemeanors and felonies. As you are aware, the workload of the three administrative staff members included the operations of the Victim Advocate Program, as part of the City's "in-kind" contribution required of VOCA Grant recipients. The number and nature of the cases are listed in Exhibit A hereto.

For work performed by the Victim Advocates in funding year 2021/2022, the Lorain Law Directors Office again applied for and was awarded a Victim of Crime Act (VOCA) Grant for continued operation of the Victim Advocate Program for the grant funding cycle commencing October 1, 2021 through September 30, 2022. The grant funding amount for the funding cycle was \$51,474.00.

In 2022, Attorney Mallory Santiago was the Chief Prosecutor and managing attorney assigned to the Lorain City Prosecutors Office. Rocky Radeff was the other full-time Prosecutor in the Lorain Prosecutors Office. Assistant Law Directors Donald Zaleski, Joseph LaVeck and Joseph Pritchard, assisted with the prosecutions. Attorney Santiago's duties as managing attorney included supervision of administrative staff, coordination of personnel scheduling, liaison to the municipal court judges and oversight of the municipal court technology systems. She reviewed and recommended approval of all scheduling including vacations and sick leave. She recommended all employee-related actions.

The Lorain City Prosecutors Office represents the State of Ohio and City of Lorain in the prosecution of criminal and traffic law violations which occur within the territorial jurisdiction of the City of Lorain. The prosecutors work with the officers of the Lorain Police Department and Ohio State Patrol to determine appropriate charges and present cases to the presiding judges.

Attorney Santiago also supervised the Victim Advocate Program. Attorney Rocky Radeff acted as the prosecutor for the Lorain Housing Court in addition to his daily duties as a City Prosecutor.

With respect to the work performed by the Lorain City Prosecutors Office in 2022, you will find enclosed schedules quantifying the number of cases handled by the Prosecutors and staff in 2022, a total of 12,064 cases.

The Civil Division

In 2022, the Civil Division of the Lorain Law Directors Office was manned by four Civil Assistants. Attorney Donald M. Zaleski, Attorney Joseph LaVeck and Attorney Kenneth Resar were fully dedicated to the Civil Division, although, when necessary Attorney Zaleski and Attorney LaVeck covered cases for the Lorain City Prosecutors Office.

In 2022, Attorney Joseph Pritchard acted as the Lorain Contract Administrator primarily and assisted the Civil Division with legal services. His responsibilities included the review of all city contract procedures including the bidding process, the assembly of all contract documents and the execution and delivery of related documents. Legal review of all documents is also provided by Attorney Pritchard. Attorney Pritchard also provided legal service to the Civil Division of the Law Directors Office.

The Civil Division attorneys were required to maintain set office hours but were expected to devote as much work time as required to complete their assigned work. The Civil Division attorneys are salaried personnel and work as many hours as needed, in addition to their set office hours, to meet the City's

need for legal service. Each Civil Division assistant is assigned specific City departments.

Importantly, the Civil Division maintained its increased role as lead litigation counsel for civil actions filed by and against the City of Lorain in 2022. Over time, the Lorain Law Directors Office has substantially reduced the City's reliance on outside special counsel. In 2022, the Civil Division continued in its role as lead counsel by undertaking responsibility for defending civil rights violation claims, personal injury cases filed against the City, employment-related claims and land-related claims (zoning code enforcement, appropriation and flooding). Attorney LaVeck also continues to work as the Lorain Police Department Legal Advisor (PLA) providing daily legal service to the Lorain Police Department.

The Lorain Law Department has established a good working relationship with Public Employees Risk Consortium (PERC) and its contract claims administrator, Gallagher Bassett. In 2022, a coordinated effort was made by the Lorain Law Directors Office, the City Risk Manager (Rick Soto) and PERC/Gallagher Bassett to evaluate claims against the City and resolve or defend against such claims based upon evaluations prepared by the Law Department.

At the close of 2022, the Civil Division of the Lorain Law Directors Office was actively engaged in representing the City in many judicial and administrative proceedings. You will find enclosed a 2022 Litigation Summary of cases for the period of May 1, 2022 to April 20, 2023.

Finally, the Civil Division of the Lorain Law Directors Office also performed the daily task of providing legal advice, contract review and preparation as well as ordinance preparation for the City's elected officials, City departments, City Council, administrative managers and judicial officers.

The administrative staff in the Law Directors Office, Civil Division, consisted of two (2) staffers including the office manager. The workload placed upon the two staffers in the Civil Division included all office management functions, administrative assistance to our lawyers and preparation of all pleadings for the Housing Court and Tax Court and administrative service to the Contract Administrator. These two staffers performed well in light of the demands made of them by the professional staff.


In 2022, the Lorain Law Department continued its Legal Intern Program. A Cleveland State University Law School student was identified in 2022 and commenced his work in early 2023. His role as Intern is valuable to him as he works to become a lawyer and, as has been the case with the Intern Program, valuable to the City by adding additional capacity in the Law Department.

Law Department Budget Performance

According to the analysis of the Lorain City Auditor, the Lorain Law Department performed *within budget* for the calendar year 2022.

Please feel free to contact the undersigned with any questions.

Respectfully submitted,


Patrick D. Riley
Director of Law
City of Lorain, Ohio

PDR/mtb
Enclosures
cc: Karen A. Shawver, Auditor

SCHEDULE OF CASES FOR 2022

TRAFFIC	6,422
MISDEMEANOR	4,185
FELONY	1,100
OMVI	349
PARKING TICKETS	<u>8</u>
TOTAL:	12,064

*PARKING TICKETS ARE NOT DISCERNABLE FROM REGULAR TRAFFIC CITATIONS AND THEREFORE MOST ARE INCLUDED IN THE OTHER TRAFFIC CATEGORY