

Records Custodian,

Pursuant to the Ohio Public Records Act, Ohio Revised Code Section 149.43, I request copies of the public records described below. This request is written to be specific, tethered to discrete government activities, and structured to avoid any claim that it seeks broad categories of records or a complete duplication of department files. If the City contends otherwise, then the City must comply with the statutory assistance obligation in R.C. 149.43(B)(2) as described in Track Two below.

This request seeks existing records only. It does not ask the City to create a new record, to answer interrogatories, or to reconfigure any software or electronic system.

### **Narrow Factual Predicate Based on Existing City Record**

This request is prompted by a specific statement already contained in City correspondence and previously produced records. On **May 19, 2024**, in an email from **Rey Carrion Rey\_Carrion@cityoflorain.org** to **Mary Springowski**, Mr. Carrion wrote, verbatim:

**“We are working on a legal pathway to deal with Mr. Knapp (aka George Patton) and his numerous complaints, attacks, and continued harassment.”**

This request relies on that exact language. The phrase **“working on a legal pathway”** and **“to deal with”** necessarily implies deliberation, discussion, coordination, or evaluation beyond the single quoted email. Under Ohio law, where a public official acknowledges an ongoing process or course of action, the records documenting that process are public records subject to disclosure unless a specific statutory exemption applies.

Accordingly, the requests below are not speculative and are not exploratory. They seek records that must already exist if the quoted statement was accurate when made.

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### **Track One: The Records I Am Requesting**

#### **1. Records reflecting discussion of a “legal pathway” or strategy to “deal with” me**

I request all records, including emails, text messages, internal messages, memos, notes, attachments, and forwarded content, that reflect any discussion, evaluation, planning, or decision making about a **“legal pathway”** to **“deal with”** me, or any similar phrasing, including any framing of me as **“harassment,” “complaints,” “attacks,” “unfounded attacks,” “vexatious,”** or similar terminology.

This item includes, without limitation, any records containing any of the following keywords or near variants: **“legal pathway,” “deal with,” “harassment,” “complaints,” “attacks,” “unfounded,” “vexatious,” “Patton,” “George Patton,” “Knapp,” “Aaron Knapp.”**

This item also includes any responsive communications that were forwarded to or from other public officials, including members of City Council, the Mayor, the Law Department, the Police Department, or any outside counsel, to the extent the records are kept by the City or any City office.

## **2. Records reflecting any investigations, inquiries, referrals, or dispositions under either name**

I request all records that document the opening, closing, decline, referral, or disposition of any inquiry, complaint, investigation, or review referencing me under either name, including “**Aaron Knapp**” and “**George Patton**” (and any near variants), including any administrative notes or routing records that show how the City categorized the matter and what outcome occurred.

This includes any records that reflect a decision that an investigation was “closed,” “declined,” “no action,” “unfounded,” “not pursued,” “referred,” “administratively closed,” or similar disposition language, and any records reflecting the basis for that disposition that are already memorialized in existing documents.

## **3. Records documenting the decision and process to disclose investigative materials I submitted to the City to a private citizen**

I request all records documenting the decision, authorization, method, and scope of any disclosure by Councilmember Mary Springowski, or by any other City official or employee, of investigative materials I submitted to the City, to any **private citizen** or non City recipient, including records showing:

The identity of the recipient, including name and email address if available in the record.

What was disclosed, including whether attachments were forwarded, reattached, printed, scanned, or otherwise transmitted.

Whether any redaction review was performed, and if so, who made the redaction decision and what standard was applied.

Any direction, instruction, approval, or consultation with the Law Department or any attorney regarding that disclosure.

Any internal discussion about whether the disclosure was appropriate, whether consent was obtained, or whether the disclosure was outside the ordinary course of public records handling.

This item includes any emails or messages that attach or forward the materials themselves, and any records that describe the disclosure decision.

## **4. Records responsive to “no records exist” positions previously asserted**

To the extent the City has issued any prior “no records” response to requests that overlap with the subject matter above, I request all records that show what search was performed and what

repositories and custodians were searched, including any internal correspondence about how to respond to the request, search parameters used, and decisions about scope, redactions, exemptions, or denials.

This item does not ask the City to create a litigation affidavit. It requests the existing records that reflect how the City handled the request and formed the response.

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## **Custodians and Where to Search**

### **Known participants whose accounts and repositories must be searched**

To narrow this request and eliminate excuses, the City should search the accounts and repositories of the individuals already known to have participated in, received, or been copied on relevant communications. Based on records already produced and described, known participants include at least the following:

Mary Springowski, Lorain City Council.

Rey Carrion, City of Lorain.

James McCann, Chief of Police.

Carlie Falbo (as reflected in the produced email headers).

Joseph Koziura (as reflected in the produced email headers).

Any Law Department attorney or staff member who was included in communications concerning responses, strategy, restrictions, “legal pathway,” or disclosure decisions, including any person using a City of Lorain law department email address in the relevant threads.

This is not an exclusive list. It is a minimum list based on known participation.

### **Timeframe that is narrow and tied to known records, not a fishing expedition**

Timeframe for this request is limited to the period beginning **30 days before May 17, 2023** and continuing through **30 days after May 19, 2024**, because those dates are already reflected in communications using the terms and subject matter described above. If the City contends that a shorter or slightly different window is required to capture the complete chain, the City must comply with R.C. 149.43(B)(2) and explain how records are maintained and accessed so that I can revise, rather than issuing a blanket denial.

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## **Format and Production Instructions**

I request all responsive records in their existing electronic format. If a record exists as an email with attachments, please provide the email and attachments in the form they are kept. If a record

exists as a text message or screenshot retained by a City official for City business, please provide it in the form kept. If a record exists as a PDF, provide it as a PDF.

If any portion of a record is exempt, please redact only the exempt portion and release the remainder, and for each denial or redaction cite the specific statutory exemption relied upon.

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### **Track Two: Alternative Statutory Assistance Demand If You Claim “Overbroad” or “Unclear”**

If the City asserts that any part of this request is “overly broad,” “unclear,” “burdensome,” or “not reasonably identifiable,” then under R.C. 149.43(B)(2) the City must provide the required assistance, in writing, including:

A description of how the requested records are maintained and accessed in the ordinary course, including what repositories are used for City business communications, including any email archives, retention systems, message platforms, or departmental file structures.

Identification of which custodians or categories of custodians are most likely to possess the requested records, and what ordinary search methods the City uses to locate records of this type.

A clear explanation of what narrowing would make the request reasonably identifiable, including proposed custodian lists, date windows, or subject matter anchors, rather than a blanket refusal.

This request is intentionally structured to avoid the “complete duplication” problem addressed in *State ex rel. Zidonis v. Columbus State Community College*, 133 Ohio St.3d 122, 2012-Ohio-4228, and related precedent. It does not ask the City to reorganize its systems or create new search tools. It does, however, demand statutory compliance if the City attempts to invoke overbreadth.

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### **Timeline, Confirmation, and “No Records” Requirements**

Please confirm receipt of this request. Please provide an estimated timeline for production as contemplated by R.C. 149.43(B)(1). If significant delay is expected, please explain why and provide a written timeline.

If the City claims “no responsive records exist” for any item, then the City must identify, in writing, which custodians were searched, which repositories were searched, what date range was searched, and what search terms or retrieval methods were used. A conclusory “no records” response is not adequate where the existence of related records has already been demonstrated by prior communications and production.

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## Closing

Thank you for your prompt attention to this matter. Please provide the responsive records by email in electronic form.

Respectfully,

A handwritten signature in black ink, consisting of the letters 'AK' inside a circular flourish.

1/17/2025

**Aaron Christopher Knapp, BSSW, LSW**

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Licensed Social Worker (LSW)

Public Records Litigant & Research Analyst