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Press Release
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**JOINT PRESS RELEASE: OHIO ETHICS COMMISSION AND LORAIN COUNTY
PROSECUTOR**

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FOR IMMEDIATE RELEASE:

**ETHICS COMMISSION REPRIMANDS LORAIN CITY MAYOR, WARNS
AGAINST POTENTIAL FUTURE CONFLICTS**

The Lorain County Prosecutor announced today that the Ohio Ethics Commission has completed and closed its investigation into conflict of interest allegations concerning Lorain City Mayor Craig Foltin. On March 19, 2001, the Lorain County Prosecutor referred to the Ethics Commission its initial investigation into possible ethics violations by Mayor Foltin with respect to his use of his authority and influence as mayor to obtain city employment for Attorney Michael Provenza. The prosecutor requested that the Ethics Commission determine whether Foltin and Provenza were business associates and therefore, if Foltin had violated any provisions of the Ethics Law. The prosecutor also asked whether the facts merited prosecution or some other alternative disposition.

Upon investigation, the Ethics Commission determined that Foltin and Provenza are business associates and that ethics-related statutes prohibited Foltin from appointing, or using his influence to secure Provenza's appointment, to any public employment position at the City of Lorain. In correspondence to the Commission dated May 16, 2001, Foltin acknowledged that he and Prozenza jointly own four properties in Lorain as investments. He also provided to the Commission copies of his federal income tax returns for 1998, 1999,

and 2000. He further acknowledged that on three occasions, Provenza sought various positions with the City, including an appointment by Foltin on March 13, 2000 as City Sealer. Provenza subsequently resigned this position on April 25, 2000, without having cashed the two checks from the city for the job. Provenza was otherwise unsuccessful in obtaining the other two positions – Procedure Risk Manager in February 2000, and Parks Maintenance Superintendent in February 2001.

In his letter, Foltin also told the Commission: "In light of the controversy surrounding the business associate relationship between Mike Provenza and myself, I want you to know that I will not appoint or exert influence in order to secure an employment opportunity for Mike with the City of Lorain. I further recognize that the criminal provisions of the ethics laws bar appointment of a business associate. I certainly do not want to give any impression that I would violate these ethics laws in any way."

Based on its examination, the Commission informed the Prosecutor that Mayor Foltin and Provenza could be determined to be business associates, and that Foltin's appointment of Provenza to the City Sealer position on March 13, 2000 occurred in violation of the Ethics Laws. Furthermore, to the extent that Foltin sought to influence the hiring of Provenza for the other two positions, this conduct was likewise prohibited by the Ethics Laws. However, under the specific circumstances of this case, the Commission recommended that criminal charges not be filed against Mayor Foltin because Provenza never received financial gain that would constitute a significant financial interest sufficient to support a criminal violation of these laws.

Furthermore, in conjunction with the Lorain County Prosecutor and as part of a resolution of this matter, the Commission publicly reprimanded Mayor Foltin for his conduct and advised Foltin that any future violations would be investigated and, if warranted by the facts, be recommended to be prosecuted to the fullest extent of the law.