

PUBLIC RECORDS POLICY OF COMMISSIONER'S OFFICE, OTTAWA COUNTY, OHIO

(Revised 1/11/08)

INTRODUCTION

We are an open government. We welcome participation by our citizens. We believe openness leads to a better informed public, which leads to more transparent government and better public policy. Citizens are entitled to access government records and the Public Records Act should be interpreted liberally in favor of disclosure.

HOURS AND COSTS

You may make public records requests at the Ottawa County Commissioner's Office between the hours of 8:30 a.m. and 4:30 p.m. on weekdays, excluding government holidays.

For copies of public records on 8.5 x 11 inch one sided paper in black ink, the copy cost is five cents per page. We may require you to pay the estimated copy costs before copies are made. All other copies (photos, disks, etc.) will be provided at actual cost. If records are mailed to you, we may charge you, in advance, postage and the cost of mailing materials.

Generally, a requester is only required to pay this public office for the actual cost of reproduction. Employee time will not be calculated into the "actual cost" charge. However, in some circumstances, it is permissible for this public office to have an outside contractor make copies and recover the cost of the service directly from the requester. This public office may employ the services of a private contractor to produce copies as long as the decision to do so is reasonable.

HOW TO MAKE A PUBLIC RECORDS REQUEST

We will provide prompt inspection of public records and copies of public records in a reasonable period of time. When you make a request, we will ask you to complete a "Public Records Request Form," which will help us locate the records and expedite your request. You are not legally required to fill out the form, identify yourself, or give the purpose of your request. If the records cannot be provided while you wait, we will contact you when the records are available.

DEFINITION OF PUBLIC RECORDS

Under Ohio law, public records are those items that meet all of the following elements:

1. any document, device, or item, regardless of physical form or characteristic, including an electronic record;
2. that is created or received by, or coming under the jurisdiction of a public office; and

3. that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. This does not include records kept for our administrative convenience.

RECORDS THAT WILL NOT BE RELEASED

Under Ohio law, some records that meet the above three elements will still be withheld from release because state or federal law makes the record confidential. Some commonly-requested records that are confidential include:

1. Attorney-client privileged information and trial preparation records
2. Social Security numbers
3. Records of ongoing investigations
4. Medical records
5. BMV records
6. Records that a judge ordered to be sealed per a statute
7. Residential and family information relating to a peace officer, firefighter, EMT, prosecutor, assistant prosecutor, children's services worker, or corrections officer;

LIMITATIONS

This office may limit the number of records requested by a person that the office will transmit by United States mail to ten per month, unless the person certifies to the office in writing that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes.

We will not provide copies of public records that we create or receive after your original request is completed.

DENIAL OF REQUEST

If a request is ultimately denied, in part or in whole, this public office shall provide the requester with an explanation, including legal authority, setting forth why the request was denied. Further, if the initial request was provided in writing, the explanation shall be provided to the requester in writing.

RETENTION SCHEDULE

Records Schedule and Approval Process is performed under the guidelines of the Local Records Commission, the Ohio Historical Society and the Auditor of State. This office retention schedule is available upon request.

QUESTIONS OR CONCERNS

If you have questions or concerns about Ohio Public Records law, please contact your state legislator. You can find contact information at www.Ohio.gov.