

PUBLIC RECORDS REQUEST POLICY

Board of County Commissioners

Clinton County, Ohio

1. MISSION STATEMENT

Openness in government leads to a better-informed citizenry, which leads to better government and better public policy. It is our intent to fully comply with Ohio's Public Records Act. To expedite the process, requesters of records should familiarize themselves with what type of records are available for inspection and copying from a public office in Ohio. For detail and clarification, requesters should consult <https://www.ohioattorneygeneral.gov/Legal/Sunshine-Laws>.

2. OFFICE HOURS

Public records may be requested in person at during regular business hours which are generally 7:30 – 4pm Monday – Friday. Email requests may be addressed to Commission@clintoncountyohio.us.

3. DEFINING PUBLIC RECORDS

A "record" is defined to include the following: A document in any format—paper or electronic--created, received by, or comes under the jurisdiction of our office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of our office. A "public record" is a "record" being kept by this office at the time a public records request is made, subject to applicable exemptions from disclosure under Ohio or federal law. Our office will take the reasonable steps necessary to organize and maintain our public records in such a way that they can be made available for inspection and copying.

4. RESPONSE TIME FRAME

We will make public records available for inspection promptly. We will provide copies of public records within a reasonable amount of time. All of this will be determined in consultation with relevant Ohio case law. "Prompt" and "reasonable" consider the volume of records requested, the proximity of the location where the records are stored, the necessity for any legal review and redaction, and all other facts and circumstances of the records requested and the responsibilities of our office at the time of the request.

5. RECORDS

An electronic record is deemed to exist so long as a computer is already programmed to produce the record through the office's standard use of sorting, filtering, or querying features. In processing a request for inspection of a public record, a public employee may accompany the requester during inspection to make certain original records are not taken or altered.

6. HANDLING REQUESTS

While no specific language is required to make a request for public records, a requester must at least identify the records requested with sufficient clarity to allow our office to identify, retrieve, and review the records. The requester does not have to put a records request in writing and does not have to provide his or her identity or the intended use of the requested public records.

However, the law does permit our office to ask for a written request, the requester's identity, and/or the intended use of the information requested, but only if (1) a written request or disclosure of identity or intended use would benefit the requester by enhancing the office's ability to identify, locate, or deliver the public records that have been requested; and (2) the requester is first told that a written request is not required and that the requester may decline to reveal the requester's identity or intended use. In processing the request, our office has no obligation to create new records or perform a search or research for information in the office's records. For clarity and efficiency, we encourage requesters to use the form we have designed for records requests, which is available at this link:

<https://co.clinton.oh.us/departments/CountyCommissioners/CommissionersPublicRecordsPolicy>

7. DENIAL AND REDACTION OF RECORDS

If the requester makes an ambiguous or overly broad request or has difficulty in making a request such that the office cannot reasonably identify what public records are being requested, the request may be denied. If that occurs, we will give the requester an opportunity to revise the request by providing a copy of the relevant records retention schedule. If we withhold, redact, or otherwise deny requested records, we will provide an explanation, including legal authority. If the initial request was made in writing, the explanation will also be in writing. When making public records available for public inspection or copying, we will make redactions visible.

8. COPYING AND MAILING COSTS

We are permitted to charge the actual cost of making copies, not labor. The cost for routine paper copies is 10 cents per page, the first 10 pages are provided at no cost. The charge for electronic files downloaded to a USB flash drive or similar medium is \$20 per device, or the actual cost, whichever is less. We may require requesters to pay these costs in advance and/or postage or delivery costs. The requester may choose whether to have the record duplicated upon paper, upon the same medium on which the public record is kept, or upon any other medium on which the office determines that the record can reasonably be duplicated as an integral part of the office's normal operations. There is no charge for e-mailed documents.

This policy replaces any and all prior Public Records Request policies under the Board of Commissioners.

Effective: April 25, 2022

Policies/Public Records Request/April 2022