



PUBLIC RECORDS POLICY

Introduction:

Openness leads to a better informed citizenry, which leads to better government and better public policy. The policy of the Office of the Ohio Consumers' Counsel (OCC) is to strictly adhere to Ohio's Public Records Act. All exemptions to the Public Records Act are to be construed according to law and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

Section 1. Public records

OCC, in accordance with the Ohio Revised Code, defines records as any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in section 1306.01 of the Revised Code, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of OCC are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

Section 1.1

As required by Ohio law, records will be organized and maintained so that they are available for inspection and copying. Record retention schedules are to be maintained at a location readily available to the public.

Section 2. Record requests

Each request for public records should be evaluated for a response using the following guidelines:

Section 2.1

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records such that OCC cannot reasonably identify what public records are being requested, OCC may deny the request but shall provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by OCC and accessed in the ordinary course of OCC's duties. Requests for OCC's public records should be made to the attention of Larry Sauer at OCC.

Section 2.2

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 record. OCC may ask a requester to make the request in writing, may ask for the requester's identity, and may inquire about the intended use of the information requested, but may do so only after disclosing to the requester that a written request is not mandatory and that the requester may decline to reveal the requester's identity or the intended use and when a written request or disclosure of the identity or intended use would benefit the requester by enhancing the ability of OCC to identify, locate, or deliver the public records sought by the requester.

Section 2.3

Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

Section 2.4

If a request is ultimately denied, in part or in whole, OCC shall provide the requester with an explanation, including legal authority, setting forth why the request was denied. If the initial request was provided in writing, the explanation also shall be provided to the requester in writing. The explanation shall not preclude OCC from relying upon additional reasons or legal authority in defending an action commenced under 149.43(C). If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, OCC shall notify the requester of any redaction or make the redaction plainly visible.

Section 3. Costs for Public Records

Those seeking public records will be charged only the actual cost of making copies.

Section 3.1 The charge for paper copies is 5 cents per page. As a courtesy, if a request is for fewer than 100 copies, the requester will not be charged. The charge for copying more than 100 pages is 5 cents a page, which includes pages 1 through 100.

Section 3.2 The charge for downloaded computer files to a compact disc is \$1 per disc.

Section 3.3 Requesters may ask that documents be mailed to them. Requesters will be charged the actual cost of the postage and mailing supplies.

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