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## **SECTION 1 GENERAL PRINCIPLE**

- 1.1. Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is the mission and intent of the Cuyahoga County ("County") Agency of Inspector General ("AIG") to at all times fully comply with and abide by both the spirit and the letter of the Ohio Public Records Law<sup>1</sup> and the County Public Records Ordinance<sup>2</sup> ("Public Records Ordinance").
- 1.2. The AIG shall organize and maintain all of its public records so that they are readily available for inspection and copying in accordance with the Ohio Public Records Law and the Public Records Ordinance.<sup>3</sup>

## **SECTION 2 ADMINISTRATION**

- 2.1 Public Records Manager – The AIG staff member occupying the position of *Assistant Inspector General – Investigation and Compliance* is designated as the Public Records Manager for the AIG. Should the position of *Assistant Inspector General – Investigation and Compliance* not be occupied, the *Deputy Inspector General* shall be designated as the Public Records Manager for the AIG. The Public Records Manager shall be required to attend training on the public policy approved by the Ohio Attorney General, as provided for in Section 109.43 of the Ohio Revised Code.<sup>4</sup>
- 2.2 Records Retention Schedule – The AIG Shall adhere to the Records Retention Schedule attached hereto in Appendix A.<sup>5</sup>
- 2.3 Publication of Public Records Policy – The AIG shall display the poster attached hereto in Appendix B in its main office describing the AIG Public Records Policy, explaining how to obtain public records and naming the public records manger for the AIG. The AIG shall also post this same information and a copy of its record retention policy on its webpage.<sup>6</sup>

## **SECTION 3 RECORD REQUESTS**

- 3.1 Form of Records Request – Any person requesting public records shall identify the records requested with sufficient clarity to allow the AIG to identify, retrieve, and review the records requested. No specific language or form is required to make the request. The request may be made to any AIG staff member. The requestor is not required to put

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<sup>1</sup> R.C. §149.43 and §149.433

<sup>2</sup> Adopted as Ordinance No. O2011-0003 on January 3, 2011, as amended by Ordinance No. 2011-0012 on March 22, 2011.

<sup>3</sup> Public Records Ordinance §5.1.

<sup>4</sup> Public Records Ordinance §5.5 and Chapter 8.

<sup>5</sup> Public Records Ordinance §5.7.

<sup>6</sup> Public Records Ordinance §5.9.

a public records request in writing and does not need to provide his/her identity or the intended use of the records requested. The AIG may request this information, particularly to aid in complying with the request, but must clearly state that providing this information is voluntary.<sup>7</sup>

**3.2** Method of Records Request – Requestors may submit public records requests through any of the following methods:

- In person during regular business hours (8:30 a.m. to 4:30 p.m., Monday through Friday, with the exception of published holidays and emergency closures of County Buildings) at the AIG, 1219 Ontario Street, Room 300, Cleveland, Ohio 44113;
- Via e-mail at [inspectorgeneral@cuyahogacount.us](mailto:inspectorgeneral@cuyahogacount.us);
- Via fax at (216) 698-2218;
- Via phone at (216) 698-2101; or
- Via U.S. mail at AIG, Attn: Public Records Manager, 1219 Ontario Street, Room 300, Cleveland, Ohio 44113.

**3.3** Logging of Records Request – All public records request should be immediately forwarded to the AIG Public Records Manager. The AIG Public Records Manager shall create a log to document each public records request received by the AIG. This log shall be forwarded to the Deputy Countywide Records Manager at the end of each week.<sup>8</sup>

**3.4** Review of Records Request – After logging the request, the AIG Public Records Manager shall, in consultation with the Deputy Inspector General, review the request to determine which records must be obtained to respond to the request. If the records request is not sufficiently clear, the AIG Public Records Manager must contact the requestor for clarification and should assist the requestor by providing information about the manner in which the AIG keeps its records. The AIG Public Records Manager shall then collect all responsive records and submit them to the Deputy Inspector General for review.<sup>9</sup>

## **SECTION 4** RESPONSE TO RECORDS REQUEST

**4.1** General Standard – Responsive records shall be made available promptly for inspection or copying. Public records requests shall be given priority attention, but reasonable time shall be allowed to comply with requests that are large, involve records stored other than at the site where the request was made or involving records that must be inspected for possible redaction of information exempt from disclosure under the public records law.<sup>10</sup>

**4.2** Preliminary Response – Whenever a request is received that cannot be complied with immediately, the AIG shall provide the requestor a receipt acknowledging and describing the public records request and may provide an estimate as to when a response can be provided.<sup>11</sup>

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<sup>7</sup> Public Records Ordinance §6.1 and §6.2.

<sup>8</sup> Public Records Ordinance §6.5.

<sup>9</sup> Public Records Ordinance §6.1.

<sup>10</sup> Public Records Ordinance §6.3.

<sup>11</sup> Public Records Ordinance §6.3.

- 4.3** Denial / Redaction – Any denial of records requested must include a written explanation, including legal authority. If part of a record requested is exempt from public records law, that part shall be redacted, and the remainder provided. Each redaction shall be accompanied by a written explanation, including legal authority.<sup>12</sup>
- 4.4** Creation of Records - In processing the public record request, the AIG is not obligated to create new records or perform new analysis of existing information.
- 4.5** Costs<sup>13</sup> –
- 4.5.1** General – Persons requesting copies of public records shall be required to pay for the cost of making copies.
- 4.5.2** Paper Copies - Such cost shall be determined by reviewing the copying costs list published by the County Council.
- 4.5.3** Compact Disc - The charge for computer files downloaded or copied to a compact disc shall not exceed the cost of the disc.
- 4.5.4** E-Mail – Generally, there is no charge for documents e-mailed to a valid e-mail address. When a document requires redaction, though, the AIG may charge the paper copy fee for each document that must be printed to allow for redaction. Such fee shall not apply to any document that can be electronically redacted by the AIG.
- 4.5.5** Postage – Requestors may ask that documents be mailed to them. In such cases, the AIG may add the cost of postage to the request costs.
- 4.5.6** Collection - The AIG Public Records Manager shall ensure that all duly owed fees are collected and deposited into the AIG's account. In the case of large requests, the AIG Public Records Manager may require an estimated payment prior to commencement of the copying/printing/downloading of the request. The AIG Public Records Manager shall reimburse the requestor if the estimate is greater than the actual costs and shall collect the difference from the requestor if the estimate is less than the actual costs.
- 4.6** Logging of Responses – The AIG Public Records Manager shall make a copy of all documents provided in response to a public records request. The copies shall be placed in a file with the original request. The AIG Public Records Manager shall also enter the date the request was filled, a brief description of the documents provided and a brief description of any denials or redactions in the AIG's public records log.

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<sup>12</sup> Public Records Ordinance §6.4.

<sup>13</sup> Public Records Ordinance Chapter 7.