



# CITY OF ATHENS POLICE DEPARTMENT

## POLICY # 19 – PUBLIC RECORDS

EFFECTIVE DATE- 2/15/12

**POLICY:** It is the policy of the Athens City Police Department that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying and, upon request, copying within a reasonable period of time. Pursuant to R.C. 149.43(B)(6), the person making the request has no right to make the copies.

### **I. Public records**

This office, in accordance with Ohio Revised Code Section 149.011(G), defines records as any document, device, or item, regardless of physical form or characteristic including an electronic record (including, but not limited to, e-mail), created or received by or coming under the jurisdiction of the Athens City Police Department that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the Athens City Police Department are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

- A. Pursuant to R.C. 149.39, the Athens City Records Commission provides the rules for retention and disposal of records of the Athens City Police Department. This office will have a copy of its current records retention schedule readily available to the public.
- B. The Administrative Assistant will be the records custodian of all records for the Athens City Police Department and will oversee all records retention and storage.

### **II. Record requests-** Each request for public records should be evaluated for a response using the following guidelines:

- A. The Ohio Revised Code does not specify the language required of the requester to make a request. However, the requester must at least identify the records requested with sufficient clarity to allow the Athens City Police Department to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian will ask the requester for clarification, and will assist the requester in revising the request by informing the requester of the manner in which the office keeps its records.
- B. **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.** However, pursuant to R.C. 149.43(B)(5), "A public office or person responsible for public records 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 the public office or person responsible for public records to identify, locate, or deliver the public records sought by the requester."
- C. Public records will be available for inspection during regular business hours, with the exception of published holidays. Public records will be made available for inspection promptly. Copies of public records will 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 including review for redaction and actual redaction.
- D. Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows. If more copies are requested, an appointment should be made with the requester on when the copies or computer files can be picked up. All requests for

