

LUCAS COUNTY COMMISSIONERS'

PUBLIC RECORD POLICY

This poster is a summary of the Lucas County Commissioners Public Records Policy.

A full copy of Lucas County Commissioners Office Public Record's Policy is available for review at the main desk of the Lucas County Commissioner's Office on the eighth floor of One Government Center Suite 800, Toledo, Ohio 43604.

A copy of the Lucas County Commissioners and Lucas County's general current records retention schedules are also readily available to the public for inspection at the main desk of the Lucas County Commissioner's Office on the eighth floor of One Government Center Suite 800, Toledo, Ohio 43604.

"Public records" are defined as "records kept by any public office..." Kept by a public office has been further defined as the type of item/record typically and actually retained by the office in the ordinary course of its business in order to carry out its duties and functions.

Definition of public "Records" to include any document, device, or item, regardless of physical form or characteristic, including an electronic record, 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.

The definition of a public record can be further refined, as that statute requires records be created only when they "are necessary for the adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the ..." office. Those records so generated are "public records", unless they fall into a specific exclusion provided for in the Ohio Revised Code or court cases.

The Lucas County Commissioners employees are familiar with their duties under Ohio Revised Code Section 149.43. The vast majority of records generated and/or maintained by the Lucas County Commissioners Office fit within the definition of "public records" as set forth in Ohio Revised Code, and should be available to the general public immediately or within a reasonable time.

For more involved requests, detailed requests, or requests that may be exempt or require redaction, a requestor may be referred to a "Public Records Officer" within the Lucas County Commissioners Office. The Lucas County Commissioners has designated the following persons as "Public Records Officers."

- County Administrator
- Chief of Staff
- Director of Human Resources
- Records Manager

The Lucas County Commissioners Office shall permit that person to choose to have the public record duplicated upon paper, upon the same medium upon which the public office or person responsible for the public record keeps it, or upon any other medium upon which the public office or person responsible for the public record determines that it reasonably can be duplicated as an integral part of the normal operations of the public office or person responsible for the public record. Nothing in this section requires a public office or person responsible for the public record to allow the person seeking a copy of the public record to make the copies of the public record.

A person (person includes corporations, individuals, and other governmental agencies) requesting to inspect and/or copy the public records:

1. Does NOT have to provide their name.
2. Does NOT have to provide a reason for inspecting and/or copying the public records.
3. Does NOT have to make the request in writing—the request can be in writing or verbal.
4. May designate another person to inspect or retrieve the copies.
5. Is NOT required to be an Ohio resident.

If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records under this section such that the public office or the person responsible for the requested public record cannot reasonably identify what public records are being requested, the public office or the person responsible for the requested public record 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 the public office and accessed in the ordinary course of the public office's or person's duties.

If the request is ultimately denied, or a portion of the documents are redacted, the Lucas County Commissioner's Office 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.