



County of Hamilton

DUSTY RHODES

AUDITOR

COUNTY ADMINISTRATION BUILDING

138 EAST COURT STREET

CINCINNATI, OHIO 45202

PUBLIC RECORDS POLICY

OVERVIEW

A. As a public office of the State of Ohio, the office of the Hamilton County Auditor is subject to the Ohio Public Records Act (ORC 149.43), which provides for prompt inspection of public records and requires that copies of existing public records be provided in a reasonable period of time.

B. The purpose of this policy is to provide both Auditor employees and the public with information regarding the Public Records Act, to establish procedures for responding to requests for public records, and to establish procedures for the maintenance of records.

GUIDELINES

C. A two-stage analysis is required under the Public Records Act to determine what information is subject to public access. The first step is to determine if the document or electronic/recorded information qualifies as a "record." ORC Section 149.011 (G) defines a "record" to be any document, device, or item, regardless of physical form or characteristics, including an electronic record, created or received by or coming under the jurisdiction of any public office of the state or political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations or other activities of the office. Documents or electronic/recorded information that does not document public office activities in this manner are not subject to the Public Records Act and are not subject to public access.

If a document or electronic/recorded information does qualify as a "record" it is then a "public record," subject to public access and disclosure unless it is specifically exempt from disclosure under the terms of the Public Records Act. The second step of the analysis is to determine if any of the statutory exemptions apply to the document or electronic/recorded information.

D. During each term of office, the County Auditor, or appropriate designee, is required to attend three hours of training (pertaining to the Ohio Public Records Law) that has been approved by the Ohio Attorney General as provided in Section 109.43 of the Revised Code.

E. The Hamilton County Auditor's office shall follow the Hamilton County Auditor's Records Retention Schedule, approved by the Hamilton County Records Commission.

REQUESTS FOR PUBLIC RECORDS

F. The Hamilton County Auditor shall ensure that all public records requests are promptly prepared and made available for inspection to any person at all reasonable times during regular business hours. The Auditor will make records available for inspection with prior notice and with appointment. Any questions regarding requests, including what can and cannot be released or redacted, shall be directed to the Hamilton County Auditor. Record requests are handled in the order received. Some requests will take longer to fulfill because of complexity, size, redaction of information excluded by statute, review by the County Prosecutor, and/or retrieval from off-site storage.

G. Requests of the Auditor may be verbal or in writing. It is suggested that requests for records be in writing so the request is clearly understood, with contact information so the requestor can be contacted if there are any questions about the request. If a requestor makes an overly broad request, or has difficulty in specifying the request, the Auditor or his designee shall provide the requestor with reasonable assistance to facilitate the request.

H. All requests for records should be addressed to Hamilton County Auditor Dusty Rhodes, 138 East Court Street, Room 304A, Cincinnati, Ohio 45202. Requests can be faxed to (513) 946-4043, or hand delivered to the Auditor's office during regular business hours.

I. If a request is denied in whole or in part, the requestor shall be provided an explanation including the legal authority setting forth why the request was denied. The requestor will be notified if the request is for a record that was never maintained or is no longer maintained (i.e.; record met retention period and was destroyed).

J. If a request includes information that is "exempted" from disclosure, that information must be redacted. The requestor must be notified in writing of what information was redacted and the specific section of the Ohio Revised Code granting legal authority for redaction.

K. The Hamilton County Auditor may request payment in advance. Payment may be made by cash or a check made payable to the Hamilton County Auditor. The charge for copies of public records shall be five cents (\$.05) per page, with no charge less than \$1.50 and no postage charge for regular mail delivery. Should an outside vendor be required to prepare the request, the Auditor may request payment for the full cost charged by the outside vendor.