



Lake County Sheriff's Office

Sheriff Frank Leonbruno

Administrative

104 East Erie St. Painesville, Ohio 44077

TITLE: RELEASE OF PUBLIC RECORDS

POLICY AND PROCEDURE: #308B

EFFECTIVE DATE: AUGUST 29, 1997

REVISED DATE: DECEMBER 17, 2020

REVIEWED AND APPROVED BY: Frank Leonbruno, Sheriff 

PURPOSE:

The purpose of this policy is to establish guidelines and set procedures to establish the manner in which public records, falling under the custody of the Lake County Sheriff's Office, shall be released. This policy is meant as an internal guide to the Lake County Sheriff's Office employees and is not meant to convey any substantive rights to any person. This policy is also not an enlargement of any deputy's civil duties to members of the general public.

POLICY AND PROCEDURE:

The Ohio Public Records Act (Ohio Revised Code, Section 149.43 [2000]) mandates that every public office must promptly prepare and make available for inspection any public records falling under the custody of that office. The law defines a public record as any document, device or item, regardless of physical form or characteristic (i.e. paper documents, photocopies, maps, drawings, photographs, computer discs, audio and video tape recordings) that is created by the agency. It also includes those items received or coming under the jurisdiction of any public office which serve to document that organization's functions, policies, decisions, procedures, operations or other activities.

Although an organization must provide public access to its records, the law does allow the agency to assess a reasonable fee to cover reproduction and/or printing costs, postage and/or other supplies used in the mailing of public records. It also mandates that public record requests be made and processed during business hours (8:00 am to 4:30 pm).

It is generally accepted that the Public Records Act is to be interpreted *liberally* in order to facilitate broader access to public records. Exceptions to the Public Records Act are to be strictly interpreted, with any doubt being resolved in favor of *disclosure*.

The Lake County Sheriff's Office shall respond to Public Record Requests and redact such information as is mandated by state and federal law.

PROCEDURE:

- 1) A public records request may be oral or in writing.
- 2) Any individual requesting a public record in person shall be asked to complete the attached form used to document the request. However, any person refusing to complete the form shall not be prohibited from receiving a public record. If possible, a cost-assessment should be presented to the individual requesting the public documents before reproductions are actually printed, photocopied or duplicated upon any other type of medium. This will help to conserve resources by restricting unnecessary copies in cases where cost may prove prohibitive to a person requesting the documents. Copies shall be made within a reasonable time period.
- 3) Requests for mailed copies of public records shall require payment in advance for the actual cost of reproduction, postage and other supplies used in the mailing. If possible, a cost-assessment should be mailed to the individual requesting the public documents before reproductions are actually printed, photocopied or duplicated upon any other type of medium. This will help to conserve resources by restricting unnecessary copies in cases where cost may prove prohibitive to a person requesting the documents. Copies shall be made within a reasonable time period.
- 4) The person requesting the public record has the option of requesting that it either be duplicated on paper or upon the same medium upon which the public records are kept.
- 5) A reasonable fee shall be charged for the reproduction of all documents whether said documents are photocopied or duplicated upon the same medium upon which the public record is kept.
- 6) Printed computer sheets may be released as long as redacted information is not legible. In such cases, it may be necessary to make a photocopy of the document in order to completely obscure redacted data.
- 7) Public records maintained upon a computerized medium may be duplicated upon discs as long as any prohibited information has been deleted prior to release.
- 8) In situations where a question may arise over the release of a public record (e.g. major case reports, voluminous files, etc.) review of the document will be conducted by the Sheriff, Chief Deputy, Support Services Administrator, Road Patrol Commander or

Detective Bureau Commander, and/or their designate. In such cases, prosecutorial review and opinion may be required to insure compliance with review.

9) In cases where information is kept on “machine-readable” means, such as microfilm or other electronic storage methods, the agency must allow individual access to such equipment (if requested) in order to inspect the organization’s public records.

DEFINITION:

REDACT – *To edit or revise in preparation for publication.*

For the purpose of this policy, with the exception of copies of computerized records (see above), redaction will most commonly be in the form of “blotting out” specific information deemed non-releasable by the use of black felt or marker pen. Care should be taken to not allow “bleeding through” of redacted information.



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REQUEST FOR PUBLIC RECORDS

I, _____
(Name [This information is optional and not mandatory])

(Address or Contact Number [This information is optional and not mandatory])

I am requesting public record information from the **Lake County Sheriff's Office** in the matter of:

I am aware this request must be made and processed during agency business hours and understand a reasonable fee may be charged for the printing and/or reproduction cost.

Requestor Signature Date
(This signature is optional and not mandatory)

OFFICE USE ONLY

Was Public Record Supplied? Yes _____ No _____ Date _____

Number of Pages Produced _____ Cost _____ (\$.08 per page)

Records Custodian Date