

OPEN RECORDS

You are entitled to inspect public records promptly and to receive copies of public records within a reasonable period of time



OPEN RECORDS

- The definition is liberally construed, not narrowly
- A “ public record” is kept by a public office
- Entities: cities, counties, townships, schools (public and alternative), public hospitals, community action agencies, public water districts, courts, public universities



OPEN RECORDS INCLUDE:

- Videos, maps, e-mails, photos, "drafts" or notes
- Address of employees (safety officers can be excluded in certain circumstances)
- Private entity records-- if being kept for a public entity



OPEN RECORDS --REQUESTING

- Anyone can request (individual, corporation, agencies, person living outside of state)
- Providing records must be prompt—within business hours, without delay and with reasonable speed
- You do not have to provide your name or reason for requesting records
- You do not have to fill out any form for requesting records
- Can't have someone else pick up for you
- You cannot copy them yourselves
- You can be charged for cost of copying – but usually not the employee's time to do so



OPEN RECORDS EXEMPTIONS

Legal issues

- o Attorney-client information
- o Juvenile court records and other law enforcement agency juvenile records after the juvenile has been fingerprinted and photographed on basis of arrest or custody
- o Child abuse records
- o Peace officer home addresses if involved in current case
- o Investigatory procedures
- o Parole/probation records—but sex offender registration is a public record



OPEN RECORDS EXEMPTIONS (con't)

Human Services:

- o Medical and Medical board records (this does not include birth/death/admission records)
- o Abortion
- o Adoption

Other:

- o Student education records
- o Taxpayer records, tax returns

There are no criminal penalties or civil penalties for violation of the Public Records Act



OPEN RECORDS

If you think you were improperly denied records, you file a petition for a writ of mandamus (a court action that asks a court to order a public office to comply with the law) with whatever court is appropriate/you feel you can prevail.

There are no criminal penalties or civil penalties for violation of the Public Records Act.

By the League of Women Voters of the Greater Dayton Area

For further information, contact the Ohio Auditor's or Attorney General's offices

