

Cuyahoga County CECOMS

Public Records Policy



PREFACE

The Cuyahoga Emergency Communications System (CECOMS), which is operated by the Cuyahoga County Department of Public Safety and Justice Services, provides 24 hour per day, 7 day per week cellular 911 call answering and transfer, and Emergency Medical Dispatch (EMD) services to all municipalities within Cuyahoga County.

In accordance with the State of Ohio Public Records Act, and chapter 106 [Public Records] of the Cuyahoga County Code, CECOMS organizes and maintains its public records in a manner that ensures the preservation and public accessibility of such records, meeting its duty to respond to public records requests. Additionally, CECOMS maintains its public records in accordance with the Cuyahoga County Department of Public Safety and Justice Services Records Retention Schedule.

AUTHORITY

The Cuyahoga County Department of Public Safety and Justice Services, CECOMS, and The Cuyahoga County Law Department have authority over the final draft and any future changes within this document.

APPROVAL

This policy was developed by the Cuyahoga County Office of Emergency Management/CECOMS and adheres to the established policies and procedures of Cuyahoga County.

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1.0 PURPOSE

It is the mission and intent of the Cuyahoga Emergency Communications System (CECOMS) to fully comply with and abide by the Ohio Public Records Act. This Policy Document outlines CECOMS procedures for the retention of public records and processing of public records requests.

2.0 SCOPE

This document outlines the procedures for processing public records requests, from acknowledging receipt through releasing and logging the requested record. Additionally, it outlines procedures for handling non-routine public records and media requests for information.

3.0 RESPONSIBILITIES

The listed individuals maintain the following responsibilities:

- The CECOMS Quality Assurance Supervisor shall ensure compliance with this Policy and Procedures.
- The CECOMS Quality Assurance Supervisor shall maintain all public records in accordance with the Cuyahoga County Department of Public Safety and Justice Service Records Retention Schedule.
- The CECOMS Quality Assurance or Operations Supervisor shall process all routine public records requests in accordance with this policy.
- The CECOMS Quality Assurance Supervisor and the CECOMS Manager shall process all non-routine public records requests in accordance with this policy.

4.0 PUBLIC RECORDS

A public record includes any document, device, or item, regardless of physical form or characteristic, including electronic records, created or received by, or coming under the jurisdiction of any public office, which serves to document the organization, functions, policies, decisions, procedures, operation, or other activities of the office. All records which meet this definition are public records, unless exempted under section 149.43 of the Ohio Revised Code.

A public record is a record that is being kept by this office at the time a public records request is made, subject to applicable exemptions from disclosure under Ohio or

federal law. 911 call audio is not subject to any exemptions and must be released, in its entirety, in a timely manner.

4.1 Public Records Manager

Per Cuyahoga County Code, the County Archivist is designated as the Countywide Public Records Manager. In accordance with Cuyahoga County Code, each public office shall designate an employee to manage the public records for the office. The Quality Assurance Supervisor is responsible for the management of this policy and the maintenance of all public records for CECOMS in accordance with the Cuyahoga County Department of Public Safety and Justice Services Records Retention Schedule.

4.2 Maintenance of Public Records

CECOMS shall organize and maintain all public records in such a manner that they are readily available for inspection and copying in accordance with the Ohio Public Records Law, the Public Records Policy of Cuyahoga County, and this policy.

5.0 RECORDS RETENTION SCHEDULE

In accordance with Cuyahoga County Code, each public office shall have a records retention schedule in place, which shall specify, consistent with state law, the methods by which and the length of time that records shall be kept. The retention schedule shall be kept on file as a public record. CECOMS maintains their public records in accordance with the Cuyahoga County Department of Public Safety and Justice Services Records Retention Schedule.

6.0 PUBLICATION OF PUBLIC RECORDS POLICY

In accordance with the Cuyahoga County Public Records Policy, this policy document shall be posted on the Cuyahoga County Department of Public Safety and Justice Services CECOMS website.

7.0 PUBLIC RECORDS REQUESTS

Any person may request a public record from any Cuyahoga County public office, including CECOMS, at any time. The requestor shall identify the record requested with sufficient clarity to allow CECOMS to identify, retrieve, and review the records requested. No specific language or form is required to make the request. If the request is not sufficiently clear, the CECOMS Quality Assurance Supervisor or designee shall contact the requestor for clarification, and shall assist the requestor by providing information about the manner in which CECOMS maintains its records. The requestor is not required to submit their request in writing, provide his or her identity, or provide the intended use of the records requested.

All public records requests shall be given priority attention, but reasonable time shall be allowed to comply with requests that are large, involve records which are not stored at CECOMS, or involve records that must be inspected for possible redaction of information exempt from the public records law.

7.1 Processing Public Records Requests

Whenever a request is received by CECOMS, acknowledgement will be provided in writing, or verbally if the request is not received in written format. Once the requested record has been processed, it shall be released in the format requested. If the requested record is not maintained by, or under the authority of CECOMS, the requestor shall be provided with contact information for the agency which maintains the requested record.

In the event a public records request is ambiguous or overly broad, or this office cannot reasonably identify what records are being requested, the request may be denied, however, this office must then provide the requestor an opportunity to revise the request by informing the requestor of the manner in which records are maintained and accessed by this office. Additionally, the requestor will be provided an explanation for the denial, including legal authority, as provided for in Section 149.43(B)(3) of the Ohio Revised Code. The requestor will be notified of any redactions, and all redactions will be plainly visible.

7.2 Logging of Public Records Requests

All public records that are pending release in response to a formal request shall be logged in the Cuyahoga County Law Department Matrix Civil Portal and reviewed by the Cuyahoga County Law Department prior to release, unless logging is exempt. Public records requests from the Cuyahoga County Prosecutor's Office and any public safety agency which has jurisdiction over the incident location are

exempt from the logging and review process. The following information shall be logged:

- The office that received the request
- The date the request is received
- The name and contact information of the requestor, if known
- A brief description of the request
- The date of the response and a brief description of the response details
- A brief description of any redactions or denials

7.3 Non-routine Media Requests

All non-routine media requests, such as 911 call recordings that contain sensitive information, audio for major incidents or active investigation, CAD entry records, and requests for interview or official comment or statement, shall be immediately forwarded to the Quality Assurance Supervisor and CECOMS Manager for further approval. If these parties are unavailable, the requestor's contact information shall be forwarded appropriately, and the requestor shall be advised that someone will be in touch as soon as possible to assist them.

At no time shall a request for comment or statement be provided an official response without discussion among appropriate management personnel and the Cuyahoga County Department of Communications. An official response will be developed and forwarded to the requestor in a timely manner.

8.0 COST OF PUBLIC RECORDS

Unless otherwise stated, persons requesting copies of public records shall be required to pay for the cost of copies and delivery or transmission of public records. Except as otherwise provided by court order or law, per the Cuyahoga County Public Records Policy, the copying costs for public records shall not exceed these rates:

The charge for paper copies shall not exceed \$0.03 per page. This charge shall be waived when the total cost of copying is less than \$1.00.

The charge for electronic copies provided on a compact disc, USB flash drive. Or other data storage device shall not exceed \$1.00 per gigabyte of storage space available on the device.

There shall be no charge for electronic copies provided via email, facsimile, or other electronic transmission; provided, however, that a public office may charge up to \$0.03 per page when it is necessary to copy or print records for the purpose of redaction.

CECOMS may require payment in advance, or may waive copying and delivery costs when it determines it is cost effective to do so, provided that a consistent policy is followed for all requests.

9.0 PUBLIC RECORDS TRAINING

The CECOMS Quality Assurance Supervisor, and other persons deemed appropriate by the CECOMS Manager, shall attend training on public records policy approved by the Ohio Attorney General, as provided for in Section 109.43 of the Ohio Revised Code.

