

JOHN D. FERRERO
STARK COUNTY PROSECUTOR'S OFFICE
PUBLIC RECORDS POLICY (R.C. §149.43 and R.C. §109.43)

I. PUBLIC RECORDS REQUEST

A public record is generally any document (paper or electronic) held by this office in order to facilitate office duties and functions. A request for public records may be written or oral, but must identify the records requested with sufficient clarity for this office to identify, retrieve and otherwise make the record available as requested. If the request is considered to lack such clarity, this office or the public records officer will attempt to assist the requester in adjusting such request as possible.

It is not required that a person making a public records request identify themselves or the intended use of the records. However, such a person may be required to pay for the cost of producing copies of the records in advance of their receipt.

Any public records that are to be provided under the law will be made available within a reasonable period of time. This time will vary depending upon the volume, need for review, and accessibility of the records requested. Every effort will be made to respond as quickly as possible to every request.

When a public record is exempt under the Public Records Law, the person requesting the documents will be provided with an explanation as to why the documents will not be provided, along with the supporting legal authority. If the requestor does not provide contact information, such response will be maintained by the office until re-contacted.

In the event that information is redacted from a public records response, the redaction will be plain and obvious. Upon the request of a person that documents be provided in electronic form, such request will be complied with if the records are regularly kept in that format.

II. PROCEDURE UPON RECEIPT OF A PUBLIC RECORDS REQUEST

An internal public records request form will be filled out by the office personnel accepting the request and shall be submitted to the appropriate supervisor or officer. Any written request submitted by the requestor will be attached to this form. All public records requests should be forwarded to your division supervisor who will be responsible for presenting the request to the public records officer (Civil Division Chief) for a determination as to whether the request is properly made and whether the records fall under the public records act and/or are exempt from disclosure. If a division supervisor is unavailable, the request should be presented directly to the public records officer. If the Civil Division Chief is unavailable, the Civil Division Assistant Chief or the office Chief Counsel will handle the request.

There is no charge to inspect or view documents, but any such inspection must occur under the supervision of a Stark County Prosecutor's Office employee. The charge for copies of records is 10 cents per page or the rate for public copy charges most recently set by the Stark County Board of Commissioners, whichever is greater. Other forms of the requested documents will be charged per cost. Postage costs will be those actually incurred by this office in responding to the request.

This office recognizes its duty under the law to respond to all requests for public records and the potential consequences for failure to comply with the law. If there is any question or concern regarding a records request, this policy, or the response to any request, such inquiry should be addressed to the public records officer (Civil Division Chief).