Hinckley Township Open Records Policy

Amended: April 1, 2025

Effective Date: April 3, 2025

THEREFORE, BE IT RESOLVED that Hinckley Township hereby adopts the following Open Records Mission Statement, Principles, and Policy as set forth below:

OPEN RECORDS MISSION STATEMENT: Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is Hinckley Township's mission and intent to at all times fully comply with and abide by both the spirit and the letter of Ohio's Open Records Act and Open Meetings Act.

STATEMENT OF PRINCIPLES: In order to accomplish the mission of fully complying with both the letter and spirit of the Open Records and Open Meetings Acts, we do hereby adopt the following Statement of Principles by Resolution:

Hinckley Township

- Will ensure that all personnel become and remain fully trained in and aware of the provisions of the acts;
- Will do nothing that abridges the public's right to obtain information about their government or that inhibits or discourages citizens from doing so;
- Will do everything possible to aid those who are seeking information, including but not limited to, fully explaining the scope and operation of the acts and assisting citizens in the formulation of requests;
- Will construe the provisions of the acts in a manner that favors compliance with requests for information;
- Will seek guidance from the Medina County Prosecutor's Office or the Office of the Ohio Attorney General whenever a question arises about the application of the acts or about the appropriateness of a request for information;
- Will clearly and concisely state the reason or reasons why a request for information has been denied in writing.

OPEN RECORDS POLICY

It is the policy of this office to adhere to the state's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. The explanation will be given in writing.

I. This office, in accordance with the Ohio revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decision, procedure,

operations, or other activities of the office. All records of Hinckley Township are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

II. It is the policy of Hinckley Township that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are updated as needed and available upon request.

III. Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian will contact the requester for clarification and will assist the requester in revising the request by informing the requester of the manner in which the office keeps its records.

IV. The requester does not have to put a records request into writing, and does not have to provide his or her identity or the intended use of the requested public record. It is Hinckley Township's general policy that this information not be requested.

V. Public records from Hinckley Township are to be available for inspection during regular business hours, with the exception of published holidays or inadvertent days when the office is closed. Public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

VI. Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records will be satisfied immediately if feasible to do so. If fewer than 20 pages of copies are requested, they will be made as quickly as the equipment allows. All requests for public records will either be satisfied or acknowledged in writing by Hinckley Township within three business days following the office's receipt of the request. If a request is deemed significantly beyond "routine", such as seeking a voluminous number of copies, the acknowledgement will include the following:

1. An estimated number of business days it will take to satisfy the request.
2. An estimated cost if copies are requested.
3. Any items within the request that may be exempt from disclosure.

VII. Any denial of public records requested will include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

VIII. Those seeking public records will be charged only the cost of making copies. Hinckley Township's Cost Schedule for Public Records is as follows:

1. The first five paper copies of any request are free.
2. The charge for any additional paper copies over 5 will be ten (10) cents per page.
3. The charge for downloaded computer files to a compact disc (if available) will be one dollar ($1) per disc.

4. There is no charge for documents (if available) to be e-mailed.
5. Documents requested to be mailed will be charged the actual cost of the postage and mailing supplies.

IX. Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. The key issue of electronic mail format is content. If an e-mail or other electronic communication involves the business of a public office, it is a record of that office.

X. Those seeking police body and car camera video will be provided an estimate for the cost of preparation and production or inspection, and the requester will be required to pay the cost up front. In accordance with State of Ohio Public Records law, the Police department will charge up to $75.00 per hour, based on the costs involved, up to a $750.00 maximum per video. The Hinckley Police Department should be contacted for specific details and information regarding the Police Department's Public Records Policy.

XI. Hinckley Township recognizes the legal and non-legal consequences of failure to properly respond to a public records request.