

# Procedures For Responding To A Public Records Request



## Introduction

The purpose of these procedures is to instruct the assigned staff member how to respond to a public records' request by a third party. It assumes that the document(s) that the requestor has requested is/are in fact a public record.

## Summary of Actions To Respond To A Public Records Request

The following steps are an overview of actions to be taken in responding to a public records request:

- Set up a sub-folder for the specific request (Requestor's Subfolder) using last name or business name under G:Business Operations/Public Records Request/20\_\_[current year].
- Complete a Public Records Request Form [see G: Business Operations/Public Records Request/[current year, e.g.]2015]. The template for the year in which the public records request is made can be found in the subfolder for that year. If there is any information on the form that the requestor did not provide, as part of the initial response to the requestor (see below) ask the requestor for the information. Save the Public Records Request Form in the Requestor's Subfolder.
- Draft the Initial Response to the Request, including in it (*see Attachment B for a sample of this Response*):
  - Acknowledgement of Receipt of the Request;
  - A sentence explaining that: (i) you will begin the search and assembly of the documents that are responsive to the request; (ii) before you can deliver any of the documents, they must be reviewed to see if any information is not permitted by state or federal law to be disclosed (e.g. social security number) to the requestor;

- If the requestor has not specified how he/she would like to receive the documents, explain that the CCLRC typically makes documents available as a .pdf file and attaches them to and sends them by e-mail, if the number of documents is not large for e-mail delivery.
- The preceding method of delivery is the fastest method for delivering documents to the requestor. You can say that you will respond to the request diligently, but DO NOT PROMISE DELIVERY BY A DATE CERTAIN OR EVEN AN ESTIMATED DATE.
- If the number of documents to be sent to the requestor will be too large for customary e-mail delivery, then insert a paragraph explaining the use of a dedicated "DropBox Account" as described in the next succeeding item.
- If there are numerous documents that are responsive to the request, explain that CCLRC typically delivers the electronic copies of the documents through use of a dedicated, web-based lock box account through the website known as "DropBox." It offers the recipient these distinct advantages: The recipient will get access to documents more quickly than if hard copies had to be mailed to the recipient because as soon as CCLRC begins depositing the documents in the recipient's dedicated DropBox account, he/she has access to them. In that connection CCLRC will furnish notice of the deposits to the requestor, as well as, with the initial notice, instructions for accessing the requestor's DropBox account through the Internet.
- The CCLRC will leave the DropBox account open for six months. The requestor can download and save in digital form on his/her computer and/or print any document in his/her DropBox account. That way the requestor can choose which of the responsive documents he/she wants to keep and even to print if need be.
- If the requestor has not specified the manner in which responsive documents should be delivered, encourage him/her to utilize DropBox. Use of DropBox also saves the requestor money, because there is no charge for making responsive documents available in this manner, while if CCLRC had to make hard copies of the responsive documents, there would be a copying charge for each document.
- Meet with staff who will assist in gathering hard copies of responsive documents for scanning or copying depending on delivery method. Clearly identify the documents of which you will need a copy. If the document exists in both hard copy and digital form, specify in which format you want the copy.

- Meet with Mike Schramm regarding:
  - electronic assembly of e-mails that constitute responsive documents, assuming the public records request includes e-mail correspondence.
  - If a "DropBox Account" is going to be used to deliver the documents, ask Mike to have IT set up the account and send the link to access it to you. In addition to needing the link in order to deposit responsive documents therein, you will need it for the instructions that you will send to the requestor about accessing the responsive documents in DropBox.
- Once all sources of responsive documents have been identified and are available, begin a review of each document to determine if any of the contents must be redacted due to state or federal law prohibition of disclosing of such contents or such contents are exempt from disclosure under Ohio Public Records Law.
  - The following are the most common types of information requiring redaction or non-disclosure in whole:
    - Employer identification or social security numbers;
    - Health care information prohibited from disclosure under HIPPA;
    - Documents that constitute or may constitute evidence in an on-going criminal investigation;
    - Documents that summarize or include information about any determination of the Board made in executive session;
    - Documents labeled "Confidential – Attorney-Client Privilege."
- For any potentially responsive hard copy document, have staff make a pdf. copy of the document and forward it to you for review. It seems (at least for me) that it is easier to complete the document review using a .pdf copy since any item that requires redaction can be redacted immediately through use of the Adobe Acrobat. The .pdf documents should be opened using Adobe Acrobat, not the Acrobat Reader, since you need to be in Adobe Acrobat to edit a .pdf document. If you don't have access to the office's Adobe Acrobat software, contact Mike Schramm about installing access on your computer.
- Review all documents first, and then, if e-mail correspondence is included in the request, begin review of the e-mail correspondence after reviewing all the documents. Upon the completion of the review of a single document or e-mail, save it to a folder or sub-folder in which only a copy of the reviewed documents are kept.
- As soon as you have reviewed what you would consider a decent amount of the potentially responsive documents, "deposit" the batch of documents into the

dedicated DropBox Account related to the request. Immediately after the first deposit of documents into the DropBox Account, prepare the e-mail communication to the requestor about accessing the DropBox Account.

- The e-mail communication should inform the requestor that you have made the first of the deposits of responsive documents into the requestor's dedicated DropBox Account. It should include an attachment (in pdf form) that explains step-by-step how the requestor can access the documents. Attachment A hereto is the form which I use to explain the procedure to the requestor. The Attachment A form is in Word so you can edit it for the specific request you are working on. Finally, the e-mail should also tell the requestor that:
  - You will notify him/her by e-mail each time you deposit new documents into the DropBox.
- You will notify him/her when you are making the last deposit of responsive documents into the DropBox Account (*see sample notification in Attachment B*).
  - Six months (approximately) after the last deposit of documents (I suggest using a date certain about six months out from the last deposit), the DropBox will be shut down and deleted, so the requestor should during the time it is open, download, copy or print whatever of the DropBox contents that he/she wants to keep permanently. I usually also tell the requestor that I will send them a notice about 30 days before the "shutdown" date reminding them of the shutdown.
  - Go to your calendar and set up reminder appointments for yourself regarding the 30-day notice and shutdown. When the date of shutdown arrives, contact Mike Schramm and tell him the DropBox should be closed and deleted.



## Attachment A

### Instructions for Accessing a DropBox Account

#### INSTRUCTIONS FOR ACCESSING DROPBOX

#### PUBLIC RECORDS REQUEST OF [REDACTED]

To access these files, which you can view, print or save from within DropBox, please follow these instructions:

1. Access DropBox by holding down the Ctrl key and clicking on this link:  
[https://www.dropbox.com/sh/\[REDACTED\]](https://www.dropbox.com/sh/[REDACTED])  
[You might want to "bookmark" this "url" for future access to DropBox without having to return to the link in this e-mail.]
2. When DropBox opens, you will see the caption "*Public Records Request Caroli* [REDACTED] home page (**SEE PICTURE OF HOMEPAGE ON PAGE 2**). Underneath it there are five folders each captioned: "demo documents" followed by the permanent parcel number and address of the parcel of land on which the demolition took place.
3. Click on a folder name, and the folder will open (this may take a minute or two) displaying pdf copies of all the documents for that parcel and loaded in the folder.
4. The folder will open to the first page of the first document in the folder. Scroll down to view each successive document in the folder. If you want to download the whole document and save it to another computer, once the document has opened, go to the blue rectangle button at the top right of the page that is captioned "Download," left click on the arrow at the right of the caption and a drop-down window will appear below with two choices for download. Left click on the first choice "Direct download." The document will be automatically downloaded to your computer and you will have a choice to "open" or "save as" for it. To open it and view it, you will need to have Adobe Reader installed on the computer, which I would suspect that you already have. If not, you can find its free download by "googling" for "Adobe Reader in your browser search box, opening the site that contains the free download and following the instructions for the download.
5. Once the document is open in Adobe Reader, you can print it or save it, as you prefer.

### Public Records Request Caroline C [REDACTED]

Name	Size	Modified
 demo documents 009-04-006 1821 Denison.pdf	6.96 MB	7 days ago
 demo documents 015-14-104 3552 W 32nd.pdf	5.62 MB	7 days ago
 demo documents 105-22-048 6801 Bayliss.pdf	5.31 MB	7 days ago
 demo documents 108-24-024 10219 Garfield.pdf	4.74 MB	7 days ago
 demo documents 142-01-078 4099 E 143rd.pdf	5.02 MB	7 days ago

## **Attachment B**

### **Sample Initial Response to Public Records Request**

Mr. Atsou,

This correspondence acknowledges receipt of your public records request dated October 22, 2014. As I believe I told you in my last correspondence with you, we are continuing to deposit documents responsive to your request into your DropBox account. In fact, just today we deposited the last two responsive documents for PPNs: 118-09-013 and 118-09-045. The latter parcel, while included as a parcel under the Pass-Through Agreement deposited today in the folder 118-09-013, was never acquired by the Land Bank, and except for a possible reference in e-mail correspondence still being reviewed, we have no other documents relating to it (118-09-045). We continue to review e-mail correspondence and will continue to make deposits of responsive documents to your DropBox account every couple of days. So you should be checking the account frequently to see if there have been new document deposits for your review. At this point, all public records from the Land Bank's hard copy corporate files have been deposited into your account.

I will notify you when we have made the last deposit of the documents responsive to your request. It is our policy to continue your DropBox account as an active account for six months from the date of the last deposit. In the meantime, any documents that you want to retain permanently, you should download from Dropbox and save on your computer system or print out a hard copy. We will also send you a notice about 30 days prior to closing the DropBox account reminding you of its termination at the end of the period.

### **Sample Notification re Final Deposit of Documents to DropBox Account**

Mr. Atsou,

The purpose of this correspondence is to notify you that with today's deposit of e-mail correspondence into your DropBox Account, we have completed the deposit of all responsive documents that our search of the CCLRC's public records disclosed. As we told you at the start of our periodic deposits of responsive documents, you can download or copy and print any document in your Dropbox Account that you believe you may need to have at a future date. In accordance with CCLRC policy, we will leave your DropBox Account open through April 30, 2015. At the end of March we will send you an e-mail informing you that the DropBox Account will be closed on April 30, 2015 and that any document in it that you have not downloaded and saved or printed will no longer be accessible.

If you have any questions regarding this matter, please do not hesitate to send me an e-mail about it.